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

June 19, 2007

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 April 13, 2007, submittal titled *Hill 78 On-Plant Consolidation Area Phase III Final Cover Installation Activities*, GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts

Dear Mr. Gates:

This letter provides the Environmental Protection Agency's (EPA) conditional approval of GE's April 13, 2007, submittal titled *Hill 78 On-Plant Consolidation Area Phase III Final Cover Installation Activities*. This letter 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. GE shall plant additional trees and shrubs along Tyler Street extension prior to the initiation of tree removal within the Hill 78 OPCA and in accordance with the tree planting proposal submitted by GE via e-mail on Jun 18, 2007. GE shall inform EPA of the specific schedule for planting the additional trees and shrubs prior to the initiation of the planting.

2. GE shall not remove any trees located at or near the toe-of-slope on the north side of the Hill 78 OPCA that are marked by ribbons without prior approval from EPA. GE shall exercise due care to prevent unnecessary damage or accidental removal of these trees.

3. GE shall perform as much filling and grading of the northern slope of the Hill 78 OPCA as practicable prior to removing trees within the footprint of the Hill 78 OPCA.

4. GE shall construct the toe-of-slope and the cover of the Hill 78 OPCA along the north side of the OPCA from the slope of the OPCA. No construction shall be conducted

beyond the toe-of-slope of the cover of the OPCA that is between the OPCA footprint and the fence, without specific prior approval from EPA.

5. Thirty days after completion of 2007 Hill 78 OPCA phase III final cover and closure activities, GE shall evaluate measures designed to provide an enhanced visual barrier between the OPCAs and abutting properties, for the full perimeter of both the Building 71 and Hill 78 OPCAs, as described in Section 7.2 of the June 1999 Detailed Work Plan for On-Plant Consolidation Areas (the "Workplan"). GE shall submit this evaluation and proposed activities to EPA for review and approval.

6. GE shall follow all applicable design and operational requirements, including without limitation, those specified in the following documents: June 1999 Detailed Work Plan, GE's August 1999 Addendum to the June 1999 Detailed Work Plan, as modified by GE's June 13, 2000 Response to EPA's April 27, 2000 Comments on that Addendum, and further modified, including the modifications contained in GE's April 13, 2006 submittal titled *Building 71 and Hill 78 OPCAs –2006 Addendum to OPCA Work Plan*, GE's May 5, 2006 submittal titled *2006 Consolidation and Phase II Cover construction*, EPA's August 1, 2006 conditional approval letter of GE's May 5, 2006 submittal, and GE's August submittal titled *August 2006 Addendum to the Phase II Final OPCA Cover Construction Plan*. This includes, without limitation, the requirement that by the end of the 2007 construction season, GE shall place an interim cover (either tarps or three to six inches of clean soil capable of supporting vegetative growth) on consolidation areas that will be inactive for an extended period of time.

EPA reserves all of its rights under the CD, including 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,

Q. W. Hull /for

Dean Tagliaferro
GE Facility Project Manager

cc:
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