

01-0848



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION 1  
 1 CONGRESS STREET, SUITE 1100  
 BOSTON, MASSACHUSETTS 02114-2023

June 07, 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 August 2004 *Proposal for Supplemental Building Material Characterization Activities, Buildings 42, 43/43-A, 44, 40s Complex*, 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 *Proposal for Supplemental Building Material Characterization Activities, Buildings 42, 43/43-A, 44, 40s Complex* (Report) dated August 4, 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. Page 2 of the Report states, "... no TCLP samples were collected from the first floor of Building 42 since the floor slab(s) are not being removed as part of the building demolition activities." Composite TCLP samples were collected from the first floors of Buildings 43 and 44. A portion of the Building 42 slab will be removed and sent to OPCA 71 based on PCB results. GE shall perform TCLP analysis on the remaining Building 42 first floor slab (approximately 47,800 square feet) in accordance with the approved Building Demolition Protocols (i.e., one composite sample for every 50,000 square feet). As a result of the current expedited schedule, and consistent with the characterization of other floor slabs within the 40s complex, GE analyzed one (1) composite sample (designated as 42-1-CF-composite-1(a-e)) from five (5) discrete core locations identified as samples (a) through (e) on the attached mark-up of BBL's Figure A-2-1.
2. GE has stated that a layer of crushed debris will be placed over the slabs for engineering purposes during demolition. It is also EPA's and GE's understanding that the slabs will only be used by PEDAs to provide structural support in the future. Therefore, in lieu of characterizing the remaining portions of the slabs, GE shall cover the debris layer on top of the slabs with a minimum of 4 inches of topsoil and seed with grass upon completion of the demolition activities. General construction and maintenance requirements for the proposed stockpile, as specified in condition #3 below, shall apply. Furthermore, EPA reserves the right to require sampling of the slabs if they are ever to be used in a manner that results in a

Internet Address (URL) • <http://www.epa.gov/region1>

potential for direct contact. The ERE for the 40s Complex shall require that the slabs remain covered to eliminate any potential direct contact risks, unless such slabs are sampled and anticipated uses are found to be acceptable to the ERE grantee.

3. The Report proposes that select building material (i.e., approximately 19,000 cy of brick and concrete) from the 40s Complex is to be crushed for future use as subgrade backfill material. It is the Agencies' understanding that GE intends to create an on-site temporary stockpile to place the crushed demolition debris in the western portion of the 40s Complex, as shown in Figure 1 (Conceptual Stockpile Grading Project Location: GE 40s Complex). It is anticipated that the Pittsfield Economic Development Authority (PEDA) will use the stockpiled debris on-site once a final grading plan is established. In evaluating the appropriateness of this approach, DEP has determined that the stockpiling of crushed material on the 40s property meets the substantive requirements of DEP's solid waste regulations (310 CMR 16.05), specifically the ABC Rubble Requirements.

The use of suitable demolition debris (after processing/crushing) as general fill/grading material within the identified area of the 40s Complex may be acceptable, however this letter does not constitute final approval of the stockpile. GE shall submit to EPA for approval, a proposal for the creation of a temporary stockpile on the 40s Complex that incorporates, at a minimum, the following conditions. This proposal may be incorporated into the summary report/evaluation of the recent Appendix IX+3 and TCLP characterization sampling results.

- The debris to be used to create the stockpile shall comply with the PCB and Appendix IX requirements of Section 3.3 to Attachment B of the Project Operations Plan (Conditions and Criteria for Use of Site Materials.)
- A physical barrier (permeable geotextile or similar) shall be established in the non-paved areas prior to placement of debris.
- The stockpile shall be covered with a minimum of 4" of topsoil and a grass seed mix.
- The maximum elevation of the stockpile, including the 4" of top soil, shall be limited to the existing road grade (approximately 1,021 msl.)
- GE shall key the stockpile into the existing grade along the northern border. The maximum slope of the stockpile shall be 25% along the southern, eastern and western boundaries. The stockpile shall be graded to minimize runoff and maintain drainage on the 40s Complex property.
- GE shall prepare figures that depict the existing topography, and the proposed final grading of the stockpile. GE shall prepare a final topographic map for the 40s Complex following placement of the stockpile.
- GE shall implement dust suppression methods with a threshold of "no visible dust" in accordance with Attachment D to the Project Operations Plan. Dust suppression activities shall continue throughout construction of the temporary stockpile, and until such a time as a vegetative cover is fully established.
- GE shall perform all necessary Post-Removal Site Control activities in accordance with Attachment J to the Statement of Work, including but not limited to, repair of any erosion damage and maintenance of the vegetative cover through annual mowing and re-seeding, as necessary. Notwithstanding Paragraph 12 of the Consent Decree, after transfer of the 40s Complex to PEDA, GE shall perform the Post Removal Site Control obligations for the stockpile, if PEDA fails to perform such obligations.

- GE shall remove and properly dispose of, and/or reuse (in accordance with the Project Operations Plan), the stockpile material within 5 years from the date of completion of the stockpile, unless GE requests, and EPA approves, a proposal to extend the duration of time that the temporary stockpile can remain at its proposed location, or EPA approves the relocation of some or all of the material to another potential re-use location covered by the Consent Decree. EPA also reserves the right to require that the stockpile be removed at any time, if the above-referenced conditions are not met.

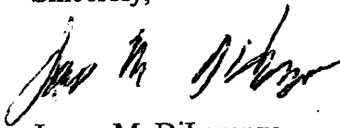
The proposed stockpile may require a Consent Decree modification.

4. Page 2 of the Report states, "None of the results for the 11 samples collected for TCLP analysis exceeded the respective RCRA TCLP regulatory limits." However, according to Table 2, the detection limits for TCLP pesticides for sample 44-1-TCLP-C1 exceeded the regulatory limits (i.e., Regulatory TCLP limit for chlordane is 0.03 ppm. Detection limit used was 12 ppm.) This was the only TCLP sample for Building 44. GE has subsequently informed EPA that the final data report from the analytical laboratory confirmed the non-detect at the appropriate regulatory TCLP limit. GE shall revise Table 2 of the Report to show the correct detection limits in the next submittal.
5. Table 5 of the Report indicates that 300 cy of structural steel is currently present in the buildings. This table further indicates that 100 cy of structural steel will be disposed of at the Building 71 OPCA. GE shall revise Table 5 of the Report in the next submittal to clarify that the remaining 200 cy of structural steel will be disposed of at the Hill 78 OPCA and not included in the backfill material.

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:

John Novotny	GE	Bill Lovely	USEPA
James Bieke	Goodwin Procter	Bob Cianciarulo	USEPA
James Nuss	BBL	Dean Tagliaferro	US EPA
Susan Steenstrup	MDEP	K.C. Mitkevicius	USACE
Anna Symington	MDEP	Thomas Hickey	PEDA
Robert Bell	MDEP	Dawn Jamros	Weston
Holly Inglis	US EPA	Pittsfield MA Office	US EPA
John Kilborn	US EPA	Mayor James Ruberto	City of Pittsfield
Rose Howell	US EPA	Berkshire Athenaeum Public Library	