



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

April 11, 2008

Mr. Andrew T. Silber  
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 December 12, 2007 submittal titled *East Street Area 2-South Addendum to Conceptual Removal Design/Removal Action Plan* GE-Pittsfield/Housatonic River Site, Pittsfield, MA

This letter provides the Environmental Protection Agency's (EPA) conditional approval of the above-referenced December 12, 2007 *East Street Area 2-South Addendum to Conceptual Removal Design/Removal Action Plan* (Addendum). The Addendum is subject to the terms and conditions specified in the Consent Decree 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. GE shall revise Figure A-1 to include the area located between Buildings 61, 64, 65, and 66B to be shown as degraded pavement. This area is shown on the attached figure. An updated Figure A-1 shall be provided in the Second Addendum, referenced below. In addition, GE shall repair all areas shown as "paved" on the revised and approved Figure A-1 that are damaged during remediation or building demolition.
2. Figure A-1 shows a number of narrow roads in the eastern portion of the RAA as "paved" areas. GE should consider revising the averaging tables in the CRD/RA and addendums to exclude these roads as "paved" for the purpose of meeting the Performance Standards and for the Grants of Environmental Restrictions and Easements. If the roads can meet unpaved standards, future inspection, maintenance, and surveying costs will be reduced, and the ERE will be less restrictive. These roads include the one extending from RAA4-F21 to East Street, the loop extending from RAA4-I31/I33 to approximately 70 feet west of RAA4-D31, and the paved area around 64-T and 64G. Even though the roads would be classified as "unpaved" for Performance Standard and ERE purposes, the roads could remain as paved.
3. In the Second Addendum, GE shall provide detailed calculations regarding the flood storage losses and gains, for each one-foot elevation, resulting from GE's remediation and

demolition activities and other work located within the 100-year floodplain along the stretch of the Housatonic River between the Lyman and Newell Street bridges. GE shall detail the methodology supporting these calculations. Tabulated and illustrated data similar to Addendum Table D-2 and Figure D-1 shall be provided. GE shall include calculations similar to those provided in Attachment D to the Final RD/RA Work Plan for Newell Street Area I (or alternate backup documentation, if justified by GE, subject to EPA approval) so that EPA can derive the values to be provided in Table D-2 of the Second Addendum. The calculations and figures shall be provided for each RAA located between Newell Street and Lyman Street and for the Upper ½-Mile Reach. These calculations shall be based upon as-built conditions, except for the Newell I, the Upper ½-Mile Reach and East Street Area 2--South, for which calculations may be based upon design work plans. GE shall demonstrate how GE will comply with ARARs relating to the flood storage capacity of the floodplain and the provision of flood storage compensation.

GE shall include a comparison of all flood storage values given in the Addendum, the Second Addendum, and the relevant RAA design document used as the source of the flood storage values. All discrepancies between flood storage values presented in the Second Addendum and values given in RAA design documents shall be accounted for. The Second Addendum shall provide a citation of the RAA document(s) that is the source of any flood values used in the Second Addendum.

In performing flood storage calculations, any remaining net gains in flood storage capacity at lower elevation increments may be used to compensate for any remaining net losses at higher elevation increments provided that GE submits for EPA approval modeling and analysis that demonstrates that there is no significant increase in water surface elevations and there is no significant increase in the areal extent of flooding for river flows up to and including the 100-year storm event between Newell and Lyman Street.

Upon completion of the response actions in East Street Area 2 – South, GE shall use as-built drawings for East Street Area 2-South to revise flood storage calculations, tables, and, if necessary, any modeling and associated analysis, to demonstrate that the floodplain ARARs are still met after completion of the East Street Area 2-South response actions.

4. The contingency plan described in Condition 10 on page 7 of 12 shall include the management of any liquid containing vessels (regardless of characterization as intact), as well as any potentially contaminated non-liquid containing vessels.
5. EPA approves the use of the Groundskeeper Risk-Based Concentration (RBC) referenced in Condition 11 on page 7 of 12 – that is, 2,008 mg/kg – for the Utility Worker Scenario in the 1-6 ft and 0-15 ft depth intervals. Such approval notwithstanding, the demonstration contained in Attachment E that the Groundskeeper Scenario is protective for the Utility Worker shall not be used as a precedent elsewhere. Further, this approval does not mean that EPA necessarily agrees with all the conclusions presented in Attachment E regarding this issue, such as the conclusion that the Groundskeeper RBC overestimates risk to the Utility Worker.

6. GE shall revise Figure 4-1 to delineate with a distinct designation the additional 20,000 square feet to the 200 foot riparian removal zone that is required by the Third Consent Decree Modification.
7. GE shall remove the temporary gravel road shown in Figure 4-1 on the western boundary of East St. Area 2 – South, located approximately between RAA4-01 and RAA4-N4.
8. EPA, after consultation with MDEP, approves GE's utility corridor evaluation (contained in pages 9-11 of the Addendum) except for corridors 2, 4, 6, 17, and 19, subject to the following conditions. In addition, EPA recommends that GE properly abandon corridor 18 shown on Figure F-2. This corridor will be primarily located under the vegetated engineered barrier following remediation, appears to no longer be necessary, and will not be easily accessible for any future work. GE shall provide EPA with reasonable notice if and when GE decides to abandon corridor 18.

For all utility corridor abandonments, GE shall abandon the utilities according to the following requirements. All utilities that run perpendicular to the river bank shall be cut at least twenty feet above the top of the river bank, capped on the remaining upstream end, and grouted the full extent of the remaining downstream end. Any utilities that run parallel to the river bank, such as a significant length of corridor 2, shall be cut, capped and grouted along the entire length of the utility that runs along the river bank.

9. EPA, after consultation with MDEP, disapproves GE's utility corridor evaluation as it relates to corridors 2, 4, 6, 17, and 19. In the Second Addendum, GE shall submit a proposal for additional soil removal and replacement for corridors 4, 17, and 19. For corridors 2 and 6, GE shall either submit a proposal for additional soil removal and replacement or GE shall properly abandon these utility lines. GE shall abandon any utility corridors in accordance with the requirements described above in Paragraph 8.

GE shall submit a Second Addendum within 60 days from the date of this letter to address the Conditions above. The Second Addendum shall include a schedule for completing the remaining design-related activities and submitting a Final Work Plan.

EPA reserves its right to perform and/or require additional sampling or response actions, if necessary, to meet the requirements of the Consent Decree. If there is any conflict between the Performance Standards as stated in the Work Plan and the Performance Standards as stated in the Consent Decree and SOW, the Consent Decree and SOW shall control.

If you have any questions, please contact me at (617) 918-1721.

Sincerely,



Richard Fisher  
GE-Pittsfield Project Manager

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