



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

October 28, 2008

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 September 18, 2008, *Hill 78 Area–Remainder Addendum to Final RD/RA Work Plan*, GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Gates:

This letter provides the Environmental Protection Agency's (EPA) conditional approval of GE's September 18, 2008, *Hill 78 Area–Remainder Addendum to Final RD/RA Work Plan* (the "Addendum"). 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 Addendum, subject to the following conditions:

1. GE shall restore the areas impacted by the construction of the realigned sanitary and storm sewers to prevent erosion. GE shall provide an as-built figure depicting any constructed drainage swales and other measures implemented to prevent erosion and restore the impacted areas, as an element of the Final Completion Report. EPA notes that Figure 1 of Attachment B of the Addendum shows the proposed drainage swale on a base map with pre-sewer realignment elevations.
2. GE shall revise the second sentence of the second paragraph of Section 1.1 of the PRSC Plan so that it ends with a period, not a comma.
3. GE shall revise the third sentence of the second paragraph of Section 1.1 of the PRSC Plan that begins with "GE will incorporate," by removing the words "...along Tyler Street Extension..." The June 19, 2007, conditional approval letter cited in the PRSC Plan does not specify tree restoration and replacement activities solely along Tyler Street extension.

4. GE shall revise item (c) from the third paragraph of Section 1.2 of the PRSC Plan as follows: “(c) any drainage or growth problems (e.g., *sediment build-up or debris in riprap*.)” (The language to be added is indicated by italics.)
5. GE shall revise the PRSC Plan to include an inspection form and a figure specifying the areas and items subject to inspection, which shall include but not be limited to, the soil removal and restoration areas, drainage swales and any areas addressed as part of the implementation of the future OPCA and Hill 78 tree restoration plan.

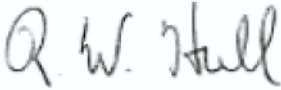
This letter shall not affect any of GE’s obligations under the Clean Water Act, including, without limitation, its obligations under any National Pollutant Discharge Elimination System (NPDES) permit or under any regulations promulgated under the Clean Water Act, and this letter does not modify any NPDES permit.

GE shall revise the PRSC Plan as required by the conditions above and include the revised PRSC Plan as an element of the Final Completion Report for the Hill 78-Area Remainder RAA. EPA reserves the right to make further comments and conditions regarding the PRSC Plan presented in the Final Completion Report.

EPA reserves all of its rights under the Decree, including but not limited to, the right to perform and/or require additional sampling or response actions, if necessary, to meet the requirements of the Consent Decree.

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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