



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

July 7, 2006

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 June 15, 2006 *Former Oxbow A&C, Former Oxbow J&K, and Lyman Street Area- Properties West of Lyman Street, Supplemental Information Package*, GE- Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Silber:

This letter provides the Environmental Protection Agency's (EPA's) conditional approval of the above referenced *Former Oxbow A&C, Former Oxbow J&K, and Lyman Street Area- Properties West of Lyman Street, Supplemental Information Package* (SIP) dated June 15, 2006. The SIP 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 SIP subject to the following conditions.

1. EPA understands that GE is in discussions with a number of property owners regarding potential revisions to tree plantings described in the three Vegetation Restoration Plans included as part of the SIP. GE shall request EPA approval prior to making revisions to the Vegetation Restoration Plans that result from discussions with the property owners.
2. GE shall revise the Planting Plan for Planting Area #1 (SIP Attachment E) to increase the size of the trees from a height of 4-6 feet to a height of 6-8 feet and reduce the number of trees to 5 black willows and 5 box elders.

GE shall revise the Planting Plan for Planting Area # 2 (SIP Attachment E) to make it consistent with the 700 trees/acre and 730 shrubs/acre planting density specification for areas within the Natural Resource Damage habitat enhancement area adjacent to the Housatonic River. Based on an area of approximately 8,310 square feet, GE shall make the following revisions to the Planting Plan for Planting Area #2: (1) increase the number of trees from 97 to 134 trees divided equally among the three tree species; (2) using a spacing of 8 feet on center, reduce the number of red osier dogwoods from

102 to 40, and (3) reduce the number of the remaining four species of shrubs from 33/34 shrubs per species to 25 shrubs per species. Note that this work will be performed by EPA after GE completes remediation activities.

After the Vegetation Restoration Plans are finalized with property owners and approved by EPA, GE shall submit an addendum or addendums to the SIP showing the modified plans.

EPA reserves its right to perform additional sampling and/or require additional sampling or Response Actions, if necessary, to meet the requirements of the Consent Decree.

Please contact me at (617) 918-1240 if you have any questions regarding this approval.

Sincerely,



William Lovely
GE Facility Project Manager

cc:

John Kilborn, EPA
Rose Howell, EPA
Dean Tagliaferro, EPA
Holly Inglis, EPA
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Mayor James Ruberto, City of Pittsfield
Pittsfield Department of Health
Michael Carroll, GE
Dick Gates, GE
Rod McLaren, Esq., GE
James Bieke, Goodwin Procter LLP
Jim Nuss, BBL
Property Owner- Parcels I8-23-6 & I9-5-1
Property Owner- Parcel I8-23-4
Property Owner- Parcel I8-23-9
Public Information Repositories

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Kevin Hylton, KHES
David Baker, Exxon Mobil Corporation
Property Owner- Parcel K10-10-6
Property Owner- Parcel K10-11-1
Property Owner- Parcel K10-11-2
Property Owner- Parcel K10-11-3
Property Owner- Parcel K10-11-5
Property Owner- Parcel K10-12-1
Property Owner- Parcel K10-13-1
Property Owner- Parcel I9-4-201
Property Owner- Parcel I9-4-25& -203
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