



**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 October 8, 2025 submittal titled *Upland Disposal Facility Site Preparation Supplemental Information Package*, 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 Site Preparation Supplemental Information Package* (the "SIP"). The SIP 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. EPA held a public input period regarding the SIP from October 8, 2025 to October 30, 2025. This SIP concerns work related to the preparation of the UDF site. GE will be submitting at a later date a separate SIP, which will be open for public input, for the actual construction of the UDF.

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 SIP subject to the following conditions.

1. General comment: GE shall provide EPA with a submittal register of the required contractor submittals for the site preparation work. This submittal register shall outline required contractor submittals, including those which contain cut sheets, or other documentation, to demonstrate that equipment and materials used on-site meet approved project specifications. GE shall provide the submittal register to EPA within 14 days of the date of this letter.
2. Section 2.1.2.1 and Figure 1: At the limit of the proposed clearing along Woodland Road, GE shall endeavor to save any mature trees that can remain in place without adversely impacting the proposed finish grades. Clearing limits shall be identified in advance so GE and EPA oversight can evaluate the potential for saving mature trees.

3. Section 2.1.2.2 and Figure 1: When tree clearing in the vernal pool area occurs, GE shall evaluate, in consultation with EPA, whether there are mature trees (that is, trees with a diameter at breast height greater than six inches) within the currently proposed clearing limits that can remain in place without adversely impacting the proposed finish grades. Clearing limits shall be identified in advance so GE and EPA oversight can evaluate the potential for saving mature trees. In addition, GE shall consult with EPA in the field regarding the tree removals, considering any impact on the vernal pool and the appropriate time for removal given potential time constraints associated with protecting the endangered northern long-eared bat.
4. Section 2.1.2.2 and Figure 1: The SIP specifies that in the vernal pool area “[a]ll felled and sectioned trees will be loaded and transported for off-site disposition.” However, GE shall consider stockpiling some of the woody debris from the vernal pool area clearing in the area outside of the boundary of the wetland buffer for potential placement as habitat structures in the buffer and/or the wetland during the vernal pool construction and planting.
5. Section 2.1.3 and Figure 1: Figure 1 shows removal of the existing fence around the eastern and southern sides of the Garrity property without replacement, while Drawing UP-2 in Appendix C shows new replacement fence. GE shall replace the fence this season as shown on Drawing UP-2.
6. Figure 1 and Appendix C: EPA notes that MW-2022-8, MW-2022-9, and all piezometers were abandoned prior to submission of this SIP and should not have been shown on the plans.
7. Figure 1 and Appendix C: While the Final Design drawings specify erosion controls along the entire northern and western perimeter of site activities for UDF construction, erosion controls in these areas are not included on these drawings for tree clearing activities. EPA notes that GE will be utilizing heavy equipment such as excavators and log skidders in the areas slated for tree clearing. Such equipment will cause ground disturbances and areas cleared of trees will have minimal ground vegetation to combat erosion. While GE discusses the spreading of wood chips to help stabilize surface soils, at a minimum, GE shall also install erosion controls starting from the northwest corner of the Garrity property and extending along the northern limit of tree clearing to serve as an erosion boundary between the cleared site area and the immediately adjacent wetland areas. Any erosion control materials that may exist from the prior fence installation work may be reused for this purpose if they are in suitable condition. In addition, tree clearing in the area of the temporary stream crossing and bordering vegetated wetlands may require additional erosion controls.
8. Appendix B, Section 31 25 00 – Erosion and Sediment Controls: Straw waddles are included in Part 2, 2.01, F and in a detail provided on Drawing UP-4 in Appendix C, but Part 2, 3.01, A of the specification does not include any installation and maintenance instructions. Section 3.01, A in the Erosion and Sediment Controls specification in the full UDF construction SIP shall be updated to include installation and maintenance instructions for all specified erosion control materials.



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**

Digitally signed by  
RICHARD FISHER  
Date: 2025.10.31 11:28:29  
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Richard Fisher  
GE Facility Project Manager

cc:

John Kilborn, EPA  
Josh Fontaine, EPA  
Alexander Carli-Dorsey, EPA  
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Christopher Ferry, ASRC (EPA electronic repository)  
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