



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

January 17, 2006

Mr. Andrew T. Silfer  
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 submittal titled "*Former Oxbows A & C Supplemental Sampling Plan*", GE - Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Silfer:

This letter provides the Environmental Protection Agency's (EPA's) conditional approval of the above referenced "*Former Oxbows A & C Supplemental Sampling Plan*" (Supplement) dated November 2, 2005. The Supplement 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 Supplement subject to the following conditions.

1. The Supplement does not include documentation showing that the non-PCB constituents on Parcel I8-23-9 meet the Performance Standards for residential properties, nor does it show how the "1-X" depth interval was determined for any of the three parcels. If GE proposes to achieve the Performance Standards established in the CD for residential properties at any of these parcels, GE shall include this information in the Second Addendum to the Final RD/RA Work Plan. Otherwise, if GE continues to propose to meet the applicable non-residential Performance Standards at these parcels, the Second Addendum to the Final RD/RA Work Plan shall provide revised evaluations that incorporate the additional data.
2. EPA does not agree with GE's proposal to analyze samples from the 6-to-10 and 10-to-15 depth intervals on parcels I8-23-4 and I8-23-5 only if the samples taken from shallower depth intervals show detectable levels of PCBs. Instead, GE shall analyze all samples for PCBs regardless of the depth interval from which the sample was collected.

EPA is agreeing to the sampling depth intervals described in the Supplement, as modified by condition number 2, based on conditions specific to this removal action area. This agreement shall not be deemed to be a precedent for any other location. GE shall perform the sampling described in the Supplement and submit the Second Addendum to the Final RD/RA Work Plan within 3 months of the date of this letter.

EPA reserves its right to perform additional sampling and/or require additional sampling or Response Actions, if necessary, to meet the requirements of the Consent Decree.

Please contact me at (617) 918-1240 if you have any questions regarding this approval.

Sincerely,



William Lovely  
GE Facility Project Manager

cc:

John Kilborn, EPA  
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Dick Gates, GE  
Rod McLaren, GE  
Michael Carroll, GE  
James Bieke, Goodwin Procter LLP  
Jim Nuss, BBL  
Mayor James Ruberto, City of Pittsfield  
Property Owner- Parcels I8-23-4  
Property Owner- Parcel I8-23-5  
Property Owner- Parcel I8-23-9  
George W. Crimmins, III, McCusker,  
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Public Information Repositories