



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
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BOSTON, MASSACHUSETTS 02114-2023

04-0044

SDMS 220079

January 18, 2005

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

Via Electronic and U.S. Mail

Re: Conditional Approval of General Electric's September 2004 *Interim Pre-Design Investigation Report for Soil 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 above-referenced *Interim Pre-Design Investigation Report for Soil Adjacent to Silver Lake* (Report) dated September 29, 2004. This Report 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. Section 5.0 Proposed Additional PCB Investigations** – Based on recent discussions with GE, EPA concurs that the area located adjacent to and west of Parcel I9-9-1 (i.e., a portion of the paved Esther Terrace and the area between that paved portion and Silver Lake) will be combined with Parcel I9-9-1 for the purposes of conducting future RD/RA evaluations. Further, for this combined area, GE anticipates that future RD/RA evaluations will be limited to bank soils only, and that sufficient data are currently available to characterize the bank soils for this area, however there appears to be a PCB-related data gap between Parcels I9-10-8 and I9-9-1, on the residentially-shaded non-bank area at the end of Esther Terrace. The samples immediately to the west on Parcel I9-10-8 are above 2 ppm. The samples immediately to the east on Parcel I9-9-1 are below 2 ppm, or non-detect. GE shall install a soil boring and collect PCB samples from the 0 to 1 foot and 1 to 3 foot depth increments from near the center of the non-bank portion of this area, in a location to the southeast of I9-10-8-E175, to determine if the non-bank portion of this property needs to be included in the Silver Lake RAA.
- 2. Technical Attachment D to the SOW** provides protocols for additional soil investigations for both floodplain properties and banks at the Silver Lake Area, and references protocols for both the GE Plant Area and the Former Oxbow Areas. For the most part, the Agencies

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believe that existing and proposed locations and depth intervals for sampling of Appendix IX+3 constituents meet the requirements in the CD, with the following exceptions:

- Only two (2) Appendix IX+3 samples (one in the 0- to 1-foot depth increment and one in the 1- to 3-foot depth increment) have been collected at location I9-9-22-SB-3 on commercial Parcel I9-9-22. A minimum of four (4) Appendix IX+3 samples have been collected on all other commercial parcels. GE shall collect a minimum of two (2) additional Appendix IX+3 samples from the 0- to 1-foot and 1- to 3-foot depth increments on this parcel, in the vicinity of sample location I9-9-22-SB-1. Depending on the results of that additional sampling, it may be necessary to collect samples at deeper depth increments, similar to those being proposed for the adjacent parcel (Parcel I9-9-21), since Figure 3 indicates that, like Parcel I9-9-21, Parcel I9-9-22 contains a non-bank area that is proposed for inclusion within the Silver Lake Area RAA.
 - On residential Parcel I9-9-1, PCBs were detected at a concentration above 2 ppm, and up to 16 ppm at a depth of 8 feet in several historical sample locations (A168, B144, C116), but Appendix IX+3 samples have been collected only to a depth of 5 feet, and no additional Appendix IX+3 sampling is proposed for this property in the Report. Supplemental PCB samples were collected at locations B144 and C116, and at pre-design sampling locations I9-9-1-SB-5 and I9-9-1-SB-4, which are located in the vicinity of A168, and between A168 and B144, respectively, to non-detect, however not from A168. Consistent with the SOW, GE shall collect an Appendix IX+3 sample from each of the 5- to 7-foot and 7- to 9-foot depth increments at or in the vicinity of sample B144, along the bank.
3. **On Page 3 of 7**, GE “proposes to abandon further attempts to collect samples up to 15 feet” at location I9-9-24-SB-1, due to refusal at 11 feet after six attempts. GE requests to discuss alternative options. The PCB concentration in boring I9-9-24-SB-1 at the 9 – 11 foot interval is 7.3 ppm. There are no adjacent samples from this depth in this area, therefore collection of a sample at this interval from this general area is of importance. GE shall make one final attempt to collect samples to a depth of 15 feet from location I9-9-24-SB-1. If this final attempt is not successful, then EPA recommends that GE, EPA and DEP mutually agree on an alternative bank sample location (preferably to the west) in the field. Since this location will necessarily be some distance from I9-9-24-SB-1, GE shall collect PCB samples from the 9 – 11 foot interval, in addition to the deeper intervals, to provide data correlation.
 4. **On Pages 4 and 5 of 7**, GE states that it intends to treat the bank and non-bank portions of commercial properties as separate averaging areas, to apply the floodplain performance standards to non-bank portions of commercial properties and to apply the 125 ppm not-to-exceed PCB concentration to soils within the top 1 foot. However, for the two residential parcels, Parcel I9-10-8 and Parcel I9-9-9, where GE indicates that non-bank portions of the parcels will be included within the Silver Lake Removal Action Area (RAA), GE proposes to not break these parcels into separate averaging areas consisting of the bank and non-bank portions. Although Appendix E to the CD, the Statement of Work for Removal Actions Outside the River (the SOW), allows GE to treat these properties comprehensively, it only allows this to be done if “exposure to property soils is equally likely throughout the property.” The Agencies believe that exposure to bank and non-bank areas differ, due to

differences in topography and, therefore, the bank areas should be evaluated separately from the non-bank areas of these properties.

For Parcels I9-9-9 and I9-10-8, GE shall evaluate separate (bank and non-bank) averaging areas. To facilitate Appendix IX+3 evaluation activities at Parcel I9-9-9, GE shall:

- For the bank area, collect an Appendix IX+3 sample from the 0 to 1 foot depth increment at sample location I9-9-9-SB-2, in addition to the currently proposed 5 to 7 foot and 7 to 9 foot depth increments.
- For the non-bank area,
 - a. collect an Appendix IX+3 sample from each of the 0 to 1 foot and 1 to 3 foot depth increments in the vicinity of sample location I9-9-9-SB-4; and
 - b. due to insufficient sample volume, sample location I9-9-9-SB-1 was only analyzed for Appendix IX+3 SVOCs in the 3 to 5 foot depth increment; therefore, GE shall collect an Appendix IX+3 sample from the 3 to 5 foot depth increment at sample location I9-9-9-SB-1 for Appendix IX+3 constituents, excluding SVOCs, in addition to the currently proposed 7 to 9 foot depth increment.

To facilitate Appendix IX+3 evaluation activities at Parcel I9-10-8, GE shall, for the bank area:

- collect an Appendix IX+3 sample from the 0 to 1 foot depth increment at sample location I9-10-8-SB-2, in addition to the currently proposed 5 to 7 foot depth increment; and
- collect and analyze a 1-to 3-foot sample for SVOCs at sample location I9-10-8-SB-9, due to the rejection of certain SVOC data as a result of data validation of the existing 1- to 3-foot sample.

5. **Table 3** – This table provides a summary of EPA pre-design split soil data. There are errors contained in this table as follows;
- a. The second column lists GE Location ID #I9-9-9-SB-4 and EPA Sample ID #SL-BH001031-0-0050 collected at a depth of 5 – 7 feet. The correct GE Location ID is #I9-9-9-SB-2 and the correct EPA Sample ID is #SL-BH001031-0-0070, which was collected at a depth of 7 – 9 feet. (Note the EPA Sample ID # will be corrected in the next electronic data exchange.)
 - b. The fourth column lists GE Location ID #I9-9-34-SB-1. The correct GE Location ID is #I9-9-34-SB-3.

GE shall correct this information in future submittals of Table 3.

6. **Corrections to figures for future submittals** – On Figure 3, the bank portions of properties need to be differentiated with color to distinguish them from the non-bank portions in a manner consistent with Figures 1, 2, 4, and 5.

The samples required in Conditions #1, 2, 3 and 4 shall be collected and presented to EPA in the second PDI Report, consistent with the schedule provided in Section 7.0 of the Report.

EPA reserves its right to perform additional sampling in the areas subject to this Report and/or require additional sampling or Response Actions, if necessary, to meet the requirements of the Consent Decree.

If you have any questions, please contact me at (617) 918-1247.

Sincerely,



James M. DiLorenzo
GE Facility Project Manager

cc: Richard Gates	GE
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