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



SDMS DocID 000219865

January 10, 2005

Mr. Andrew T. Silfer  
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 November 2004 *Former Oxbow Areas J and K, Additional Supplemental Pre-Design Investigation Report*, GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Silfer:

This letter provides the Environmental Protection Agency's (EPA) conditional approval of the above-referenced *Former Oxbow Areas J and K, Additional Supplemental Pre-Design Investigation Report* (PDI Report) dated November 24, 2004. The PDI Report 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 which are presented below.

1. Section III of the PDI Report states that additional samples collected from the 0- to 1 foot and 1- to 3- foot depth increments around the RAA15-E7 and RAA15-E8 locations provide sufficient delineation to support removal of soil associated with the elevated PAHs at locations RAA15-E7 and RAA15-E8. However, because elevated PAH concentrations also exist at sample location RAA15-E8NWNW, it is unclear how the additional delineation will result in a soil removal that reduces the PAH concentrations within recreation area R2 to levels which are acceptable under the terms of the CD. Consequently, EPA is reserving judgement on the conclusions presented in this section of the PDI report until after it has the opportunity to review the limits of the removal which will be presented in the Conceptual RD/RA Work Plan.
2. Section IV of the PDI Report states that the inability to collect samples from locations RAA15-C5, RAA15-C-11E, and YB-1 at the 10- to 15-foot depth interval does not affect the ability to conduct appropriate RD/RA evaluations because data exist from other

locations that are sufficient to support Appendix IX+3 RD/RA evaluations for the commercial part of Parcels K-10-11-1 and K-10-11-2. EPA disagrees with GE's position as there is currently no data from the 10- to 15-foot depth increment at either of these two parcels. Consequently, GE shall make another attempt to collect one sample from the 10- to 15-foot depth increment on both Parcel K-10-11-1 and Parcel K-10-11-2. Samples shall be collected in the northern section of each parcel in the vicinity of the previously proposed samples using drilling techniques that have the ability to penetrate the concrete obstructions encountered previously.

GE shall collect the samples described in condition 2 above and incorporate the results in the forthcoming Conceptual RD/RA Work Plan. GE shall submit the Conceptual RD/RA within two (2) months of the date of this approval letter.

EPA reserves its right to perform additional sampling in the areas subject to PDI Report 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) 918-1240.

Sincerely,



William P. Lovely, Jr.  
GE Facility Project Manager

cc:

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