



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
ONE CONGRESS STREET, SUITE 1100  
BOSTON, MA 02114-2023**

September 14, 2006

Mr. Andrew 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 6, 2006 40s Complex, Temporary Stockpile Construction – As-Built Topographic Survey, GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Silfer:

This letter provides the Environmental Protection Agency's (EPA) conditional approval of GE's September 6, 2006 40s Complex, Temporary Stockpile Construction – As-Built Topographic Survey. This letter 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.

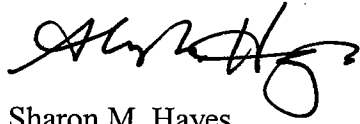
Pursuant to Paragraph 73 of the CD, EPA, after consultation with the Massachusetts Department of Environmental Protection (MDEP), approves the above-referenced submittal, subject to the following conditions:

1. Based on a visual inspection conducted on September 12, 2006, the northeastern edge of the rough-graded subgrade is not tapered into the existing grade along Kellogg Street due to the existence of a flush-mounted groundwater monitoring well. GE shall either extend the well casing and taper the subgrade into the existing grade along Kellogg Street, or re-grade the northeastern slope to ensure that the final grade is a maximum of 25% (4 horizontal to 1 vertical).
2. The northwestern edge of the rough-graded subgrade is not tapered into the existing grade along Kellogg Street and Attachment E of the July 6, 2005 Supplemental Building Material Characterization Report – Buildings 42, 43/43-A, 44 (Attachment E) does not specify how the toe of slope in this area will be constructed to dissipate storm water runoff. GE shall install a 12-inch thick layer of 2 inch stone from the toe of slope to the existing concrete curb/retaining wall consistent with the approach presented for the southern slope in Section 3 on Figure E-2 in Attachment E.
3. GE shall re-grade the eastern slope to ensure that the final grade meets the 25% (4 horizontal to 1 vertical) maximum slope requirement.

EPA reserves its right to perform additional sampling and/or require additional sampling or Response Actions, if necessary, to meet the requirements of the CD.

If you have any questions, please contact me at (617) 918-1328.

Sincerely,



Sharon M. Hayes  
GE Facility Project Manager

cc:

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