



REGION 1

BOSTON, MA 02109

Via Electronic Mail

Dated as of the date signed below

Mr. Matthew Calacone
Global Operations, Environment, Health & Safety
General Electric Company
1 Plastics Avenue
Pittsfield, MA 01201

Re: Conditional Approval of General Electric's February 28, 2024 submittal titled *Upland Disposal Facility Operation, Monitoring, and Maintenance Plan*, GE- Pittsfield/Housatonic River Site

Dear Mr. Calacone:

This letter contains the Environmental Protection Agency's (EPA) conditional approval of GE's *Upland Disposal Facility Operation, Monitoring, and Maintenance Plan* (the "OMM Plan"). This OMM Plan is subject to the terms and conditions specified in the Consent Decree (CD) that was entered in U.S. District Court on October 27, 2000.

Pursuant to Section XV of the CD, EPA, after reasonable opportunity for review and comment by the Commonwealth of Massachusetts and the State of Connecticut, approves the OMM Plan subject to the following conditions. GE shall submit a Revised OMM Plan that addresses these conditions by December 20, 2024.

1. General: In the Revised OMM Plan, GE shall provide a provisional implementation schedule for the on-site UDF leachate treatment system and an estimate of when such a facility is anticipated to be necessary. GE shall also provide a general description of OMM activities related to construction and operation of the UDF wastewater treatment facility. Subsequent refinements to wastewater treatment operations shall be included in subsequent versions of the OMM Plan.
2. General: In the Revised OMM Plan, GE shall provide a provisional implementation schedule for the on-site dewatering facility at the UDF. GE shall also generally describe the OMM activities related to the on-site dewatering facility and material transport (for example, hydraulic conveyance) to the UDF property. Subsequent refinements to dewatering facility operations shall be included in subsequent versions of the OMM Plan.

3. Section 1.3: GE's October 2023 Transportation and Disposal Plan references a nine-month per year window for active remedial activities. In Sections 1.3.1 and 1.3.2, GE shall provide a general summary of anticipated construction and operational activities throughout the calendar year.
4. Section 2.3.2, 2nd paragraph: EPA notes that OMM requirements for the permanent stormwater controls associated with the UDF (that is, the northern and southern stormwater basins and the five stormwater management areas) will need to be established long before the UDF Final Cover/Closure Plan is submitted as these stormwater management features will be operational before consolidation even begins and continue in operation for numerous years before closure plans are prepared. This section shall be revised to state that OMM requirements for the permanent stormwater management features will be included in GE's Stormwater Pollution Prevention Plan (SWPPP) to be provided in the Supplemental Implementation Plan (SIP), as discussed in Section 4.6 of the Final Design Plan and Specification 31 25 00, and re-assessed and revised (if necessary) in the UDF Post-Closure Monitoring and Maintenance Plan.
5. Sections 2.3.2, 3.2.2, and 3.3: The Revised OMM Plan shall discuss inspection, sampling, and monitoring requirements to be incorporated into the SWPPP to be provided in the SIP that shall be prepared to address both construction and operations per the design specifications. These requirements shall include the substantive requirements specified by Sector L of the NPDES Multi-Sector General Permit, and, during construction (Section 2.3.2), the NPDES Construction General Permit.
6. Section 2.7: The Revised OMM Plan shall include the details (for example, inspection and reporting schedule and frequency) specifying how GE will implement the monitoring plan described in Appendix H of the UDF Final Design Plan (Habitat Restoration and Mitigation Assessment Report and Plan for the Upland Disposal Facility).
7. Section 3.2.2, last paragraph: Information regarding procedures and best management practices (BMPs) to control the spread of contamination beyond the UDF containment cells shall be expanded and consolidated in a general discussion in a dedicated sub-section under Section 3.2, with references to the forthcoming UDF construction SIP. GE shall employ measures to prevent over the road vehicle tires from contacting consolidation materials such as the use of temporary clean access roads into the cells and/or dumping platforms rather than relying on decontamination procedures to remove impacted materials from tires and/or other components. Aggregate vehicle tracking pads at exit points for clean access roads out of the containment cells as well as the site exit(s) shall be considered and implemented as appropriate to mitigate the spread of contamination out of the cells and/or off-site. Construction equipment dedicated for long-term use within the containment cells that tracks over and handles impacted materials shall be subject to active decontamination and wipe sample verification prior to being removed from the containment cells.

8. Section 3.3.1, 1st paragraph: The Ambient Air Monitoring Plan (AAMP) in the January 2024 Project Operations Plan (POP) did not specify the “location” of air monitors to be used during remediation activities as stated. For the UDF, the locations are specified in the OMM Plan on Figure 3. GE shall revise accordingly and so note in the revised AAMP (due on November 22, 2024). EPA reserves the right to require GE to modify the UDF perimeter air monitoring locations in the future based on observations and/or monitoring results.
9. Section 3.3.2: GE shall conduct up to four rounds (two per year) of baseline air sampling at three of the five locations shown in Figure 3 (with the modification specified in Condition #29 below), weighted towards proximity to potential receptors (for example, toward the October Mountain State Forest campground), during the months of July and September, prior to the start of consolidation.
10. Section 3.3.3: GE shall revise this Section to include a sub-section regarding (i) the appropriate groundwater benchmarks for the UDF property based upon the applicable Massachusetts Contingency Plan groundwater standards, (ii) the process for evaluating future groundwater results based upon these benchmarks, and (iii) a process for addressing exceedances of these benchmarks.
11. Section 3.3.3.2, 1st sentence: The monitoring wells are identified in Section 3.3.3.1, not 3.3.4.1 as stated. GE shall conduct semi-annual sampling rather than annual sampling as specified in this section.
12. Section 3.5.1: The discussion of maintenance shall include the periodic scraping of the stormwater basin floors to remove volunteer vegetation to maintain the exposed sandy-gravelly soils as discussed in Section 4.6.5 of the UDF Final Design.
13. Section 3.5.1: In addition to the requirements specified in this Section, the SWPPP to be provided in the SIP shall include the substantive requirements set forth in the NPDES MSGP Sector L and the CGP as required by the design specification. The Revised OMM Plan shall make clear that GE will comply with the more stringent of the SIP requirements and the requirements in this Section.
14. Section 3.5.3.3: The discussion shall specifically include inspection and maintenance related to burrowing animals on slopes to prevent slope instability.
15. Section 3.5.5: The discussion of maintenance shall include periodic calibration of monitoring equipment per manufacturers recommendations or generally accepted industry best practices.

16. Section 3.6: GE shall revise this Section to discuss the sharing of monitoring data with the public via GE's project website, which is discussed in Section 7.1.2 of GE's Quality of Life Compliance Plan dated December 20, 2023 and any subsequent EPA conditional approvals or Plan revisions. In a revised Section 3.6, in addition to a semi-annual O&M report to EPA, GE shall propose timelines for posting the following monitoring data on GE's project website:
- Particulate data from the real-time particulate monitors;
 - Analytical ambient air PCB sampling data;
 - Noise data from the real-time noise monitors; and
 - Other data considered appropriate for posting on GE's project website based on discussions between EPA and GE.
17. Section 4.1.1., 1st paragraph: GE states that "requirements for placement of the consolidation material are provided in UDF Final Design Plan Specification Section 31 05 13 – Soils for Earthwork." The cited specification, however, contains no information specific to consolidation material placement. Specification 31 22 00 – Grading outlines the required testing, placement, and compaction requirements for consolidation materials. GE shall revise Section 4.1.1 accordingly and reference the new specification in accordance with the applicable condition in EPA's conditional approval letter in response to GE's UDF Final Design Plan specific to the allowable composition of consolidation materials. Such new specification shall include topics such as target moisture content for various modes of transportation, allowable and prohibited non-soil debris for consolidation at the UDF, and sizing requirements for anticipated UDF and off-site non-soil debris disposal.
18. Sections 4.3 and 4.5: Use of plastic sheeting or tarps on consolidation material to attempt to route rainfall to an area where it can be pumped up and out of the cell containment and discharged to non-contact stormwater management features creates the potential for cross-contamination. Accordingly, once the first consolidation material is placed within a cell, any water that collects within the cell footprint and/or is extracted from the leachate collection system components of that cell shall be considered contact water for treatment. GE shall revise these sections to further clarify the purpose and requirements for the use of "plastic sheeting" and ensure that appropriate heavy duty and durable plastic sheeting materials are employed. GE shall also discuss BMPs to be included in the SWPPP to ensure that re-use and re-deployment of these plastic sheeting materials will not create potential for cross-contamination.
19. Sections 4.3 and 4.5: GE shall evaluate the use of treated water suitable for surface water discharge for use in dust suppression within the consolidation limits, instead of using treated potable water from the Town of Lee municipal distribution system.
20. Section 4.5.1: GE shall reference the specifications section that includes reference to the soil type proposed as daily cover as well as the proposed spray-applied coatings.

21. Section 4.5.1: Daily cover materials may not remain in place for up to 180 days without an interim cover. GE shall revise Section 4.5.1 to expand upon the conditions under which the different types of daily cover may be used and clarify how long each of the different types of daily cover materials can remain in place before being subject to interim cover placement.
22. Section 4.5.2: GE shall reference the specifications section that includes reference to the soil type proposed as interim cover.
23. Section 4.5.3: GE shall revise to state that any areas of final cover shall be inspected at a minimum frequency of weekly until the vegetative cover is established and monthly thereafter, and any observed erosion or degradation of final cover will be repaired as soon as practicable upon observation. In addition, Section 3.5.3 shall be updated to specifically list the final cover as being subject to weekly inspections until the vegetative cover is established and monthly thereafter.
24. Section 4.6.1: GE shall revise to include a section with a general description of the automated controls that will serve to operate and monitor the leachate collection system such as level switches, leak detectors, and alarm controls. In addition, GE shall specify how the level switches in the leachate sumps will be set to ensure the hydraulic head of leachate on the liner will be maintained at less than one foot, except during storm events prior to full closure in accordance with 310 CMR 19.110(10).
25. Section 4.6.1.4: GE may truck leachate off-site for treatment, including to the Groundwater Treatment Facility at Building 64G in GE's Pittsfield Plant, on an interim basis until GE installs an on-site wastewater treatment facility for UDF-derived leachate. Following the construction of the on-site wastewater treatment facility, GE may truck leachate for off-site treatment to Building 64G only if necessary for planned or unplanned maintenance purposes associated with the on-site treatment facility. For such planned maintenance events, GE shall notify EPA in advance of the event. In the case of an unplanned event where the maintenance need is immediate, GE shall notify EPA as soon as possible either during or following the event. As noted in Condition #1, GE shall provide a description of OMM activities for the on-site UDF wastewater treatment facility, consistent with the discussion in the Conceptual RD/RA Work Plan for Reach 6.
26. Section 4.6.2.2: The leachate force mains shall be pressure tested after installation. As worded, the post-installation inspection could be either visual or by pressure testing. Clarify in revised submittal.

27. Section 4.6.4: EPA notes that the storage tanks are sized to hold the maximum amount of leachate generation in one week (total capacity of 330,000 gallons) and a standard tanker truck size is approximately 11,000 gallons. This equates to an approximate maximum of 30 tanker truck round trips per week between the GE plant in Pittsfield and the UDF. GE did not account for this traffic in its Transportation and Disposal Plan. EPA approves of this truck traffic only until the traffic can be eliminated with the start-up of the on-site water treatment system, and after that, as necessary based on cleanup, UDF, and wastewater treatment operations. After start-up of the water treatment system, GE shall give EPA notice of the trucking of any leachate to the 64G treatment plan or off-site.
28. Section 4.7.2: GE shall utilize routine inspections and periodic maintenance to assess and minimize the potential for site access roads to become inaccessible due to muddy or ponding water conditions during precipitation events up to and exceeding the 100-year storm. This section shall be updated to state that GE will institute measures, including design enhancements, if necessary, to further minimize the potential for reoccurrence of such conditions affecting accessibility of the site access roads.
29. Figure 3: GE shall move the southeasternmost air monitoring location to a spot immediately east of the southern stormwater basin to be more in line with the nearby receptor of the October Mountain State Forest camping area.
30. Figure 4: Monitoring well MW-2022-4D is mislabeled as MW-2002-2 and monitoring well MW-2022-3 is missing from the Figure, GE shall revise this figure accordingly.
31. Figure 5: The depicted location for the weather station will be at approximate elevation 1013 in an area that will require approximately 63 feet of filling during UDF construction, meaning that the weather station cannot be sited at that location until well after the start of construction. GE shall select a location for the weather station that can be used at the start of construction and will be at a higher elevation. EPA recommends GE consider the area east of the leachate storage tanks at the limit of site grading, but far enough away from the tanks to avoid localized wind impacts.

EPA reserves all of its rights under the Decree, including but not limited to, the right to perform and/or require additional sampling, or response actions, if necessary, to meet the requirements of the Consent Decree. 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.

Sincerely,

RICHARD FISHER

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Richard Fisher
GE Facility Project Manager

cc:

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Public Information Repository at David M. Hunt Library in Falls Village, CT
Bettina Washington, Wampanoag Tribe of Gay Head (Aquinnah)
Bonnie Hartley, SMC
Chuck Kilson, Schaghticoke Tribal Nation
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