



**United States Environmental Protection Agency
One Congress Street, Suite 1100
Boston, MA 02114-2023**

October 17, 2007

Mr. Richard W. Gates, Remediation Project Manager
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 31, 2007 submittal titled *East Street Area 2-North Revised Attachment E - Post-Removal Site Control Plan*, GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Gates:

This letter contains the Environmental Protection Agency's (EPA) conditional approval of the above-referenced *East Street Area 2-North Revised Attachment E - Post-Removal Site Control Plan* (the "Revised Plan") dated August 31, 2007. The Revised Plan 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. This conditional approval of the Revised Plan does not constitute approval or agreement with the statement made on Page 1 of the Revised Plan that the CD and SOW do not require inspection, maintenance, and repair activities for pavement and building foundations.
2. GE shall make the following modifications to the text of the Revised Plan:
 - a. in footnote 1, page 1, specifically list or show on a figure, the areas that are currently paved or represent building foundations but have been characterized and evaluated as unpaved and are shown in Figure E-1 as Open Soil/Vegetated Areas;
 - b. delete "the pavement as necessary" from page 1, second paragraph, subclause (a), and replace with "such areas as necessary,...";
 - c. delete "due to possible over-compaction of the backfill materials" from subclause (e), on page 2, Open Soil/Vegetated Areas;

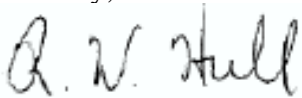
- d. add “exposed subgrade material” to the list of inspection observations in subclause (1), on page 3, Other Ground-Covering Feature Area, and delete “caused by heaving, uneven settlement, or vehicular use”;
 - e. delete “due to possible over-compaction of the backfill materials” from subclause (2), on page 3, Other Ground-Covering Feature Area;
 - f. delete “due to possible over-compaction of the backfill materials” from subclause (f), on page 3, Other Ground-Covering Feature Area;
 - g. add the following sentence at the end of the Other Ground-Covering Feature Areas paragraph of the Maintenance and Repair Activities section on page 4: “If GE or EPA determines, following the implementation of inspection and maintenance activities, that a soil cover over any paved/building foundation area has become compromised, GE will either repair the soil cover as necessary or, upon notice to EPA, inspect and maintain the area as paved; and
 - h. modify the third line of the first paragraph of the Reporting section on page 4 to read “(or as otherwise proposed by GE, **and approved by EPA**, based on seasonal or other relevant factors)” (emphasis added).
3. GE shall add a provision to the Other Ground-Cover Feature Areas section of the Inspection Activities for clearly identifying those areas that will be maintained as paved/building foundation areas covered with an appropriate soil cover.
 4. GE shall conduct the semi-annual post-remediation inspections of any Open Soil/Vegetated Areas during the late spring and mid-late summer for a two year period after the planting of vegetation, rather than in the late spring and fall as described in paragraph one on page 3.

GE shall revise the Post-Removal Site Control Plan in accordance with the conditions above, within 15 days of the date of this letter.

EPA reserves all of its rights under the CD, including but not limited to, the 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) 918-1882.

Sincerely,



Richard W. Hull
GE Facility Project Manager

cc:

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