

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**New England Office – Region I**  
**5 Post Office Square, Suite 100**  
**Boston, Massachusetts 02109-3912**

January 17, 2014

Andrew T. Silfer, P.E.  
General Electric Company  
319 Great Oaks Boulevard  
Albany, NY 12203

Sent via US Mail and Electronic Mail

**Re: GE-Pittsfield/Housatonic River Site: Rest of River Revised Corrective Measures Study Report**

Dear Mr. Silfer:

EPA has completed its review of GE's report entitled *Housatonic River – Rest of River Revised Corrective Measures Study Report* (hereinafter "RCMS") submitted October 11, 2010. GE submitted the RCMS in response to EPA's April 13, 2007, *Conditional Approval of the Corrective Measures Study Proposal*, EPA's January 15, 2010, *Conditional Approval of GE's Work Plan for the Evaluation of Additional Remedial Alternatives*, as well as other related Corrective Measures Study correspondence between EPA and GE.

The RCMS submittal includes factual and technical information that is consistent with the Corrective Measures Study requirements pursuant to the Reissued RCRA Permit, and, when supplemented by other information, contains sufficient technical analyses and information for EPA to proceed with preparing a draft permit modification for corrective measures in the Rest of River. However, the RCMS also includes multiple assertions, characterizations, conclusions and recommendations with which EPA does not necessarily agree, including but not limited to the following examples:

- the significance of risk to humans and ecological receptors from exposure to PCBs;
- the risk management goals of EPA regulations as they relate to consumption of fish and other biota;
- natural recovery and the speed at which it is occurring;
- the degree of harm to the ecosystem from remediation;
- the degree to which ecologically sensitive implementation principles and techniques, including avoidance, mitigation and restoration, are applicable to all alternatives;

- the interrelationship between river geomorphic processes and remediation techniques;
- interpretation of applicable or relevant and appropriate requirements (ARARs);
- the role of institutional controls; and
- other assertions, characterizations, conclusions or recommendations provided by GE in the RCMS, including but not limited to those referenced in the executive summary, the evaluation of individual alternatives, the comparative evaluation of sediment and floodplain remedial alternatives, the detailed analysis of remedial alternatives for treatment and/or disposition of removed sediments and soils, and GE's conclusions and recommendations as to the corrective measure or combination of corrective measures which, in GE's opinion, is best suited to meet the General Standards for Corrective Measures, and Selection Decision Factors.

Following GE's submittal of the RCMS, EPA has undertaken significant efforts in reviewing the RCMS, and in preparing a draft permit modification for corrective measures in the Rest of River. Among the EPA efforts have been the following:

- From October 2010 to January 2011, EPA conducted an informal public comment period for members of the public to submit comments to EPA on GE's RCMS;
- In June 2011, EPA submitted to the EPA National Remedy Review Board ("NRRB") a Site Information Package for Rest of River ("June 2011 NRRB Submittal") in which EPA's New England Region provided an analysis of its proposed corrective measures for review by the NRRB;
- From August 2011 to May 2012, EPA and the States of Connecticut and Massachusetts engaged in interagency deliberations for Rest of River, based on, *inter alia*, the RCMS, EPA's NRRB submittal, and the States' perspectives on Rest of River. At the conclusion of the interagency discussions, EPA, in May 2012, issued to the public the EPA/Massachusetts/Connecticut agreements in a Status Report entitled, *Potential Remediation Approaches to the GE-Pittsfield-Housatonic River Site "Rest of River" PCB Contamination* (the "Status Report");
- In August 2012, in response to questions from the NRRB, EPA's New England Region submitted its response to the NRRB, including in the response potential Performance Standards for the Rest of River ("August 2012 Response to NRRB"); and
- From August 2012 to December 2013, at GE's request, EPA engaged with GE in discussions on the Rest of River at the technical and leadership levels, based in part on the RCMS, the June 2011 NRRB Submittal, the Status Report, and the August 2012 Response to NRRB.

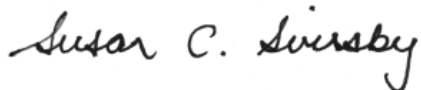
Pursuant to Paragraph 80 of the Consent Decree, and the Reissued RCRA Permit, which is Appendix G to the Consent Decree, EPA approves the RCMS subject to the following condition: For purposes of the final CMS Report, it shall be recognized that EPA does not necessarily agree with the assertions, analyses, conclusions or recommendations provided by GE in the RCMS, including, but not limited to the examples provided above.

The above-stated condition does not provide for GE to resubmit or modify any CMS-related documents. Based on the RCMS, the above-stated condition, and other information, the CMS Report has been satisfactorily completed in accordance with the Reissued RCRA Permit.

EPA has not to date issued for public comment a draft permit modification for Rest of River corrective measures. EPA will issue a draft permit modification for Rest of River corrective measures based on the RCMS, other information GE has submitted pursuant to the Reissued RCRA Permit, and other relevant information, including but not limited to the June 2011 NRRB Submittal, the Status Report, the August 2012 Response to NRRB, and other Rest of River information.

If you have questions, please contact me at 617.918.1434.

Sincerely,



Susan C. Svirsky  
Project Manager  
Rest of River

cc:

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