



GE  
159 Plastics Avenue  
Pittsfield, MA 01201  
USA

*Transmitted via Overnight Courier*

December 14, 2011

Mr. Dean Tagliaferro  
EPA Project Coordinator  
United States Environmental Protection Agency  
c/o Weston Solutions, Inc.  
10 Lyman Street  
Pittsfield, MA 01201

Mr. Michael Gorski  
Regional Director  
Western Regional Office  
Department of Environmental Protection  
436 Dwight Street  
Springfield, MA 01103

**Re: Floodplain GE-Pittsfield/Housatonic River Site  
Floodplain Non-Residential Properties Adjacent to 1½ Mile Reach of Housatonic River  
(GEC720)  
Summary of Annual ERE Inspection for Parcels I8-4-7 and I7-1-101**

Dear Mr. Tagliaferro and Mr. Gorski:

On November 15, 2011, the General Electric Company (GE) performed an inspection of Parcels I8-4-7 and I7-1-101 (Fred Garner Park), both of which are owned by the City of Pittsfield, are located adjacent to the 1½ Mile Reach of the Housatonic River, and are subject to Grants of Environmental Restrictions and Easements (EREs). The non-riverbank portions of these properties are part of the floodplain non-residential properties adjacent to the 1½ Mile Reach (in Phases 2 and 4, respectively), and the riverbank portions are part of the 1½ Mile Reach itself. GE completed remediation activities at the Phase 2 and Phase 4 floodplain properties in October 2007 and December 2006, respectively; and the U.S. Environmental Protection Agency (EPA) completed remediation of the 1½ Mile Reach in 2006. EREs executed by the City of Pittsfield were recorded in the Berkshire Middle District Registry of Deeds on September 16, 2009 for Parcel I8-4-7 and on December 23, 2009 for Parcel I7-1-101. Under Paragraph 57.o of the Consent Decree (CD), GE is required to perform an annual inspection of non-GE-owned properties subject to an ERE to assess compliance with the ERE. This letter presents the results of the third annual ERE inspection conducted by GE at Parcel I8-4-7 and the second annual ERE inspection at Parcel I7-1-101. As required under the CD, these inspections included both the riverbank and non-riverbank portions of these properties.

GE conducted these ERE inspections in accordance with the requirements of Appendix Q to the CD; GE's *Final Completion Report for Removal Action for Housatonic River Floodplain – Non-Residential Properties* (Final Completion Report; April 2010), which was approved by EPA on May 17, 2010; and, for the riverbanks, EPA's *Interim Post-Removal Site Control Plan for the 1½-Mile Removal Reach* (Interim PRSC Plan; May 2008). Under those requirements, the annual ERE inspections consist of two components. The first component consists of a review of several documents for each property – namely: (i) the ERE itself, (ii) the Plan of Restricted Area, (iii) GE's Final Completion Report and, for the riverbanks, the Interim PRSC Plan, (iv) the relevant as-built survey drawings in those documents (and any alternative, more recent plan that GE proposes to use for evaluating surface grade changes), (v) any conditional exceptions approved under the ERE (if known), (vi) any recorded amendments to and/or releases from the ERE, (vii) the most recent topographic mapping, and (viii) any Post-Work Notification

Forms (Exhibit E to the ERE) available to GE. The second component consists of a visual inspection of the property to determine whether there is visual evidence that any of the following have occurred at the property since the last ERE inspection:

- Activities at or uses of the property that are potentially contrary to the restrictions stated in the ERE;
- Utility work or any building construction, modification, addition, and/or demolition;
- Soil excavations that involved more than 10 cubic yards of soil;
- Significant soil erosion; or
- Significant pavement construction, disturbance, and/or removal/excavation.

Following the inspection, GE is required to submit to EPA and the Massachusetts Department of Environmental Protection a report that includes a summary of the findings of the inspection, a description and the basis for the identification (based on the visual inspection in conjunction with the document review) of any instances of potential non-compliance with the ERE, and a copy of a completed ERE Annual Inspection Checklist for each property.

As noted above, GE conducted the third ERE inspection of the riverbank and non-riverbank portions of Parcel I8-4-7 and the second ERE inspection of the riverbank and non-riverbank portions of Parcel I7-1-101 in November 2011. Based on the document reviews, no new ERE-related documentation has been generated for these properties since the last ERE inspection in November 2010. Thus, GE reviewed the existing documentation for each property (i.e., ERE, Plan of Restricted Area, and the Final Completion Report and Interim PRSC Plan, including the relevant as-built survey drawings therein). The visual inspections conducted on November 15, 2011, revealed no significant changes in the physical condition of these properties and no evidence of any of the other above-listed conditions at either property since the last ERE inspection, as documented in the attached ERE Annual Inspection Checklists for these properties.

Please call me if you have any comments or questions.

Sincerely,

*Richard Gates /sme*

Richard Gates  
Remediation Project Manager

#### Attachments

cc: Tim Conway, EPA\*  
Holly Inglis, EPA  
Rose Howell, EPA\*  
John Ziegler, MDEP (2 copies)  
Eva Tor, MDEP\*  
Nancy E. Harper, MA AG\*  
Linda Palmieri, Weston (2 copies)  
Mayor James Ruberto, City of Pittsfield  
Barbara Landau, Noble & Wickersham

James McGrath, Director of Parks and  
Recreation (for Parcel I7-1-101)  
Michael Carroll, GE\*  
Rod McLaren, GE\*  
Peter Wojcik, GE\*  
James Nuss, ARCADIS  
James Bieke, Sidley Austin  
GE Internal Repository

*\*cover letter only*

**ERE ANNUAL INSPECTION CHECKLIST**  
**HOUSATONIC RIVER (1.5-MILE REACH)**  
**NON-RESIDENTIAL FLOODPLAIN PROPERTIES**  
**PARCEL I8-4-7 (including riverbank)**

**DOCUMENT REVIEW**

Conducted By: Paolo Filippetti, ARCADIS  
Representing: GE

Phone Number: (585) 385-0090  
Review Start Date: 10/28/2011

1.  Check here to confirm that the Grant of Environmental Restriction and Easement has been reviewed.
2.  Check here to confirm that the Plan of Restricted Area (as revised if appropriate) has been reviewed.
3.  Check here to confirm that the property descriptions and as-built survey plans provided in the *Final Completion Report for Removal Action for Housatonic River Floodplain – Non-Residential Properties* (including Appendix B) and, for the riverbanks, in the *Interim Post-Removal Site Control Plan for the 1½-Mile Removal Reach* (Appendices C and D) (and any alternative plan proposed by GE for the comparison described in Item 7 on next page) have been reviewed and are available for review in the field during the inspection.
4. Are there any recorded amendments to or releases from the ERE, and/or any known conditional exceptions under the ERE, and/or any Post-Work Notification Forms which have been submitted by the Grantor under the ERE and of which the reviewing party has a copy, and/or any other documents in GE's possession relevant to the ERE or the use of this property?  
 No  
 Yes - If yes, review those items for background informational purposes and list them below (along with the book and page reference in the Registry of Deeds where applicable). (Note that the document reviewer has no obligation to verify the accuracy or completeness of any of these documents, either as of the time they were prepared or as compared to current conditions).

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5. Review Completed Date: 10/28/2011

**VISUAL ON-SITE INSPECTION**

Conducted By: Gregg Rabasco, ARCADIS  
Representing: GE

Phone Number: (413) 822-1184  
Inspection Start Date: 11/15/2011

1. List other individuals and their company/agency that were present during the visual on-site inspection.  
Izabela Zapisek (Weston/EPA)  

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2. Is there any visual evidence of activities and uses of the property since the last inspection that are potentially contrary to the restrictions of the ERE?  
 No  
 Yes - If yes, describe below.

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**ERE ANNUAL INSPECTION CHECKLIST**  
**HOUSATONIC RIVER (1.5-MILE REACH)**  
**NON-RESIDENTIAL FLOODPLAIN PROPERTIES**  
**PARCEL I8-4-7 (including riverbank)**

3. Is there any visual evidence of utility work or building construction, modification, addition, or demolition since the last inspection?

No

Yes - If yes, describe below and show the location(s) of such activity on a plan.

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4. Is there any visual evidence of soil excavation that generated more than 10 cubic yards of soil since the last inspection?

No

Yes - If yes, describe below and show the location(s) of such activity on a plan.

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5. Is there any visual evidence of significant soil erosion since the last inspection?

No

Yes - If yes, describe below and show the location(s) of such erosion on a plan.

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6. Is there any visual evidence of significant pavement construction, disturbance, or excavations since the last inspection?

No

Yes - If yes, describe below and show the location(s) of such activity on a plan.

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7. If any of the conditions listed in the response to Questions 3 through 6 appears likely to have altered the surface grade of the property, identify the approximate area/location(s) of such grade change on a plan and compare the new surface grade in such area(s) to the surface grade shown on the relevant as-built survey drawing included in Item 3 under Document Review above (or an alternative, more recent plan proposed by GE). (If GE proposes use of an alternative plan for this comparison, include a copy of that plan and describe the rationale for its proposed use.)

8. Inspection Completed: \_\_\_\_\_ 11/15/2011 \_\_\_\_\_

**ERE ANNUAL INSPECTION CHECKLIST**  
**HOUSATONIC RIVER (1.5-MILE REACH)**  
**NON-RESIDENTIAL FLOODPLAIN PROPERTIES**  
**PARCEL I7-1-101 (including riverbank)**

**DOCUMENT REVIEW**

Conducted By: Paolo Filippetti, ARCADIS  
Representing: GE

Phone Number: (585) 385-0090  
Review Start Date: 10/28/2011

1.  Check here to confirm that the Grant of Environmental Restriction and Easement has been reviewed.
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**NON-RESIDENTIAL FLOODPLAIN PROPERTIES**  
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No

Yes - If yes, describe below and show the location(s) of such activity on a plan.

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