



REGION 1

BOSTON, MA 02109

Via Electronic Mail/Dated as of the date signed below

Matthew Calacone
Senior Project Manager
General Electric Company
1 Plastics Avenue
Pittsfield, MA 01201

Re: Conditional Approval of GE's May 15, 2025 *Pre-Design Investigation Work Plan for Rail Transload Areas in Reaches 5 and 6*; GE-Pittsfield/Housatonic River Site, Rest of River

Dear Mr. Calacone:

On May 15, 2025, the General Electric Company (GE) submitted to the United States Environmental Protection Agency (EPA) a document titled *Pre-Design Investigation Work Plan for Rail Transload Areas in Reaches 5 and 6* (the "Work Plan"). The Work Plan describes GE's proposed pre-design investigations for the EPA-approved rail transload locations at Utility Drive in the City of Pittsfield and Woods Pond in the Town of Lenox to support rail transport of removed materials. GE submitted the Work Plan in response to EPA's April 29, 2025 Conditional Approval Letter for the *Revised On-Site and Off-Site Transportation and Disposal Plan*. The Work Plan is subject to the terms and conditions specified in the Consent Decree that was entered in the U.S. District Court on October 27, 2000 and the Revised Final Permit dated December 16, 2020. EPA held a public input period regarding the Work Plan from May 19, 2025 to June 18, 2025.

On May 19, 2025, GE sent EPA notification of several pre-design investigation activities that were scheduled to be conducted prior to EPA's approval of the Work Plan. These activities included: topographic field surveys, which will help inform appropriate field locations for the soil geotechnical investigations scheduled for late spring/early summer 2025; and rare species surveys for three state-listed species that have Massachusetts Natural Heritage and Endangered Species Program (MNHESP) mapped habitat at the Utility Drive Transload Area (wood turtle, American bittern, and mustard white butterfly), which need to be conducted within seasonal windows for each species. On May 23, 2025, EPA approved this request, with several conditions, to initiate the above described pre-design investigation activities. This Partial Approval is provided as Attachment 1 to this Conditional Approval Letter. The conditions listed in the Partial Approval shall apply to this Conditional Approval Letter, in addition to the following conditions.

Pursuant to Section XV of the Consent Decree, EPA, after providing reasonable opportunity for review and comment by the Commonwealth of Massachusetts and the State of Connecticut, conditionally approves the Work Plan subject to the following conditions. For the one condition that requires an additional proposal by GE (Condition 10), GE shall submit that proposal for EPA review and approval within fourteen (14) days of the date of this letter.

Specific Conditions:

1. **Section 2.1, 7th and 8th bullets:** EPA notes that a large tree is typically defined as a tree that is 20 inches in diameter at breast height (DBH). GE has clarified that, for the purposes of the survey of the rail transload areas in Reaches 5 and 6, this is what is meant in the Work Plan by “large tree.”
2. **Section 2.2:** If visual or olfactory evidence of unknown contamination is discovered during any point of the soil geotechnical investigations, drilling spoils, fluids, and any other potentially contaminated material shall be containerized for disposal characterization and properly disposed.
3. **Section 2.2, 2nd paragraph:** The Work Plan states that, “[u]pon encountering bedrock or refusal-to-drilling conditions, rock coring may be performed at one or more test borings at the discretion of the geotechnical engineer overseeing the work.” At each proposed boring location, GE shall perform rock coring if bedrock or refusal is encountered prior to achieving the target depth. Specifically, GE shall advance the boring to the target depth of up to approximately 15 to 20 feet or approximately five feet into bedrock, whichever occurs first; thus, if bedrock or refusal is encountered prior to reaching the target depth, a minimum of approximately five feet of rock coring shall be performed.
4. **Section 2.2, 2nd paragraph:** The Work Plan states that “[b]orings will be terminated at a shallower depth if refusal is encountered.” If rock coring demonstrates that refusal prior to the target depth was **not** the result of bedrock (that is, cobble, wood, other debris), up to two additional boring attempts shall be made to reach target depth by stepping off a short distance from the original boring location.
5. **Section 2.3:** The rare species surveys shall follow the existing EPA-approved Standard Operating Procedures (SOPs) for the wood turtle, the American bittern, and the mustard white butterfly.
6. **Section 2.3.1:** All Baseline Restoration Assessment (BRA) activities at the Utility Drive Transload Area shall occur for a contiguous area bounded by the rail line to the west, Staging Area 6 to the north, the limits of the previous Reach 5A BRA to the east, and Utility Drive to the south so that the entire area is adequately covered. This will ensure that any future adjustments to the rail area, staging/operational area, or access roads that are made in the final design have been assessed properly.

7. **Section 2.3.1:** Potential long-term impacts to state-listed species and their habitats shall be evaluated in addition to the direct, indirect, and short-term impacts that are already referenced, and that evaluation shall be included in the Conceptual Design Plan.
8. **Section 2.3.1 and 2.3.2, last bullets:** Construction activities and the future use of the Utility Drive Transload Area have the potential to introduce and/or contribute to the further spread of invasive species. The Conceptual Design Plan shall outline the development of a plan to avoid and minimize the introduction and further spread of invasive species within and outside the project area, and to monitor and control any introduction or spread of invasive species that occurs during construction or remedial activities.
9. **Section 2.3.1, last bullet, and Appendix B, Section II.C:** The presence, location, abundance, and condition of invasive species shall be documented regardless of whether or not an invasive species comprises 10% or more of the vegetative cover in each stratum.
10. **Section 2.3.2:** Although the MNHESP has not identified any mapped habitat for any state-listed species at the Woods Pond Spur Transload Area, construction at and the increased use of the Woods Pond Spur Transload Area due to remediation activities may result in impacts to state-listed faunal species through disruption of key behaviors (for example, nesting, breeding, foraging) within MNHESP-mapped habitats directly adjacent to the project area. This is of particular concern for state-listed marsh birds, which can be highly sensitive to noise. Therefore, within 14 days of this letter, GE shall submit a proposal for EPA review and approval for appropriate surveys for certain state-listed faunal species (identified based on MNHESP species mapping) within adjacent habitats. In addition, the Conceptual Design Plan shall evaluate potential impacts to said species (if present) associated with construction and increased use due to rail transload activities.

To the extent that unavoidable impacts of such activities would result in a “take” of a state-listed species, GE shall develop a conservation and management plan that addresses long-term net benefits to the affected species. Any such plan may address impacts in more than one affected area if appropriate. The conservation and management plan covering the Utility Drive Transload Area (if required) can be included as a part of the upcoming Final RD/RA Work Plan for Reach 5A, and the plan covering the Woods Pond Spur Transload Area (if required) can be included in the Final RD/RA Work Plan for Reach 6. If the inclusion of such conservation and management plans would cause a delay in the construction of the rail transload areas and/or the implementation of remedial activities, then GE shall submit the plans for EPA review and approval in advance of the Final RD/RA Work Plans or as otherwise agreed upon by EPA and GE.

11. **Section 2.4.1.2:** In addition to the steps described for potential cultural features encountered or the unanticipated discovery of human remains, in the event that there is an inadvertent discovery of human remains that are potentially part of the Stockbridge-Munsee Band of Mohican Indians, the *Stockbridge-Munsee Community Treatment and Disposition of Human*

*Remains and Cultural Items That May be Discovered Inadvertently*¹ shall be followed.

12. **Section 2.4.1.2, 4th paragraph, last sentence:** Each STP shall be excavated as 10-centimeter-thick arbitrary levels within natural soil strata into the first C-horizon. This will ensure consistency with the July 23, 2004 Massachusetts Historical Commission Memorandum regarding Depth of Test Excavations (Attachment 2).
13. **Section 2.4.1.2, 5th paragraph:** GE shall inform the Stockbridge-Munsee Band of Mohican Indians point of contact, Jeffery Bendremer, of cultural resource survey work schedules at least a week before they occur. If there are findings discovered during the surveys that are potentially relevant to the Stockbridge-Munsee Band of Mohican Indians, work shall pause until the above-mentioned point of contact has had the opportunity to comment on the findings.
14. **Section 2.5:** The Massachusetts Division of Fisheries and Wildlife (the Division) has expressed concerns relating to recreational impacts at the Darey Wildlife Management Area (WMA) during construction and use of the Utility Drive Transload Area. As a part of consulting with relevant parties, GE shall continue discussions with the Division regarding this issue and potential ways to mitigate impacts on recreational opportunities at the Darey WMA to the extent practicable and consistent with the use of the area for rail transload operations.
15. **Section 3:** The data gathered from the pre-design investigation activities described in the Work Plan shall be reported in the Conceptual Design Plan for the Utility Drive and Woods Pond Spur Rail Transload Areas.

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) 918-1049 or at CarliDorsey.Alexander@epa.gov should you have any questions on this letter.

Sincerely,

ALEXANDER

CARLI-DORSEY

Alexander Carli-Dorsey
Project Manager

Digitally signed by ALEXANDER CARLI-DORSEY
Date: 2025.07.24 16:59:46 -04'00'

¹ <https://www.mohican.com/mt-content/uploads/2022/09/smc-inadvertent-discovery-policy.pdf>

Attachments

1. Approval of Certain Pre-Design Investigation Activities for Rail Transload Areas in Reaches 5 and 6
2. July 23, 2004 Massachusetts Historical Commission Memorandum regarding Depth of Test Excavations

cc: (via electronic mail only)

Lance Hauer, GE

Kevin Mooney, GE

Rachel Leary, GE

Andrew Inglis, GE

James Bieke, Counsel for GE

Dennis Lowry, AECOM

Josh Fontaine, EPA

Richard Fisher, EPA

Lisa Danek Burke, EPA

Jeffrey Dewey, EPA

John Kilborn, EPA

Christopher Ferry, ASRC

Thomas Czelusniak, HDR Inc.

Scott Campbell, Taconic Ridge Environmental

Izabela Zapisek, Taconic Ridge Environmental

Latice Fuentes, U.S. Department of the Interior

Sarah Shattuck, U.S. Department of the Interior

Genette Gaffney, U.S. Department of the Interior

Benjamin Erikson, Massachusetts DEP

Christine LeBel, Massachusetts DEP

Tamara Cardona-Marek, Massachusetts DEP

Ben Guidi, Massachusetts DEP

Jason Perry, Massachusetts DEP

Michael Gorski, Massachusetts DEP

Michelle Craddock, Massachusetts DEP, Lead Administrative Trustee

Traci Iott, Connecticut DEEP

Carol Papp, Connecticut DEEP

Graham Stevens, Connecticut DEEP

Lori DiBella, Connecticut Attorney Office

Kimberly Katzenbarger, National Oceanic and Atmospheric Administration

Danielle Perry, National Oceanic and Atmospheric Administration

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, Community Development & Housing Program

Mark Tisa, Massachusetts DFG

*EPA Conditional Approval Letter
GE-Pittsfield/Housatonic River Site
Pre-Design Investigation Work Plan for Rail Transload Areas in Reaches 5 and 6*

Massachusetts DFW
Andrew Madden, FWE
Rebecca Quinones, FWE
Melissa Provencher, Berkshire Regional Planning Commission
Jay Green, Chief Administrative Officer, Lenox
Town Administrator, Lee
Town Manager, Great Barrington
Town Administrator, Stockbridge
Town Administrator, Sheffield
Jim Wilusz, Health Agent for Tri Town Health Department
Bettina Washington, THPO, Wampanoag Tribe of Gay Head (Aquinnah)
Mark Andrews, Deputy THPO, Narragansett Tribe
Bonnie Hartley, SMC
Chuck Kilson, STN
Chairman Russell, SIT
Jeffery Bendremer, THPO, Stockbridge-Munsee
Brona Simon, Massachusetts Historical Commission
Edward Bell, Massachusetts Historical Commission
Repository, David M. Hunt Library in Falls Village, CT

From: [Carli-Dorsey, Alexander](#)
To: [Calacone, Matthew \(GE Aerospace\)](#)
Cc: [Lowry, Dennis](#); [Mooney, Kevin \(GE Corporate\)](#); [Quinones, Rebecca \(FWE\)](#); [Madden, Andrew \(FWE\)](#); [Putnam, Lauren](#); [Gravelding, Mark](#); [Tagliaferro, Dean](#); [Fontaine, Joshua](#); [Dewey, Jeffrey](#)
Subject: RE: GE Rest of River - PDI Work Plan for Rail Transload Areas in Reaches 5 and 6
Date: Friday, May 23, 2025 2:36:00 PM

Hi Matt,

After reaching out to CT DEEP, Mass DEP, and Mass DFG/DFW, EPA approves the request below to initiate certain pre-design tasks prior to EPA's approval of the PDI Work Plan for Rail Transload Areas in Reaches 5 and 6. This approval is subject to the following conditions:

- The rare species surveys shall be conducted in accordance with the SOPs that were submitted and conditionally approved by EPA on April 30 and May 21 for the Reach 5A Supplementary Data Collection Addendum and subsequent SOPs.
- GE shall document and identify any state or federal rare, threatened, and/or endangered species, such as the state-listed species the gallinule (a bird) and the Wapato (a plant), that are observed during the surveys for wood turtle, American bittern, and mustard white butterfly in accordance with General Condition 7 of the April 30 Supplemental Data Collection Addendum Conditional Approval Letter.
- GE shall submit all observation records of state-listed species to MNHESP through its Heritage Hub.
- The "topographic survey" shall include all elements included in Section 2.1 of the Work Plan, including property line surveys and easements.

Additionally, once a timeline and schedule is known for the topographic survey work, please share that with me. Please feel free to give me a call if you have any questions or would like to discuss this approval.

Thanks!

Alex Carli-Dorsey
Remedial Project Manager
U.S. Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, MA 02109-3912
Tel: 617-918-1049

From: Calacone, Matthew (GE Aerospace) <matthew.calacone@ge.com>
Sent: Monday, May 19, 2025 7:53 PM
To: Fontaine, Joshua <Fontaine.Joshua@epa.gov>; Carli-Dorsey, Alexander <CarliDorsey.Alexander@epa.gov>
Cc: Lowry, Dennis <dennis.lowry@aecom.com>; Mooney, Kevin (GE Corporate) <kevin.mooney@ge.com>; Quinones, Rebecca (FWE) <Rebecca.Quinones@mass.gov>; Madden, Andrew (FWE) <andrew.madden@mass.gov>; Putnam, Lauren <Lauren.Putnam@arcadis.com>; Gravelding, Mark <mark.gravelding@arcadis.com>; Tagliaferro, Dean <Tagliaferro.Dean@epa.gov>

Subject: RE: GE Rest of River - PDI Work Plan for Rail Transload Areas in Reaches 5 and 6

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Josh and Alex,

Now that GE's PDI Work Plan for the Rail Transload Areas has been submitted, we are providing this email, at EPA's request, to describe which PDI activities in that work plan will be conducted prior to EPA's approval of the plan. This is discussed in Section 3 of the PDI Work Plan. As noted there, the topographic field survey may be initiated before EPA approval of this work plan, so that preliminary information from the survey may be available in time to inform appropriate field locations for the soil geotechnical investigation. In addition, as also noted in the work plan, the field surveys for the three state-listed species that have MNHESP-mapped habitat at or including the Utility Drive transload area (wood turtle, American bittern, and mustard white butterfly) will begin prior to EPA approval of the work plan due to seasonal constraints relating to those species. Those surveys are expected to begin in the last week in May. Today, you asked specifically about surveys for the gallinule (a bird) and the wapato (a plant). GE did not include those species in this pre-design work plan since the mapped habitat for these two species do not overlap with the area proposed for actual work for constructing or operating the rail spur. The gallinule habitat is limited to the cattail marshes which are mapped outside the area of the rail spur area, while the wapato mapped habitat is further away from the work area into the marshes. There will be no work in these marshes for the rail spur activities.

Also, there is no mapped habitat at the Woods Pond spur site, so no rare species surveys are proposed there.

Please let me know if you have any further questions.

Matt

Matthew Calacone
Senior Project Manager
GE Aerospace

T: +1 413 553 6614

From: Putnam, Lauren <Lauren.Putnam@arcadis.com>

Sent: Thursday, May 15, 2025 11:59 AM

To: Tagliaferro.Dean@epa.gov

Cc: kilborn.john@epa.gov; Fisher, Richard <fisher.richard@epa.gov>; Carli-Dorsey, Alexander

<CarliDorsey.Alexander@epa.gov>; Fontaine, Joshua <fontaine.joshua@epa.gov>; Dewey, Jeffrey <dewey.jeffrey@epa.gov>; Ferry, Christopher <ferry.christopher@epa.gov>; Thomas.czelusniak@hdrinc.com; Scott Campbell <scampbell@taconicridgeenviro.com>; izapisek <izapisek@taconicridgeenviro.com>; michael.gorski@state.ma.us; Tamara.Cardona-Marek@Mass.gov; benjamin.guidi@state.ma.us; Jason Perry <jason.m.perry@mass.gov>; michelle.l.craddock@state.ma.us; jeffrey.mickelson@state.ma.us; mark.tisa@state.ma.us; eve.schluter@mass.gov; MassDFG/DFW <MAHousatonicSF@mass.gov>; betsy.harper@state.ma.us; Traci.iott@ct.gov; susan.peterson@ct.gov; graham.stevens@ct.gov; carol.papp@ct.gov; Lori.Dibella@ct.gov; Katherine.zarada@noaa.gov; jmcgrath@pittsfieldch.com; acambi@cityofpittsfield.org; mcoakley@cityofpittsfield.org; mprovencher@berkshireplanning.org; Jay Green <jgreen@townoflenox.com>; Chris Brittain <CBrittain@town.lee.ma.us>; Mpruhenski@townofgb.org; townadministrator@stockbridge-ma.gov; rlabombard@sheffieldma.gov; Jim@tritownhealth.org; Hauer, Lance M (GE Aerospace) <lance.hauer@ge.com>; Thomas, Andrew J 1(GE Aerospace) <andrewj.thomas@ge.com>; Merrifield, Eric (GE Aerospace) <Eric.Merrifield@ge.com>; Calacone, Matthew (GE Aerospace) <matthew.calacone@ge.com>; Inglis, Andrew (GE Aerospace, US) <Andrew.Inglis@ge.com>; Leary, Rachel (GE Aerospace, US) <Rachel.Leary@ge.com>; Mooney, Kevin (GE Aerospace) <Kevin.Mooney@ge.com>; Michael Werth <mwerth@anchorqea.com>; Gravelding, Mark <Mark.Gravelding@arcadis.com>; Putnam, Lauren <Lauren.Putnam@arcadis.com>; Lowry, Dennis <dennis.lowry@aecom.com>; James Bieke <jbieke@outlook.com>; dmhuntlibrary@gmail.com; Brown, Pamela J. (GE Aerospace, consultant) <Pamela.Brown@ge.com>

Subject: EXT: GE Rest of River - PDI Work Plan for Rail Transload Areas in Reaches 5 and 6

WARNING: This email originated from outside of GE. Please validate the sender's email address before clicking on links or attachments as they may not be safe.

On behalf of GE, please find attached the Pre-Design Investigation Work Plan for Rail Transload Areas in Reaches 5 and 6 for the GE-Pittsfield/Housatonic River Site, Rest of River.

Please do not hesitate to contact us with any questions or comments.

Thank you,
Lauren

Lauren Putnam

Arcadis

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The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

MEMORANDUM

TO: Principal Investigators and Project Archaeologists in Massachusetts

FROM: Brona Simon, State Archaeologist, Massachusetts Historical Commission *BS*

DATE: July 23, 2004

RE: Depth of Test Excavations

By now many of you may have heard about newly discovered PaleoIndian sites that have been discovered by SCRAP in northern New Hampshire. Perhaps some of you have heard papers presented by Dick Boisvert, the State Archaeologist of New Hampshire, or have even visited these sites.

The test excavations by SCRAP are consistently dug to the top of the C horizon, even when no cultural materials are encountered in the overlying soil horizons. This methodology has resulted in the discovery of PaleoIndian sites in the lower/lowest parts of the B horizon. I am concerned that many test excavations in Massachusetts are routinely stopped at 50 cm in depth, while still within the upper B horizon.

I recommend that you re-evaluate your current field methods to insure that your test excavations are going deep enough (i.e. to the top of the C horizon) in project areas that have a moderate to high sensitivity for PaleoIndian sites. Please be sure to examine surficial geology to identify Paleo landscape features such as glacial lake terraces, river terraces, overlooks, etc. that are likely locations for Paleo camps or hunting stands.

I will be carefully evaluating all future State Archaeologist permit applications with regard to your implementation of the recommendations in this memorandum, pursuant to 950 CMR 70.

If you have any questions concerning this guidance, please feel free to contact me.

220 Morrissey Boulevard, Boston, Massachusetts 02125

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