

Attachment 3

Commonwealth of Massachusetts' October 19, 2016 letter to
EPA concurring with the Final Modified Permit



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

October 19, 2016

Mr. Bryan Olson
Director, Office of Site Remediation and Restoration
U.S. EPA – Region 1
5 Post Office Square – Suite 100
Boston, MA 02109-3912

Re: Commonwealth Concurrence, GE - Housatonic Rest of River Site
Final Permit Modification

Dear Mr. Olson:

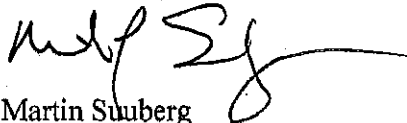
On behalf of the Commonwealth, the Massachusetts Department of Environmental Protection and the Massachusetts Department of Fish and Game and its Division of Fisheries and Wildlife have reviewed the Final Permit Modification to the Reissued RCRA Permit and Selection of CERCLA Remedial Action and Operation and Maintenance for Rest of River dated October 2016 (Final Permit Modification), along with the related Statement of Basis. Without limitation, the Commonwealth notes that key provisions of the selected remedy include the disposal of all excavated contaminated soil and sediment off-site at existing licensed facilities approved to receive such soil and sediment, restoration of areas disturbed by the remediation in accordance with MESA and other ARARs, and sediment removal throughout Woods Pond and the placement of an Engineered Cap to result in a post-capping minimum water depth of 6 feet measured from the crest of the dam except in the near-shore areas.

The Commonwealth concurs with the remedy set forth in the Final Permit Modification.

Mr. Bryan Olson
October 19, 2016
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If you have any questions regarding this concurrence, please contact Jeff Mickelson, MassDEP Deputy General Counsel, at 617-556-1066.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin Suuberg", with a long horizontal flourish extending to the right.

Martin Suuberg
Commissioner

Cc: Energy and Environment Secretary Matthew Beaton
Commissioner George Peterson, Massachusetts Department of
Fish and Game