

RECEIVED
U.S. E.P.A.

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

2005 OCT 18 PM 1: 56

ENVIR. APPEALS BOARD

)	
)	
)	
)	
In the Matter of:)	CERCLA § 106(b) Petition No. 05-01
)	and 05-03
Grand Street Mercury Site,)	
General Electric Company, Petitioner)	Unilateral Administrative Orders
)	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, 2006, and 90 days thereafter.

EPA and GE negotiated a consent decree in the related judicial cases. The consent decree was entered by the court on August 2, 2006. The consent decree provides that, upon final approval by the court of a second settlement among non-GE parties and assuming no appeals therefrom, GE will dismiss this petition. Assuming that the court approves that settlement and no appeals are filed, 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

October 18, 2006

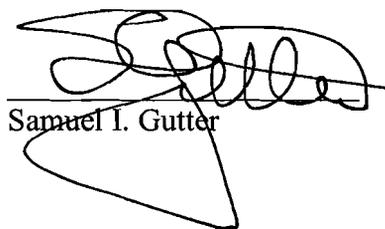
CERTIFICATE OF SERVICE

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: October 18, 2006



Samuel I. Gutter