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PRIVILEGED AND CONFIDENTIAL

June 12, 1995

Timothy Hardy, Esq.
Kirkland and Ellis
655 15th Street, N.W.
Suite 1200
Washington, D.C. 20005

Dear Tim:

Attached are an excerpt from a EPA Superfund Innovative Technology Evaluation ("SITE") report involving solidification of PCBs and an entire SITE Report on another stabilization process -- International Waste Technologies/Geo-Con In Situ Stabilization/Solidification (1990) and Soliditech, Inc. Solidification/Stabilization Process (1990). I mentioned these reports at the last PCB consensus panel meeting because they demonstrate that there is no leaching of PCBs off of the samples prior to stabilization (as well as after stabilization). There are site-specific reports and perhaps even SITE reports that show leaching of detectable levels of PCBs off of liquid PCBs and soils with very high concentrations (which may in fact have small amounts of liquids in the soil). I believe that you wanted to use this information to rebut the Environmental Technology Council.

I suspect that the Council's own data can be used against them because it too shows very little leaching. Their point is not that more leaches but that the leaching test is not predictive of total waste concentration and that soils containing concentrations greater than 50 ppm may pass the leaching test. Their point, of course, is irrelevant. For remediation waste, the issue is whether the soil presents a continuing risk if it remains on-site. If covered, it does not present an ingestion or dermal risk. The Toxicity Characteristic Leaching Procedure test shows that it is does not leach and, therefore, is not a danger.

to the groundwater. Our whole point is that it is safe to leave concentrations greater than 50 ppm on-site.

If you have any questions, please call me.

Yours truly,

William J. Walsh

Attachments

cc: Leah L. Porter, CMA