

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

April 27, 2009

Mr. Kevin Mooney  
GE Corporate Environmental Programs  
159 Plastics Avenue  
Pittsfield, MA 01201

**RE: 2008 Annual Monitoring Report  
1½ Mile Reach Removal Action  
GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts**

Dear Mr. Mooney:

EPA has reviewed GE's *2008 Annual Monitoring Report* prepared by Arcadis (January 2009) for the 1½ Mile Reach of the Housatonic River (the "Report"). The Report is subject to EPA approval and 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, approves the above-referenced Report subject to the following conditions:

GE shall expand on the descriptions of several sections of the Report and correct several inaccuracies in the Report and re-submit a revised version of the Report within 30 days of the date of this letter.

The following sections shall be expanded upon:

1. Sections 2.2, 2.3 and 2.4. These sections shall be expanded to more thoroughly describe GE's inspection and maintenance activities for tree and tree cage maintenance and invasive species control. As required by the Interim PRSC Plan, GE documented the need for extensive tree and cage maintenance and invasive species control in the spring qualitative inspection. Pursuant to these findings, and in consultation with EPA, GE implemented a comprehensive program along the entire section of the 1½ Mile Reach to inspect, maintain and replace cages and guards placed around the trees. In addition, beginning in May 2008 and extending throughout the summer and fall, GE implemented a comprehensive invasive species control plan that included spraying for invasive species on an approximate bi-weekly or monthly schedule.
2. Section 2.3.1. GE shall include the Massachusetts Invasive Species list contained in Appendix A of the Interim Post-Removal Site Control Plan as an attachment to this Report. A footnote shall be added to this list stating that in addition to the listed species, GE shall

consider and treat Canada thistle as an invasive species as part of the 1.5 Mile Reach Post-Removal Site Control activities.

The following inaccuracies need to be corrected:

3. Section 2.1. The Report states that the vegetation monitoring is conducted “in conjunction with the Natural Resource Trustees”. Revise the Report to note that EPA is the lead regulatory agency for all inspection requirements and approvals (except for ERE inspections) conducted pursuant to the Interim 1½ Mile Reach Post-Removal Site Control (PRSC) Plan. GE shall copy the Trustees on submitted reports.
4. Section 2.2. Page 5, Second paragraph, Last sentence: “.....I6-1-67 and I6-1-66 (in Parcel 4) ...” should have been “I6-1-67 and I6-1-66 in (Phase 4)”. Please correct this sentence.
5. Section 2.3.1. The second sentence is incorrect. EPA did not conditionally approve the spring 2008 monitoring visit. The October letter was in reference to GE’s August 21, 2008 Summer 2008 re-vegetation monitoring Report and GE’s August 29, 2008 Report on 2008 Inspection of Riverbank soil Restoration, Riprap, Aquatic Habitat Enhancement Structures and Ancillary Items. Please correct or delete this sentence.
6. Section 2.3.1. According to the spring report there was a need for both tree and tree cage (not just tree cage) maintenance in Phases 1 and 2 (not just Phase 2). Please revise the text accordingly. However, as mentioned in condition 1, tree and tree cage maintenance activities were required and performed throughout the 1½ Mile Reach and, therefore, GE shall revise Sections 2.2, 2.3 and 2.4 to include more detailed description of the inspection and maintenance activities for tree and tree cage maintenance and invasive species control program.
7. Section 3.2. This section omitted the requirement for GE to propose a long-term monitoring program at the end of the initial 5-year annual inspection requirement. Please add a sentence stating that GE shall propose a long-term monitoring program at the end of the initial 5-year annual inspection requirement.
8. Section 3.3. Area 3. Parcel I8-23-2/3 should have been included in the list of parcels for this area. Also, photos displaying this issue in Appendix A are photos 6 through 8, not 5 through 7. Please include Parcel I8-23-2/3 in the list and revise the photo numbers listed.
9. Section 3.3. Area 4. The photo displaying this issue in Appendix A is photo 5, not photo 8. Please revise the photo number listed.
10. Section 4.3. The Report lists “Riprap swales” as aquatic enhancement structures. Riprap swales are not aquatic habitat enhancement structures. Please correct by deleting the “Riprap swales” as aquatic structures.

11. Section 5.2. This section omitted the requirement for GE to propose a long-term monitoring program at the end of the initial 5-year annual inspection requirement. Please add a sentence stating that GE shall propose a long-term monitoring program at the end of the initial 5-year annual inspection requirement.
12. Section 5.2 Third sentence. Please revise as follows: “The Maintenance standards for riprap within the river channel, riverbanks and swales are that....”
13. Section 6.4. This section omitted the requirement for GE to propose a long-term monitoring program at the end of the initial 5-year annual inspection requirement. Please add a sentence stating that GE shall propose a long-term monitoring program at the end of the initial 5-year annual inspection requirement.
14. Section 6.4. The Report states that “Further maintenance of these backflow valves, if necessary, will be performed by the City of Pittsfield”. However, there is no indication if such arrangements have been made with the City. GE shall discuss/coordinate the backflow preventer cleaning with the City and confirm in the revised Report that these discussions occurred.
15. Section 8. Summary and Future Activities. The Report states that GE will coordinate the scheduling of inspections visits with EPA and/or the Trustees. Please note that EPA is the lead agency for the 1½ Mile Reach PRSC Plan, and therefore, inspection visits shall be coordinated with EPA, with GE providing Mass DEP and the Trustees sufficient notice of the date of inspections. Please revise the Report to state the above.
16. Section 8.5. Ancillary Items Monitoring. The first sentence should read “. . . any future monitoring and maintenance of ~~these items~~ the backflow preventers at Fred Garner Park will be conducted by the City of Pittsfield.” Please revise the sentence.
17. Tables
  - Table 2-4. Revise Table 2-4 to identify counts for all individual tree species in all monitoring areas. For subsequent inspections, GE shall record and include counts for individual shrub species as well.
  - Table 3-1. Area 3. Parcel I8-23-2/3 should have been included in the list of parcels in this area. Please include Parcel I8-23-2/3 in the table.
  - Table 3-1. Area 4. Please add that the erosion on this parcel was adjacent to a swale that was reconstructed by the new property owner.
  - Table 8-1. Footnote 6. The footnote regarding surface water sampling is unclear. Pursuant to the Interim PRSC Plan, GE shall continue to report the results of GE’s ongoing surface water quality sampling program in the Annual Reports. 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 1 ½ Mile Reach PRSC activities. Please revise the note.

#### 18. Figures

- Figure 2-2. Vegetation monitoring plots 2-W-3 and 2-E-3 were omitted from this Figure. Please include these monitoring plots on the Figure.
- Figure 3-1. Area 3 should also have included Parcel I8-23-2/3. Also, the portion of Parcel 18-23-6 that was part of Area 3 was behind the manual car wash, not near the middle of the property as indicated by the location of the arrow. Please revise the Figure.

#### 19. Photographic Log

- Photograph 5 should have been labeled as “Area 4: Exposed GeoWeb adjacent to Riprap Swale on Parcel I8-23-2/3”. Please re-label with correct description.
- Photographs 6, 7 and 8 should have been labeled “Area 3”, not Area “3A” or “3B”. Please re-label to include the correct Area number.
- Photograph 7, the word “South” should have been deleted. Please delete.
- Photographs 9 and 10 are of Area 5, not Area 3C. Please re-label to include the correct Area number.
- Photographs 11 and 12 are of Area 7, not Area 4. Please re-label to include the correct Area number.

Also, in Section 8.9 (EREs and Conditional Solution Inspections), GE proposes to conduct ERE and Conditional Solution inspections in November of each year, as opposed to May in each year as specified by the Interim PRSC Plan. To be consistent with ERE and Conditional Solution inspections performed at by GE pursuant to Post-Removal Site Control requirements at Removal Action Area outside of the River, EPA concurs with GE’s proposal to conduct such inspections in November of each year

In addition, GE shall include all field data sheets as Appendices in future Annual Reports.

EPA reserves the right to perform additional sampling and/or require additional response actions, if necessary, to meet the requirements of the Consent Decree. Except as expressly stated, this Report and EPA’s approval of this Report shall not be deemed to modify the Interim PRSC Plan and the requirements therein.

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

Sincerely,

*Mr. Kevin Mooney*  
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*Dean Tagliaferro*

Dean Tagliaferro  
EPA Project Manager

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