UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
New England Office – Region I
One Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

August 28, 2007

Mr. Andrew T. Silfer
General Electric Company
159 Plastics Avenue
Pittsfield, Massachusetts 01201 Sent via US Mail and Electronic Mail

RE: EPA's Conditional Approval of the Supplement to the Model Input Addendum – Housatonic Rest of River CMS Proposal

Dear Mr. Silfer:

EPA has completed its review of GE's report entitled *"Supplement to Model Input Addendum – Housatonic Rest of River CMS Proposal"* (hereinafter "MIA Supplement"), submitted August 3, 2007. GE submitted the MIA Supplement as directed by EPA in response to EPA's May 24, 2007 conditional approval of the document entitled "*Model Input Addendum to the CMS Proposal*," submitted on April 16, 2007. These documents and other submittals are required pursuant to the Reissued RCRA Permit for the GE-Pittsfield/Housatonic River Site ("Permit"), which is Appendix G to the Site Consent Decree.

With respect to work plans or other submittals related to the CMS Proposal other than the CMS Proposal Supplement, the Model Input Addendum, the Model Code Proposal, and the MIA Supplement, nothing in any of the approval and/or conditional approvals in this letter shall be interpreted to supersede the approval, the conditions in a conditional approval, or the disapproval of such GE submittals, unless expressly stated as such by

EPA. EPA reserves all its review and compliance rights under the Consent Decree regarding such GE submittals.

EPA conditionally approves the MIA Supplement subject to the following conditions:

1. Stage-Discharge Rating Curve at Pomeroy Avenue

EPA notes that the portion of the post-remediation rating curve at Pomeroy Avenue corresponding to "high-flow" (i.e., flow greater than 550 cfs) as defined for the purposes of establishing East Branch boundary conditions for the model simulations (see Item 3, below) includes only two data points, and the shape of this portion of the rating curve is largely dependent on the single data point obtained during a high-flow event of approximately 2000 cfs. Accordingly, EPA requests that GE attempt to obtain additional flow measurements during high-flow events, as time and flow conditions allow during the development of the CMS, to better define this portion of the rating curve.

2. Proposed East Branch PCB Boundary Conditions

While EPA agrees with the general approach used by GE to develop East Branch PCB Boundary Conditions (i.e., "future conditions") for use in the model simulations, GE shall modify the resulting time series of PCB boundary inputs used in the model in accordance with the conditions detailed below.

2.1 Low Flow Reduction Factor

EPA concurs with the discussion leading to the conclusion, based on best professional judgment, that PCB boundary input at low flow (< 550 cfs) will decrease by approximately 90% during the first 10 years of the model simulation period as a result of ongoing remediation being performed pursuant to the Consent Decree and the State ACOs, primarily remediation of Silver Lake and Unkamet Brook. EPA does not agree, however, that inputs following the 10-year period will result primarily from remediated sediments in Unkamet Brook as stated by GE given the extent of the planned cleanup of the Brook sediment, but rather from an integration of all remaining post-remediation soil/sediment concentrations (see additional discussion at Item 3.3, below, concerning half-life).

2.2 High Flow Reduction Factor

EPA concurs with the conclusion, based on a general qualitative assessment of remaining sources and best professional judgment, that a 50% decrease in PCB boundary input at high flow (> 550 cfs) is one reasonable approximation of the effect of ongoing remediation of the GE facility during the first 10 years of the model simulation period. However, due to the numerous sources of uncertainty in this estimate, EPA establishes as a condition of its approval of the MIA Supplement that GE shall also provide, as a bounding analysis in the CMS, the results of model simulations based on the assumption that the facility remediation will produce a 75% decrease in high-flow input over the first 10 years of the simulation.

2.3 Half Life

EPA acknowledges that application of a half-life to East Branch boundary conditions solely to represent natural attenuation similar to that being applied to the West Branch and tributary loads may be inappropriate because as described by GE, the inputs are largely derived from upland soil sources which are not affected by the same natural recovery processes that occur in riverine systems. However, EPA's condition, as stipulated in its May 24, 2007 conditional approval of the Model Input Addendum, that a single (i.e., 52-year) half-life be included in the determination of future East Branch boundary conditions was not based solely on the concept of natural attenuation due to riverine processes, but also on the assumption that implementation of Best Management Practices (BMPs), improved stormwater management, and/or other means of controlling discharges of contaminants from the facility to the river will be implemented during the period of the model simulations. Although the timing and /or extent of such reductions in inputs to the river are unknown at this time, use of a 52-year half-life during the simulation will provide a more realistic estimate of future boundary conditions than assuming that the input will remain constant over this period. In addition, EPA notes that inputs from any residual contamination in Unkamet

Brook sediment following remediation would be subject to natural recovery processes and therefore natural recovery due to riverine processes would apply to that portion of the total East Branch boundary load. GE shall use a half life of 52 years in the model simulations for the East Branch future conditions.

GE shall incorporate these changes into the model to be used in the Corrective Measures Study.

This conditional approval of the MIA Supplement, and previous approvals and conditional approvals of related documents, do not alter GE's requirement to submit the Corrective Measures Study and all other submittals under the terms of the Permit. As provided in the Compliance Schedule set out in Attachment B to Appendix G, in the future EPA will consider the need for an alternative schedule for the submittal of the CMS Report upon demonstration by GE of the need for such an alternative schedule.

Sincerely,

Susan C. Svirsky

Susan C. Svirsky, Project Manager
Rest of River

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