



GE Energy

Dawn M Varacchi-Ives
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Transactions/Remediation

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Jessica LaClair
NYSDEC Division of Environmental Remediation
Remedial Bureau D
625 Broadway, 12th Floor
Albany, New York 12233-70013

Re: **Comments to Statement of Basis**
GE Buffalo Service Shop
USEPA ID# NYD067539940
NYSDEC Part 373 Permit No. 9-1464-00044/00001-0

Dear Ms. LaClair:

As currently written, the Statement of Basis for the GE Buffalo Service Shop at 175 Milens Road in Tonawanda, New York notes that the institutional controls imposed on the property will “require the facility owner to demolish the building and conduct sub-slab soil sampling if the building is no longer used as an industrial/commercial building.” GE requests that this text on page 14 of the Statement of Basis be changed to note that the institutional control “requires the facility owner to conduct appropriate sampling and response actions as approved by NYSDEC (including sub-slab soil sampling and building decontamination or demolition) prior to changing the use of the property from industrial/commercial.”

GE requests this change to provide flexibility to conduct appropriate response actions rather than requiring demolition of the building. Furthermore, demolition of the building has not been previously discussed in former correspondence with NYSDEC, including the site Focused Corrective Measures Study Report which specifically addressed the site building. GE questions whether it is appropriate to include a requirement for a remedial technology that was never evaluated as part of the corrective measure process in the site Statement of Basis.

GE agrees that non-industrial/commercial uses of the building need to be evaluated prior to changing the site use; however, it seems premature to determine demolition is the proper course at this time. For example, residual impacts may be able to be removed without demolishing the entire building. In addition, the sub-slab sampling requested by NYSDEC can be conducted with the building in-place.

GE appreciates the opportunity to comment on the Statement of Basis for the GE Buffalo Service Shop at 175 Milens Road in Tonawanda, New York.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn M Varacchi-Ives". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dawn M Varacchi-Ives
EHS Program Leader – Transactions/Remediation

cc: Kathleen Emery, NYSDEC