



REGION 1

BOSTON, MA 02109

Via Electronic Mail

Dated as of the date signed below

Kevin Mooney
Senior Project Manager
General Electric Company
1 Plastics Avenue
Pittsfield, MA 01201

Re: EPA's conditional approval of GE's July 23, 2024 report titled *Revised Phase I Inspection/Evaluation Report for Rising Pond Dam*; GE-Pittsfield/Housatonic River Site

Dear Mr. Mooney:

On July 23, 2024, the General Electric Company (GE) submitted a report titled *Revised Phase I Inspection/Evaluation Report for Rising Pond Dam* (the "Revised Report") to the United States Environmental Protection Agency (EPA and/or the "Agency"). The Report was submitted in response to EPA's conditional approval letter dated June 13, 2024, which required revisions to the previous iteration of the report. The Revised Report is a requirement of the Revised Operations, Monitoring, and Maintenance Plan, Rising Pond Dam – MA 00250, dated August 14, 2019 (the "OM&M Plan") and presents the findings of the 2023 Phase I Inspection/Evaluation of the Rising Pond Dam.

Pursuant to Section XV of the Consent Decree governing the response action, EPA, after providing reasonable opportunity for review and comment by the Commonwealth of Massachusetts and the State of Connecticut, approves the Revised Report subject to the following condition.

General Conditions

1. Following the next bathymetric and topographic surveys of Rising Pond Dam in 2025, GE shall prepare a table including all the bathymetric and topographic data and reference locations (GPS coordinates) in the subsequent quarterly dam inspection report and all future Phase I Inspection Reports. The use of this elevation data and reference locations will be helpful in comparing any changes in sediment elevation at the Dam during later bathymetric and topographic surveys.

EPA reserves all of its rights under the Consent Decree and GE's Revised Final Permit (December 2020), including, but not limited to, the right to perform and/or require additional sampling or response actions. If there is any conflict between the Performance Standards as stated in the submittal and the Performance Standards as stated in the Consent Decree or the Revised Final Permit, the Consent Decree and/or the Revised Final Permit shall control.

Please do not hesitate to contact me at (617) 918-1720 or at fontaine.joshua@epa.gov should you have any questions on this letter.

Sincerely,

JOSHUA FONTAINE

Digitally signed by JOSHUA
FONTAINE
Date: 2024.09.25 08:13:52 -04'00'

Joshua Fontaine
Remedial Project Manager
U.S. EPA Region 1
Superfund & Emergency Management Division

cc: (via electronic mail only)

Andrew Thomas, GE
Andrew Silfer, GE
Matthew Calacone, GE
James Bieke, Counsel for GE
Dean Tagliaferro, EPA
Anni Loughlin, EPA
Christopher Smith, EPA
Richard Fisher, EPA
Alexander Carli-Dorsey, EPA
John Kilborn, EPA
Christopher Ferry, ASRC (EPA electronic repository)
Thomas Czelusniak, HDR Inc.
Scott Campbell, Taconic Ridge Environmental
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Whitney Behr, U.S. Fish and Wildlife
Mark Barash, U.S. Department of Interior
Katie Zarada, NOAA
Mayor Peter Marchetti, City of Pittsfield
Jim McGrath, City of Pittsfield
Andy Cambi, Pittsfield Health Director
Michael Coakley, Pittsfield Economic Development Authority
Nate Joyner, City of Pittsfield
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