



01 - 0408

SDMS 268557

July 16, 2001

Corporate Environmental Programs
General Electric Company
100 Woodlawn Avenue, Pittsfield, MA 01201

Bryan Olson
EPA Project Coordinator
U.S. Environmental Protection Agency
EPA New England
One Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

**Re: GE-Pittsfield/Housatonic River Site
Lyman Street Area (GECD430) and Newell Street Area II (GECD450)
Remediation of GE Parking Lot Areas**

Dear Mr. Olson:

This letter will confirm a recent agreement between General Electric (GE) and the U.S. Environmental Protection Agency (EPA) regarding the future remediation of the GE-owned Lyman Street and Newell Street parking lots. The Performance Standards for these parking lots under the Consent Decree (CD) for this Site (Paragraph 26.a) and the *Statement of Work for Removal Actions Outside the River* (SOW) (Performance Standard #4 on page 47) establish two basic remediation options for these areas. Those Performance Standards require that either: (1) GE must remove the top one foot of existing pavement and soil from these parking lots and replace such pavement/soil with a vegetative engineered barrier (except that such a barrier is not needed in discrete portions of the lots where the average PCB concentrations are below the recreational cleanup standards specified in the CD); or (2) in lieu of removal of the top foot of pavement/soil, GE may propose to install a one-foot vegetative engineered barrier over the existing pavement/soil (with the same exception noted above), and may implement that approach provided that EPA approves such approach and that adequate flood storage compensation is provided.

In anticipation of the upcoming work at these two areas, GE has determined that the second of these options makes more sense from a constructability standpoint. GE also believes that the second approach is equally protective of public health and the environment. As such, GE proposed that approach in concept to EPA for these parking lots. This approach will involve the following elements:

- (A) Installation of a one-foot vegetative engineered barrier over the existing pavement/soil at these lots, except that such a barrier will not be necessary in discrete portions of these lots where the average PCB concentrations are below the recreational cleanup standards specified in Paragraph 26.a of the CD, so long as the effectiveness of the barrier is not impaired by discontinuities in the barrier and so long as any pavement in those areas is replaced with a native grassland community as necessary to meet the natural resource restoration/enhancement Performance Standards for these areas (set forth in Section 3.1 of Attachment I to the SOW); and

Bryan Olson
July 16, 2001
Page 2

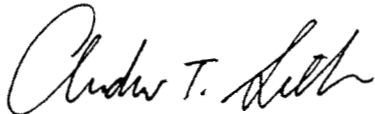
- (B) Obtaining the necessary Flood Storage Compensation (as defined in the CD), which GE anticipates will be accomplished through a combination of: (1) gains in flood storage capacity obtained during the Upper ½ Mile Reach Removal Action; and (2) removal of buildings and pavement at the GE Plant Area between Newell Street and Lyman Street at approximately the same elevation as the parking lots and/or other actions in that stretch that will result in a comparable gain in flood storage capacity.

GE plans to describe this approach in more detail in the Removal Design/Removal Action (RD/RA) submittals for the Lyman Street Area and Newell Street Area II.

In recent discussions between GE and EPA, EPA approved this proposed approach in concept, subject to review of GE's RD/RA submittals to ensure that the barrier systems for these parking lots meet the applicable requirements in the CD and SOW (e.g., the requirements for vegetative engineered barriers) and that GE's showing on flood storage compensation meets to requirements of the CD and SOW for obtaining flood storage compensation. EPA also noted, and GE understands, that with respect to the GE-owned Lyman Street and Newell Street parking lots, EPA reserves all of its rights under the CD, including Section XIX (Emergency Response) and Paragraphs 162 and 163 (Pre-Certification Reservations and Post-Certification Reservations).

Please call me if you have any questions about this matter.

Very truly yours,



Andrew T. Silfer, P.E.
GE Project Coordinator

cc: Michael Nalipinski, EPA
Tim Conway, EPA
Holly Inglis, EPA
Dawn Jamros, Weston
J. Lyn Cutler, MDEP
Susan Keydel, MDEP
Michael Carroll, GE
Richard Gates, GE
Rod McLaren, GE
James Bieke, Shea & Gardner
Samuel Gutter, Sidley Austin Brown & Wood
James Nuss, BBL