



GE  
159 Plastics Avenue  
Pittsfield, MA 01201  
USA

*Transmitted Via Federal Express*

December 21, 2006

Mr. Dean Tagliaferro  
United States Environmental Protection Agency  
c/o Weston Solutions  
10 Lyman Street  
Pittsfield, MA 01201

**Re: GE-Pittsfield/Housatonic River Site  
40s Complex (GECD120)  
Proposal for Remaining At-Grade Concrete Slabs – Former Buildings 42, 43/43A, and 44**

Dear Mr. Tagliaferro:

In March and April 2006, the General Electric Company (GE) and the U.S. Environmental Protection Agency (EPA) discussed and reached agreement on a number of issues relating to the handling of the at-grade concrete floor slabs of Buildings 42, 43/43A, and 44 at the GE facility following the demolition of those buildings. These former buildings are located within the 40s Complex area, which GE will transfer to the Pittsfield Economic Development Authority (PEDA) under the terms of the Definitive Economic Development Agreement. The agreements regarding the slabs were subsequently documented in a letter from GE to EPA dated May 1, 2006. Among other things, GE agreed at EPA's request to address the remaining uncovered slabs of these buildings in the same way as EPA had previously directed GE to address the floor slabs of certain buildings in the 19s Complex. Consistent with that directive, GE stated that it would submit a plan to EPA regarding the characterization and disposition of the remaining slabs of Buildings 42, 43/43A, and 44 by the earlier of (1) 30 days after GE receives notice of PEDA's foundation requirements for these buildings, or (2) December 29, 2006. This plan is required to provide the following information:

- If the slabs are to be removed, details regarding the characterization of the slabs for disposition;
- If the slabs are to remain in place, information documenting how this option will be protective of human health and the environment, including any appropriate provisions for the Grant of Environmental Restriction and Easement (ERE) for the 40s Complex to address direct contact risks; and/or
- If the future intended use for any slab is unknown or if any slab will remain unused, a proposal for the installation and maintenance of appropriate engineering controls for such slabs.

As discussed below, PEDA has not yet identified a final course of action for the future use(s) of the at-grade concrete slabs within the 40s Complex. In these circumstances, Part A of this letter provides GE's proposed plan for future activities related to these slabs. (In proposing this plan, GE notes its position that there is no basis in the Consent Decree to require such activities for building slabs, and it reserves the right to contest such requirements in the future.)

In addition, EPA recently provided to GE several comments related to the post-demolition restoration activities and the placement of crushed demolition debris in certain areas within the 40s Complex. EPA and GE have since discussed these comments, and, at EPA's request, GE's proposed resolution of these comments is summarized in Part B of this letter.

**A. Existing At-Grade Concrete Slabs**

As discussed at a meeting among EPA, PEDDA, and GE on December 19, 2006, a final plan for addressing the existing at-grade concrete slabs within the 40s Complex has not yet been identified. PEDDA has conducted conceptual planning related to the redevelopment of this area (as well as other areas transferred to PEDDA) and has identified general areas for new building construction, parking areas, green spaces, etc. However, these plans may be changed. GE understands that PEDDA is continuing to have discussions with potential tenants regarding the 40s Complex, and that the conceptual plans may include the construction of buildings and/or installation of asphalt pavement over a portion (if not all) of the existing at-grade building slabs.

Based on the above, GE cannot provide EPA with specific details regarding PEDDA's future intended use of the existing slabs. However, GE can advise EPA that the existing slabs at the 40s Complex will be covered by new buildings, pavement, soil, or another appropriate surface cover, although the specific type of cover and the timing for installation of the cover are uncertain at this point. In these circumstances, GE proposes to implement the following activities related to the existing at-grade slabs:

- First, during the period prior to transfer of the 40s Complex to PEDDA, GE, as current owner of this area, will continue to maintain the area as a controlled site, with continued implementation of security measures and perimeter fencing.
- Second, prior to transfer of the 40s Complex to PEDDA, GE will submit to EPA a specific plan relating to the slabs. This plan will identify the areas and type of cover system that will be installed over these slabs. If, at that time, PEDDA's development plans for the slabs are known, the proposed cover system will take those plans into account. For example, where PEDDA's plans call for the installation of new buildings, concrete slabs, asphalt pavement, or fill materials over the existing building slabs, those materials would serve as the cover, and hence no further activities would be proposed for such areas. In that case, GE would propose to install, prior to transfer, a vegetated soil cover over any portions of the existing slabs that would not have a cover under PEDDA's redevelopment plans. If, at the time of this submission, PEDDA's plans for the future use of these slabs are still unknown or if the slabs are intended to remain unused, GE's plan will call for installation of a vegetated soil cover over the slabs prior to transfer – unless (a) GE and PEDDA agree and jointly propose that PEDDA will continue to maintain appropriate institutional controls (e.g., site security and other Post-Removal Site Control activities applicable to the area after transfer) at the 40s Complex until a cover is installed over the slabs, and (b) EPA approves that proposal.
- Third, GE proposes to include in the ERE for the 40s Complex a provision that: (a) if a cover is installed or to be installed over the existing at-grade slabs, the Grantor of the ERE shall maintain that cover until such time as the slabs are sampled and anticipated uses are found acceptable to the ERE Grantee; and/or (b) if EPA approves an alternate proposal for continuation of institutional controls until such time as a cover is installed, the ERE Grantor shall maintain those institutional controls.

## **B. Restoration Activities and Placement of Crushed Demolition Debris**

EPA recently provided comments to GE related to the post-demolition restoration activities and the placement of crushed demolition debris in certain areas within the 40s Complex. EPA and GE have since discussed these comments, and a summary of GE's responses is provided below.

- 1) EPA Comment: Debris placed within the footprint of the 40s Complex to backfill vaults, pits, tunnels, and the void created following removal of a portion of the slab of former Building 42 was placed at a finished grade even with the surrounding concrete. This is not allowed by the Fourth Modification of the Consent Decree (CD Modification), which requires that such material be placed deeper than one foot below final grade.

GE Response: At the time of demolition, the final plan for the restoration of the 40s Complex (particularly the slabs) was unknown. GE understands that permanently placed crushed demolition debris must be at depths greater than one foot below final grade. Thus, if the debris that has been placed on slabs will remain permanently, it will be covered with at least one foot of suitable material. With respect to material that is not located on slabs, GE proposes to remove this material to a depth of at least one foot below surrounding grade. The material that is removed will either be transported to the Hill 78 On-Plant Consolidation Area (OPCA) for consolidation or moved elsewhere for re-use consistent with the CD Modification. The remaining void will be backfilled with clean imported fill and/or pavement to provide at least one foot of cover material.

- 2) EPA Comment: The structural embankment that supports Woodlawn Avenue and Kellogg Street is covered by 4 inches of clean vegetative soil. If the embankment (or other crushed demolition debris placed over the slabs) were intended to be a permanent feature, then it would need to be covered with at least one foot of clean fill in order to be consistent with the CD Modification.

GE Response: GE constructed the embankment to provide temporary structural support. Future development of the 40s Complex may entail the partial or complete removal of the structural embankment. In that event, the crushed material would be removed for use elsewhere consistent with the CD Modification. However, if PEDDA intends to make the structural embankment permanent, then GE (or PEDDA) will provide at least one foot of fill material over the crushed demolition debris. In the interim, GE proposes to address the structural embankment as a temporary feature until such time as development plans are implemented by PEDDA, and to implement for this feature the same requirements that apply to the temporary crushed material stockpile and other crushed building material placed on the slabs, including covering with a minimum of 4 inches of topsoil and grass.

- 3) EPA Comment: There are several areas within the existing footprint that consist of exposed demolition debris (as noted in Item 1 above). Based on the soil investigation activities performed to date, large portions of the 40s Complex were sampled consistent with the sampling frequency required for "paved" areas, as outlined in the CD. Under current conditions, these areas are technically not paved, even though they have been characterized as paved.

GE Response: Based on discussions with PEDDA, GE anticipates submitting a plan (on behalf of PEDDA) for additional soil sampling and related evaluations at the 40s Complex to meet the sampling frequency necessary to characterize an unpaved commercial/industrial area at the GE Plant Area (including such sampling to a depth of 15 feet below grade). This would allow the entire 40s Complex to be considered as an unpaved "General Commercial Area" in the ERE; and depending on

the sampling results, it may allow that area to be subject to less stringent restrictions in the ERE. In this situation, there would be no need to pave these areas. However, if the additional sampling results show concentrations that meet the Performance Standards for paved areas but not unpaved areas (e.g., the presence of a PCB concentration exceeding the applicable not-to-exceed level in an unpaved area), certain currently unpaved areas may need to be paved or subject to soil removal to ensure achievement of the applicable soil-related Performance Standards.

GE will conduct all of the above activities that are necessary for compliance with the CD Modification prior to transfer of the 40s Complex to PEDDA, and will document these activities in the Final Completion Report for the 40s Complex Removal Action.

If you have any questions or require additional information, please feel free to contact me.

Sincerely,



Michael T. Carroll  
Manager, Pittsfield Remediation Programs

cc: T. Conway, EPA  
J. Kilborn, EPA  
H. Inglis, EPA  
R. Howell, EPA  
S. Steenstrup, MDEP (2 copies)  
J. Rothchild, MDEP  
A. Symington, MDEP  
K.C. Mitkevicius, USACE  
L. Palmieri, Weston (2 copies)  
Mayor J. Ruberto, City of Pittsfield  
Pittsfield Department of Health  
T. Hickey, Director, PEDDA

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J. Bernstein, Bernstein, Cushner & Kimmel  
T. Bowers, Gradient  
R. McLaren, GE  
A. Silfer, GE  
R. Gates, GE  
J. Bieke, Goodwin Procter  
S. Gutter, Sidley Austin  
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