



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

April 16, 2007

Mr. Richard W. Gates  
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 29, 2007 submittal titled *Lyman Street Area — Properties East of Lyman Street; Supplemental Information Package*, GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Gates:

This letter provides the Environmental Protection Agency's (EPA) conditional approval of GE's March 29, 2007 submittal titled *Lyman Street Area — Properties East of Lyman Street; Supplemental Information Package* (the "Report"). This 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 Report, subject to the following conditions:

1. GE shall limit the use of the on-site stockpiled material generated from the removal of access roads within the 1 ½ Mile Reach Floodplain Areas to the area beneath the engineered barrier up to an elevation within 3 inches of the engineered barrier. A minimum of 3 inches of clean backfill that meets the specifications included in the Final RD/RA Work Plan shall be placed over the on-site stockpiled material. However, GE may request EPA approval for use of the on-site stockpiled material for other purposes.
2. For the area north of the engineered barrier on parcel I9-8-1 that is subject to Natural Resource Restoration/Enhancements, GE shall provide a revised grading plan that illustrates and requires the placement of a minimum of three inches of additional topsoil to support the growth and sustainability of future vegetation in this area.
3. GE shall provide characterization data for excavated material that requires disposal if the disposal method/facility differs from what was proposed in the Final RD/RA Work Plan. This includes, but is not limited to, the temporary gravel road that currently transverses the WMECO property, anchor trenches, and any excavation of material beyond that depicted on

Figure 3 of Attachment A to the Final RD/RA Work Plan. Any material that GE proposes to place in the Hill 78 OPCA will require EPA approval.

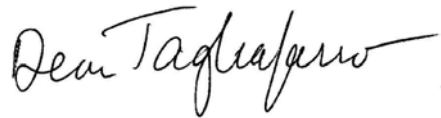
4. Operations Plan (Attachment B) does not specify what equipment or methods will be used to perform dust suppression activities. GE shall perform dust suppression as necessary to minimize any visible dust and eliminate the off-site migration of dust. GE's contractor shall have appropriate dust suppression equipment on site including, at a minimum, a water truck.
5. The Operations Plan (Attachment B) does not mention decontamination procedures for the trucks that are transporting contaminated material. GE shall, at a minimum, conduct a dry decon on the exterior portion of the truck bed and truck tires prior to the truck departing the loading zone.
6. GE shall plant a total of 50 shrubs in the portions of planting areas 1, 2, 5 and 6 that are not underneath the power lines. The shrubs shall be a minimum of 2 feet tall and shall consist of 30 red osier dogwoods, 10 northern arrowwood, and 10 choke cherry. Also, GE shall evenly space the planting of the trees throughout the specified planting areas rather than clumping all the trees close together. In addition, GE shall replant additional trees following the same procedures described in the SIP in the event additional trees are damaged or removed during the implementation of remediation activities.
7. GE shall submit additional information to EPA in response to Comments 2 and 3 above by April 27, 2007.
8. GE shall initiate on-site remediation activities no later than May 7, 2007.
9. GE shall submit a draft Final Completion Report within 120 days of the completion of on-site remediation activities (exclusive of Post-Removal Site Control activities).

Also, please note that the Lead Administrative Trustee informed EPA that the Trustees concur with the components of the SIP that relate to the Natural Resource Restoration/Enhancement Activities.

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

If you have any questions, please contact me at (617) 918-1282.

Sincerely,



Dean Tagliaferro  
EPA Project Manager

Attachment

cc:

John Kilborn, EPA	Rod McLaren, GE
Rose Howell, EPA	Mike Carroll, GE
Holly Inglis, EPA	Andrew Silfer, GE
Sue Steenstrup, MDEP	James Nuss, BBL
Anna Symington, MDEP	James Bieke, Goodwin Procter LLP
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Mayor James Ruberto, City of Pittsfield	Barbara Charest, Northeast Utilities Service Co.
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