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

January 17, 2006

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 submittal titled " *Former Oxbows J & K Supplemental Sampling Plan* ", GE - Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Silfer:

This letter provides the Environmental Protection Agency's (EPA's) conditional approval of the above referenced "*Former Oxbows J & K Supplemental Sampling Plan*" (Supplement) dated November 2, 2005. The Supplement 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 Supplement subject to the following conditions.

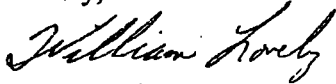
1. The Supplement does not include documentation showing that the non-PCB constituents on Parcels K10-11-5, K10-10-3, K10-10-4, and K10-10-33 meets the Performance Standards for residential properties, nor does it show how the "1-X" depth interval for each of the six parcels was determined. If GE proposes to achieve the Performance Standards established in the CD for residential properties at any of these parcels, GE shall include this information in the Addendum to the Final RD/RA Work Plan. Otherwise, if GE continues to propose to meet the applicable non-residential Performance Standards at these parcels, the Addendum to the Final RD/RA Work Plan shall provide revised evaluations that incorporate the additional data.
2. Figure 2 does not include surface soil sampling locations within the intermittent stream located on Parcel K10-10-33. GE shall collect surface soil samples within the intermittent stream and analyze for PCBs.

EPA is agreeing to the sampling depth intervals described in the Supplement based on conditions specific to this removal action area. This agreement shall not be deemed to be a precedent for any other location. GE shall perform the proposed sampling described in the Supplement and submit the Addendum to the Final RD/RA Work Plan within 3 months of the date of this letter.

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  
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Dean Tagliaferro, EPA  
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Dick Gates, GE  
Rod McLaren, GE  
Michael Carroll, GE

Jim Nuss, BBL  
James Bieke, Goodwin Procter LLP  
Mayor James Ruberto, City of Pittsfield  
Property Owner- Parcels K10-10-3  
Property Owner-Parcel K10-10-4  
Property Owner- Parcel K10-10-5/6  
Property Owner- Parcel K10-10-33  
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  
Richard Drennan, Esq.  
Public Information Repositories