



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

04-0024

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

SDMS 210661

March 30, 2004

Mr. Andrew T. Silfer
Corporate Environmental Programs
General Electric Company
100 Woodlawn Avenue
Pittsfield, MA 01201

Via Electronic and U.S. Mail

Re: Conditional Approval of General Electric's March 2004 *Proposal for Additional Pre-Design Sampling for Soils Adjacent to Silver Lake*, GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Silfer:

This letter contains the Environmental Protection Agency's (EPA) conditional approval of the pre-design investigation work plan described in the above-referenced *Proposal for Additional Pre-Design Sampling for Soils Adjacent to Silver Lake* (Proposal). The Proposal is subject to the terms and conditions specified in the Consent Decree (CD) that was entered in U.S. District Court on October 27, 2000.

Pursuant to Paragraph 73 of the CD, EPA, after consultation with the Massachusetts Department of Environmental Protection (MDEP), approves the above-referenced submittal subject to the following conditions:

1. GE shall analyze the samples collected from the various depth intervals to 15 ft bgs from sampling location I9-9-19-SB-3 which were previously collected by EPA and have been held for possible future analysis. EPA is concerned that the holding times for these samples will expire before they are analyzed.

GE shall complete the supplemental sampling included in the Proposal in accordance with the requirements listed above in this letter within six weeks from the date of this Final Conditional Approval Letter. GE shall submit the interim pre-design investigation report within six months of the date of this Final Conditional Approval Letter.

If there is any conflict between the Performance Standards as described in the Proposal and as set forth in the Consent Decree and/or Statement of Work for Removal Actions Outside the River (Appendix E to the Consent Decree), the Statement of Work shall control. EPA reserves its right to perform additional sampling in the areas subject to Proposal and/or require additional sampling or response actions, if necessary, pursuant to the Consent Decree.

If you have any questions, please contact me at (617) 918-1268.

Sincerely,

Michael J. Nalipinski
GE Facility Project Manager

- cc: Richard Gates, GE
- James Bieke, Shea & Gardner
- Jim Nuss, BBL
- Sue Steenstrup, MDEP
- Robert Bell, MDEP
- Anna Symington, MDEP
- Eileen Barnes, MDEP
- Holly Inglis, US EPA
- John Kilborn, US EPA
- Rose Howell, US EPA
- K.C. Mitkevicius, USACE
- Dawn Jamros, Weston Solutions
- Pittsfield MA Office, US EPA
- Mayor James Roberto, City of Pittsfield
- Property Owners
- Public Information Repositories