



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

October 18, 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 July 27, 2007, *Hill 78 Area-Remainder Third Supplemental Data Letter*, GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Gates:

This letter provides the Environmental Protection Agency's (EPA) conditional approval of GE's July 27, 2007, *Hill 78 Area-Remainder Third Supplemental Data Letter* (the "Data Letter"). This submittal 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 Data Letter, subject to the following conditions:

1. Section II, paragraph 2 of the Data Letter indicates that three VOCs, 22 SVOCs, and 17 inorganic constituents were detected in one or more soil samples analyzed. Table 2 of the Data Letter lists 23 SVOCs and 14 inorganic constituents that were detected.
2. During construction of the anchor trench along the south side of the Hill 78 OPCA, construction material and debris were observed within the anchor trench spoils as well as below the surface of the access road. These areas are outside the modified footprint of the OPCAs. The presence of these materials within the anchor trench and beneath the access road indicates that construction material and debris may have been present beyond the modified design footprint of the OPCA. GE has agreed to pave this area and shall document the extent of pavement in mapping to be included in the Conceptual RD/RA Work Plan for the Hill 78 Area-Remainder. Periodic inspections and maintenance of the paved areas shall be performed as part of the future OPCA – related inspections.
3. GE shall specifically identify what soil samples will be used to represent and characterize the soil within the access road located immediately southeast of the Hill 78 OPCA in accordance with applicable requirements. If it is determined that this area is not

sufficiently represented and characterized, then GE shall collect additional samples and include the data in the Conceptual RD/RA Work Plan for the Hill 78 Area-Remainder.

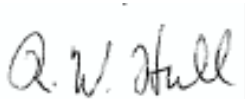
4. Further data collection, evaluations and response actions, if necessary, may be required in the area of soil sample locations RAA9-A13 and RAA9-A13N.

GE shall submit a Conceptual RD/RA Work Plan for the Hill 78 Area-Remainder Removal Action within 4 months of the date of this letter. If GE determines that additional data may be needed to perform the detailed RD/RA evaluations, then it shall submit a letter to EPA within 60 days of the date of this letter proposing additional sampling and a schedule for conducting the sampling. The letter shall also include a revised schedule for submission of the Conceptual RD/RA Work Plan.

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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