BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

)
)
)
)
)

In the Matter of:)   **CERCLA § 106(b) Petition No. 05-01**

)

Grand Street Mercury Site,   )   **Unilateral Administrative Orders**
  General Electric Company, Petitioner   )   **Docket No. II-CERCLA-97-0108**
)   **Docket No. II-CERCLA-98-0108**

)
)
)

STATUS REPORT

On October 18, 2005, the Environmental Appeals Board issued a Consolidation

Order and Order Granting Stay in the above-captioned matter. The Board's order stayed further

proceedings pending an anticipated settlement between the Environmental Protection Agency

("EPA") and General Electric Company ("GE") of this matter and related judicial cases

involving the Grand Street Mercury Site. The Board directed the parties to file a status report by

January 18, 2005.

EPA and GE are in the final stages of negotiating a consent decree in the related

judicial cases which, when executed, will be lodged with the court. Assuming that the court,

following lodging and the requisite public comment period, approves the consent decree, GE will

thereupon dismiss, with prejudice, this petition before the Board.

GE is authorized to state that EPA joins in this status report.

Respectfully submitted,

GENERAL ELECTRIC COMPANY

By: _____
Samuel I. Gutter
SIDLEY AUSTIN LLP
1501 K Street, N.W.
Washington, DC 20005
(202) 736-8167

James A. Moss
HERRICK, FEINSTEIN LLP
Two Park Avenue
New York, NY 10016
(212) 592-1414

Kirk Macfarlane
Counsel, GE Corporate Environmental Programs
640 Freedom Business Center
King of Prussia, PA 19406
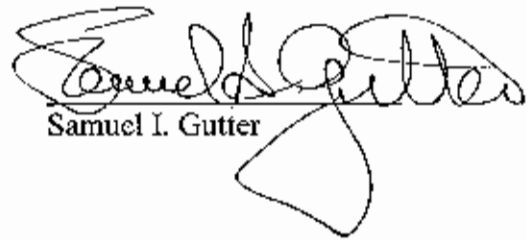(610) 992-7976

January 17, 2006

CERTIFICATE OF SERVICE

I hereby certify that I caused copies of the foregoing Status Report to be sent to

the following persons by first class mail, postage prepaid:

Sarah P. Flanagan
Office of Regional Counsel
U.S. EPA, Region 2
290 Broadway, 17th floor
New York, NY 10007-1866

Clarence Featherson
EPA Office of Site Remediation and Enforcement
Ariel Rios Building, MC 2272A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dated: January 17, 2006

Samuel I. Gutter