

Exhibit 13



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

New England Region

Five Post Office Square -- Suite 100

Boston, Massachusetts 02109-3912

Via Electronic Mail: ccrbonifaz@gmail.com

November 15, 2022

Cristóbal Bonifaz, Esq.
Attorney for the Town of Lee Board of Health
Law Office of Cristóbal Bonifaz
180 Maple Street
Conway, Massachusetts 01341

Re: GE-Pittsfield/Housatonic River Site/Rest of River
Notice of Adjudicatory Hearing of the Town of Lee Board of Health

Dear Attorney Bonifaz:

This letter responds to your email to me dated November 10 in which you ask the following question:

*How long will GE be responsible for maintaining the safety of the UDF?
As you are aware GE is splitting into three separate companies in the near
future. What happens if one of these companies, the one responsible for
the maintenance of the UDF, simply goes out of business or bankrupt?*

Regarding the duration of GE's maintenance obligations for the safety of the Upland Disposal Facility (UDF), GE's obligations to operate, monitor, and maintain the UDF contained in the Final Cleanup Permit do not expire. For further information, see Section II.G of the EPA's Response to Comments document it issued after the public comment period in 2020. Let me know if you need this document.

Regarding GE's future corporate reorganization, Paragraph 2 of the Consent Decree for the Site provides in relevant part that the Decree "applies to and is binding upon the United States... and upon... [GE] and [its] "successors and assigns." That Paragraph continues, "[e]xcept as provided in Paragraph 12 [regarding transfers of specific GE-owned property in Pittsfield at the Site], any change in ownership or corporate status of [GE]... including, but not limited to, any transfer of assets or real or personal property,

Cristóbal Bonifaz, Esq.

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shall in no way alter [GE's]... responsibilities under this Consent Decree." (emphasis added.) EPA has informed GE that it is EPA's position that under the express terms of Paragraph 2, the Decree applies to and is binding upon GE and corporations or other entities that will be (or have been) spun-off from GE following entry of the Consent Decree. For further information, see the attached letter that EPA sent to GE dated October 21, 2022.

Please let me know if you have any further questions.

Sincerely,

JOHN KILBORN

Digitally signed by JOHN
KILBORN
Date: 2022.11.15 06:50:50 -05'00'

John W. Kilborn
Senior Enforcement Counsel
Office of Regional Counsel
US EPA, Region 1

Attachment: EPA letter to GE dated October 21, 2022

Cc: Dean Tagliaferro, EPA
Bryan Olson, EPA
Tim Conway, EPA
Chris Ferry, Superfund Records Center



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100

Boston, MA 02109-3912

Dated as of the Date Signed Below

Via Electronic Mail

Andrew T. Silfer
Leader, Pittsfield/Housatonic River
Global Operations-Environment, Health & Safety
General Electric Company
1 Plastics Avenue
Pittsfield MA 01201

Re: GE Corporate Reorganization
GE-Pittsfield/Housatonic River Site

Dear Mr. Silfer:

On November 9, 2021, the General Electric Company (GE) issued a press release announcing, "its plan to form three industry-leading, global public companies focused on the growth sectors of aviation, healthcare, and energy." GE stated it would implement the plan by pursuing a spin-off of GE's Healthcare division in early 2023 (named GE HealthCare), combining GE Renewable Energy, GE Power, and GE Digital into one business (named GE Vernova), and then pursuing a spin-off of this business in early 2024. The remaining entity will be an aviation-focused company (named GE Aerospace).

As you know, in 2000 the U.S. District Court for the District of Massachusetts approved a Consent Decree between the United States of America, the State of Connecticut, and the Commonwealth of Massachusetts, as plaintiffs, and GE, as defendant (the "Decree"). *United States v. Gen. Elec. Co.*, Civ. Act. No. 99-0225 (D. Mass.) (entered Oct. 27, 2000). The Decree obligates GE to perform the cleanup remedy for the GE-Pittsfield Housatonic River Site (the "Remedy").

Paragraph 2 of the Decree (in Section III, titled "Parties Bound") provides in relevant part that the Decree "applies to and is binding upon the United States... and upon... [GE] and [its] successors and assigns." That Paragraph continues, "[e]xcept as provided in Paragraph 12

[regarding transfers of specific GE-owned property in Pittsfield at the Site], any change in ownership or corporate status of [GE]... including, but not limited to, any transfer of assets or real or personal property, shall in no way alter [GE's]... responsibilities under this Consent Decree." (emphasis added.)

Through this letter, EPA is notifying GE that it is EPA's position (taken in consultation with the Department of Justice) that under the express terms of Paragraph 2, the Decree applies to and is binding upon corporations or other entities that will be (or have been) spun-off from the General Electric Company following entry of the Consent Decree. GE is on notice and should consider this letter and the terms of the Decree in GE's restructuring plans and agreements. Future spun-off entities should be made aware of this letter.

This letter is not, and shall not be construed to be, a statement that GE is in non-compliance with the Consent Decree. GE is currently performing under the Decree and submitting technical design documents for the cleanup Work under the Decree. GE has established a surety bond in the amount of \$150 million to secure its Decree obligations and has stated that it is committed to performing the Remedy. This letter does not modify the Consent Decree, and all rights are reserved under the Decree or otherwise.

If you have any questions pertaining to this letter, please contact Dean Tagliaferro, EPA GE Team Leader, at (617) 918-1282 and/or Tagliaferro.Dean@epa.gov, and your attorney may contact John Kilborn, Senior Enforcement Counsel, at (617) 918-1893 and/or Kilborn.john@epa.gov.

Sincerely,

Bryan Olson, Director
Superfund and Emergency Management Division

cc: Andrew Thomas, GE
James Bieke, Counsel for GE
Dean Tagliaferro, EPA
Addie Fiske, DOJ