



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

January 10, 2005

Mr. Andrew 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 March 23, 2004 submittal titled *Conceptual Removal Design/Removal Action Work Plan for the Lyman Street Area, GE - Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.*

Dear Mr. Silfer:

This letter provides the Environmental Protection Agency's (EPA) conditional approval of the *Conceptual Removal Design/Removal Action Work Plan for the Lyman Street Area* (Work Plan). The Work Plan 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 conditions presented below.

Conditions:

1. Phillip Massery, owner of Parcel I-9-4-201, has informed EPA that Kid Zone, Inc., Lessor of Sub-Area-201A, plans to construct an outdoor playground on the back of its facility. Because this will change the use of Sub-Area-201A from commercial to day care use, this entire sub-area must be re-evaluated in accordance with residential performance standards established by the CD and its Statement of Work (SOW). However, after reviewing the present use of both sub-areas within Parcel I-9-4-201, EPA has determined that the boundary between Sub-Area-201A and Sub-Area-201-B, as shown on Figure 4-1 of the Conceptual RD/RA, should be adjusted to be consistent with the commercial use of the loading dock along the eastern side of the building. Consequently, GE shall revise Figure 4-1 so that the boundary between Sub-Areas 201A and 201-B runs along the eastern side of the building and extends all the way to the bank of the river. In addition GE shall collect additional soil samples so that the sampling of Sub-Area-201A complies with the applicable residential standards. The results of this additional sampling and the revised

figure shall be presented in an addendum to the Conceptual RD/RD Work Plan as described below, and the limits of the proposed soil removals shall be revised (if necessary) in accordance with the residential performance standards specified in Paragraph 26(f) of the CD and Section 2.5.2 of the SOW.

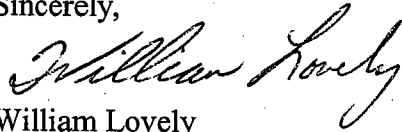
2. Lead concentrations exceeding the risk-based lead exposure limit for children (1,313 ppm) were detected on the recreational part of Parcel I9-4-14 to the southwest at RAA12-Z3 (1,990 ppm). GE shall consider a removal at the 0- to 1 foot interval in the vicinity of this location when it performs the PCB soil removals on this parcel.
3. On parcel I9-4-19, GE shall consider a removal of the 0-1 foot interval centered around location RAA12-V5. The total PCB concentrations at this interval are 95 ppm, and the area is near a recreational averaging area. GE shall also consider a removal of the 0-6 foot depth interval centered around RAA12-X6 (259 ppm PCBs in a recreational area) and a removal of the 0-1 foot depth interval centered around RAA12-U6 (61 ppm PCBs near a recreational area). GE shall also consider a removal of the 0-3 foot depth interval in the rectangle between the two proposed excavations centered around RAA12-V6 and RAA12-W6.
4. In Section 3.2.2, last paragraph, the Work Plan states that GE has evaluated the “northern” portion of the GE-owned Parcel I9-8-1 as a property at which an ERE will be executed. The SOW requires that the ERE should be executed on the whole of Parcel I9-8-1, not just the northern portion. GE shall clarify this requirement in the Final RD/RA Work Plan.
5. The Work Plan provides sufficient information to determine if the extent of the proposed soil removals was properly delineated; however, it is difficult to pull the information together. In future Conceptual RD/RA Work Plans for other Removal Action Areas, GE shall include additional information on the soil samples and polygons driving the proposed PCB remediation activities presented in the Section 4 text. As for proposed soil remediation related to Appendix IX+3 concentrations, GE shall provide additional figures or revised figures in future Conceptual RD/RA Work Plans showing the sample locations used to determine the extent of the Appendix IX+3 soil concentrations requiring remediation.

GE shall address the above conditions and propose field activities by submitting a supplement to the Work Plan within 21 days from the date of this letter. That supplement shall propose a deadline for submitting an addendum to the Conceptual RD/RA Work Plan that will incorporate the results of the additional field activities described above.

EPA reserves its right to perform additional sampling or response actions in the areas subject to the Work Plan 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 Lovely
GE Facility Project Manager

cc.

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David Mauro, META
Michael McHugh, Rich May
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Property Owner- Parcel I9-4-14 & -19
Property Owner Parcel I9-4-25, -202, & -203
Property Owner Parcel I9-4-201
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