

**United States Environmental Protection Agency**  
**EPA New England**  
**One Congress Street, Suite 1100**  
**Boston, MA 02114-2023**

April 28, 2008

Mr. Andrew T. Silfer, P.E.  
Corporate Environmental Programs  
General Electric Company  
159 Plastics Avenue  
Pittsfield, Massachusetts 01201

**RE: Conditional Approval of GE's 2007 Annual Monitoring Report  
Upper 1/2-Mile Reach of the Housatonic  
GE-Pittsfield/Housatonic River Site**

Dear Mr. Silfer:

On January 30, 2008, GE submitted a document entitled *2007 Annual Monitoring Report, Upper 1/2-Mile Reach of the Housatonic River* (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 20, 2007.

Pursuant to Paragraph 73 of the Consent Decree, EPA, after consultation with the Massachusetts Department of Environmental Protection (MDEP), approves the Report subject to the following conditions:

1. Section 3. In addition to the actions described in Section 3.0 that GE performed to address erosion identified in the 2007 inspections, GE also performed significant actions and repairs to address areas identified in the 2006 inspections. These actions were performed from September 3 through September 21, 2007 and consisted of excavating and/or placing additional riprap in areas of the lower bank where significant erosion was observed. This included work in areas 1 through 6 shown on Figure 1 of Appendix C. In subsequent Annual Reports, GE shall describe all actions taken in the given year, regardless of the inspection date or issue that resulted in the action. GE shall also document activities with photographs.
2. GE is proposing to limit the annual restored bank erosion, aquatic habitat enhancement structures and armor stone layer monitoring to one time per year if there is a flow event exceeding 1,500 cfs. EPA does not concur with this proposed change. GE shall perform annual inspections for restored bank erosion, aquatic habitat enhancement structures and armor stone layer monitoring each year for the next five years regardless of river flows. The inspections will be performed in late April or May, to allow for the inspection not to be obscured by

heavy vegetation. GE may propose modifications to the monitoring program in 2012.

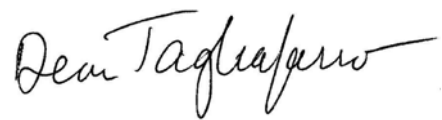
3. GE proposes to eliminate water column monitoring as part of the Upper ½-Mile Reach Post-Removal Site Control activities. EPA concurs, subject to the following conditions: A) GE continues with its ongoing monthly surface water sampling at Newell Street and Lyman Street and reports the results in the Annual Report; and B) If GE discontinues its current monthly water column sampling, EPA reserves the right to require GE to perform water column monitoring as part of the Upper ½-Mile Post-Removal Site Control activities.
4. The Report describes isolation layer sampling, and in that regard, references GE's prior submittal of two documents: a letter report on the Isolation Layer Total Organic Carbon dated March 14, 2007 ("March 14, 2007 Report"); and a report titled Summary of 2007 Sediment Sampling Activities and Analytical Results dated September 14, 2007 ("September 14, 2007 Report"). EPA's conditional approval of the 2007 Annual Monitoring Report does not constitute acceptance or approval of the March 14, 2007 Report, the September 14, 2007 Report, any discussion or conclusions in such reports, or any related discussion or conclusions in the 2007 Annual Monitoring. EPA reserves all of its rights with respect to the March 14, 2007 Report and the September 14, 2007 Report. EPA does concur with GE's proposal to collect the next round of isolation layer samples in 2012.
5. Section 5 of the Report describes GE's deposited sediment sampling. This sampling is required by the Upper ½-Mile Reach Work Plan and Performance Standard #7. GE previously submitted this data to EPA in the September 14, 2007 Report and included the September 14, 2007 Report as Appendix D. EPA's conditional approval of the 2007 Annual Monitoring Report does not constitute acceptance or approval of the September 14, 2007 Report, any discussion or conclusions in the September 14, 2007 Report, or of any related discussion or conclusions in the 2007 Annual Monitoring Report. EPA reserves all of its rights with respect to the September 14, 2007 Report.

Please note that the Natural Resource Trustees may provide comments on the *Report* under separate cover.

This letter does not preclude EPA from requiring additional investigations and response activities pursuant to the Consent Decree, the Upper 2-Mile Reach Removal Action Work Plan and/or the *Statement of Work for Removal Actions Outside the River* (Appendix E to the Consent Decree).

If you have any questions, please contact me at (413) 236-0969.

Sincerely,

A handwritten signature in cursive script that reads "Dean Tagliaferro". The signature is written in black ink and is positioned above the printed name.

Dean Tagliaferro

cc: Holly Inglis, EPA  
Chris Ferry, ASRC  
Rose Howell, EPA  
Tim Conway, EPA  
Dale Young, MA EEOEA  
Ken Munney, US F&W  
Sue Steenstrup, DEP  
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