

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
EPA NEW ENGLAND**

**PERMIT UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)
AS AMENDED (42 U.S.C. SECTION 6901 ET SEQ.)**

General Electric Company
159 Plastics Avenue
Pittsfield, Massachusetts 01201
EPA I.D. No. MAD002084093

The Permittee is required to conduct certain activities at areas affected by releases of hazardous waste and/or hazardous constituents from the General Electric Facility located in Pittsfield, Massachusetts, in accordance with Sections 3004(u), 3004(v), and 3005(c) of the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), as specified in the conditions set forth herein.

This Permit has been prepared for RCRA Corrective Action activities to be performed by General Electric pursuant to a final Consent Decree, United States, et al. v. General Electric Company (D. Mass.) ("Consent Decree"). The Consent Decree memorializes an agreement to address releases of Waste Materials, including hazardous substances, hazardous waste, and/or hazardous constituents from the General Electric Company's Facility in Pittsfield, Massachusetts, including, but not limited to, the releases of hazardous waste and/or hazardous constituents addressed in this Permit. This Permit, upon the effective date, shall replace the HSWA Permit previously issued to the Permittee, initially issued on February 8, 1991, modified effective January 3, 1994, reissued in October 2000 and reissued again, effective December 5, 2007. Upon the effective date of this Reissued Permit, the previously issued 2007 Permit hereby is revoked, and, pursuant to the Consent Decree, the Remedial Action set forth in the Permit shall be implemented pursuant to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Consent Decree.

Dated: _____

Signed: _____ DRAFT FOR PUBLIC COMMENT _____

James T. Owens III, Director
Office of Site Remediation and Restoration
U.S. Environmental Protection Agency, EPA New England
5 Post Office Square – Suite 100
Boston, Massachusetts 02109-3912

This Reissued Permit will become effective 30 days after signature of the EPA New England (Region 1) Director of the Office of Site Remediation and Restoration, unless review is requested on the permit under 40 Code of Federal Regulations (C.F.R.) 124.19, in which case, the effective date will be established in the context of such review(s).



ATTACHMENT C
SUMMARY OF APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS (ARARS)
 Page 8 of 17

Statute/Regulation	Citation ^a	Synopsis of Requirements	Status	Action(s) to be Taken to Achieve ARARS
Massachusetts Wetlands Protection Act and Regulations	MGL c. 131, section 40 310 CMR 10.01-10.10, 10.51-10.60	For dredging and dredged material management; (a) no dredging is allowed if there is a practicable alternative that would have less impact on the aquatic ecosystem; (b) appropriate and practicable steps must be taken to avoid, minimize or mitigate adverse effects on land under water; (c) dredging must be conducted to meet performance standards designed to minimize impacts on aquatic ecosystem and protect human health; and (d) placement of dredged material in an intermediate facility for sediment management prior to disposal or reuse must meet certain requirements.	Applicable	Any remedy activities that remove, dredge, fill, or alter such areas will be conducted in accordance with these standards.
Massachusetts Dam Safety Standards	302 CMR 10.00	These requirements govern removal, dredging, filling or altering of banks, riverfront areas, inland wetlands, land subject to flooding and other areas, including provisions on limited projects. Regulations govern design and construction of new and existing dams, and removal of existing dams, and inspection of dams.	Potentially applicable	To the extent that these regulations are applicable to a Massachusetts dam which is in the area of remedy activity, the remedy will comply with these regulations.
Massachusetts Facility Location Standards	310 CMR 30.700 990 CMR 5.04	Location standards for hazardous waste management facilities in floodplains, including, but not limited to, Land Subject to Flooding and Areas of Critical Environmental Concern.	Potentially applicable or relevant and appropriate	To the extent that non-PCB State hazardous waste is temporarily stockpiled in an area subject to these regulations within the Area of Contamination, the remedy will comply with these requirements. To the extent that the remedy requires activity outside the Area of Contamination in an area subject to these regulations and remaining on-site that requires temporary storage or treatment of hazardous waste, it would be conducted such that it would comply with these requirements.