



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

July 17, 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 May 29, 2007 submittal titled *Supplemental Implementation Package for Selected Phase 2 Floodplain Properties Adjacent to the 1 ½ Mile Reach of the Housatonic River*, GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Gates:

This letter provides the Environmental Protection Agency's (EPA) conditional approval of GE's May 29, 2007 submittal titled *Supplemental Implementation Package for Selected Phase 2 Floodplain Properties Adjacent to the 1 ½ 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 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 propose an alternate source of topsoil 14 days from the date of this letter.
2. GE shall modify the proposed planting plan as follows:
  - a. All proposed small trees/shrubs (box elders, sugar maples and any substitutions) shall be a minimum four-foot height.
  - b. Eliminate the proposed planting of the Sumac in planting area 5.
3. GE shall obtain EPA approval for any modifications to the proposed planting plan based on requests of the property owner or lack of availability of proposed trees and shrubs. GE shall document any approved changes in writing.
4. GE shall replace any trees or shrubs located in the area associated with EPA's restoration of the 1.5 Mile Reach that get damaged by GE's contractor.

5. GE shall initiate on-site activities within 14 days of EPA's approval of the proposed topsoil source.

EPA reserves all of its rights under the CD, including but not limited to the 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

Rose Howell, EPA

Holly Inglis, EPA

Sue Steenstrup, MDEP

Anna Symington, MDEP

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Mayor James Ruberto, City of Pittsfield

Public Information Repository (Berkshire Athenaeum)

Rod McLaren, GE

Mike Carroll, GE

Andrew Silfer, GE

James Nuss, BBL

James Bieke, Goodwin Procter LLP

Linda Palmieri, Weston Solutions

Property Owner - Parcels I8-4-201 & 202

Property Owner - Parcels I8-4-2, 3, and 4