



**United States Environmental Protection Agency
One Congress Street, Suite 1100 (HBO)
Boston, MA 02114-2023**

November 12, 2008

Mr. Richard W. Gates, Remediation Project Manager
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 November 4, 2008, submittal titled *Hill 78 Area-Remainder Removal Action Area Supplemental Information Package*, GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Gates:

This letter contains the Environmental Protection Agency's (EPA) conditional approval of the above-referenced *Hill 78 Area-Remainder Removal Action Area Supplemental Information Package* (the "SIP") dated November 4, 2008. The SIP 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 following conditions:

1. In addition to the contingency requirements contained in the SIP, GE and its remediation contractor shall implement the following measures in the event that any buried containers, such as drums, capacitors, transformers, or other vessels are discovered during the course of the remediation activities at the Hill 78 Area-Remainder RAA. These measures shall include the following:
 - a. Immediate termination of excavation activities;
 - b. Immediate notification of any such discovery to EPA and MDEP;
 - c. Segregation, over packing, characterization and off-site disposal of any intact liquid-containing drums, capacitors, transformers, or other vessels; and
 - d. The initiation of discussions with EPA regarding the need for and/or scope of follow-up activities, such as additional air monitoring, investigations, and response actions, if necessary.

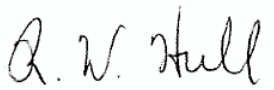
2. GE shall survey and delineate the proposed excavation areas and obtain EPA approval via on-site inspection following the surveying and delineation, prior to initiating excavation activities.

3. GE shall delineate and protect with banner guard, fencing, or other measures the previously excavated polygon located between two of the polygons yet to be excavated, as required by EPA's August 20, 2008, Conditional Approval of GE's *Hill 78 Area-Remainder Final RD/RA Work Plan*.
4. During excavation and removal activities, GE shall implement provisions for the inspection and decontamination of the exterior of transport and disposal vehicles prior to their departure from the site.

EPA reserves all of its rights under the Decree, including but not limited to, the right to perform and/or require additional sampling or response actions, if necessary, to meet the requirements of the Consent Decree. If there is any conflict between the Performance Standards as stated in the SIP and the Performance Standards as stated in the Consent Decree and SOW, the Consent Decree and SOW shall control.

If you have any questions, please contact me at (617) 918-1882.

Sincerely,



Richard W. Hull
GE Facility Project Manager

cc:

Dean Tagliaferro, EPA
John Kilborn, EPA
Holly Inglis, EPA
Rose Howell, EPA
Anna Symington, MDEP
Mike Gorski, MDEP
Sue Steenstrup, MDEP
Jane Rothchild, MDEP
Dale Young, MA EOEEA
Nancy E. Harper, MA AG
Mayor James Ruberto, City of Pittsfield
Chris Ferry, ARCS

Tom Hickey, PEDDA
Pittsfield Commissioner of Public Health
Rod McLaren, GE
Mike Carroll, GE
Tim Eglin, Purenergy I, LLC
Jeffrey Bernstein, BCK LAW
James Bieke, Goodwin Procter LLP
Theresa Bowers, Gradient
James Nuss, ARCADIS BBL
Linda Palmieri, Weston Solutions
K.C. Mitkevicius, USACE
Public Information Repository (Berkshire
Athenaeum)