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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR - 4 2005

Mr. Delmar Karlen, Jr.
New Jersey Superfund Branch Chief
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway
New York, NY 10007-1866

ENVIRONMENTAL APPEALS BOARD

Re: The General Electric Company
Grand Street Mercury Superfund Site
Docket Numbers: II-CERCLA-97-0108 &
II CERCLA-98-0108
Petition Number: CERCLA 106(b) 05-01

Dear Mr. Karlen:

Enclosed is a petition for reimbursement dated March 1, 2005 (received by the Environmental Appeals Board (the "Board") on March 1, 2005), filed by Samuel I. Gutter, Sidley Austin Brown & Wood LLP, on behalf of the General Electric Company, pursuant to CERCLA Section 106(b). The petition seeks reimbursement of costs incurred by the petitioner.

The Board has issued a revised guidance document, dated November 10, 2004, describing the Board's procedures for addressing Section 106(b) reimbursement petitions. A copy of the Board's guidance is enclosed.

Accordingly, please have your staff prepare and submit a response to the petition, as described more fully in Section IV.A of the Board's guidance. If your response challenges the petitioner's eligibility to seek reimbursement, without regard to the merits of the reimbursement claim, the response should be filed not later than April 4, 2005. If, however, your response does address the merits of the reimbursement claim, the response should be filed not later than May 4, 2005. In either event, please file an original (signed in blue ink) and two copies of the response with the Board at the address shown below, and send a copy of the response to the petitioner's attorney.

Please include with the response a certified index to the administrative record that was compiled in connection with the issuance of the underlying CERCLA Section 106(a) Order. Please also include copies of any documents that are relied on in the response and that have not already been submitted to the Board by the petitioner.

Environmental Appeals Board's Mailing Address

All documents that are sent through the U.S. Postal Service (Except by Express Mail)

MUST be addressed to the Environmental Appeals Board's mailing address which is:

U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals board 1103B
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001

Documents that are sent to the Environmental Appeals Board's hand-delivery address (below) through the U.S. Postal Service (except by Express Mail) will be returned to the sender and shall not be considered as filed.

Hand Delivery Address

Documents that are **hand-carried** in person, delivered via courier, mailed by Express Mail, or delivered by a non-U.S. Postal Service carrier (e.g., Federal Express or UPS) **MUST be delivered to:**

U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board
1341 G Street, N.W. Suite 600
Washington, D.C. 20005

Documents that are hand-carried may be delivered to the Clerk of the Board between 8:30 a.m. to 12:00 p.m. and 1:00 p.m. to 4:30 p.m., Monday through Friday (excluding federal holidays).

Filing Requirements

IMPORTANT: All documents, including the materials due April 4, 2005 and May 4, 2005, must reference the appeal number. In addition, any envelope or other packaging containing documents sent to the address, as prescribed above, must bear a complete and accurate return address in the upper left hand corner. The envelope or packaging must also clearly state the case name and case identifier in the lower left hand corner.

Thank you for your attention to this matter.

Sincerely,



Eurika Durr
Clerk of the Board

Enclosure

cc w/o encl: Samuel I. Gutter
Samuel B. Boxerman
Sidley Austin Brown & Wood LLP
1501 K Street, N.W.
Washington, DC 20005

w/encl: Eric H. Schaaf, Regional Counsel
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