



Transmitted via Overnight Courier

December 31, 2015

Mr. Dave Dickerson
Office of Site Remediation and Restoration
United States Environmental Protection Agency
5 Post Office Square – Suite 100 (OSRR01-1)
Boston, MA 02109-3912

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

**Re: GE-Pittsfield/Housatonic River Site
Unkamet Brook Area (GECD170)
Summary of 2015 Annual ERE Inspection Activities**

Dear Mr. Dickerson and Mr. Gorski:

On December 3, 2015, the General Electric Company (GE) completed inspections of four non-GE-owned properties located within the Unkamet Brook Area in Pittsfield, Massachusetts, for which Grants of Environmental Restrictions and Easements (EREs) have been executed and recorded under the Consent Decree (CD) for the GE-Pittsfield/Housatonic River Site. Three of these properties are privately owned parcels on which EREs were executed and recorded in the Berkshire Middle District Registry of Deeds in 2012, prior to any remediation activities. They are: Tax Parcel L12-1-5 (ERE recorded on January 30, 2012 in Book 4890, Page 56); and Tax Parcels L12-1-4 and L12-1-101 (EREs recorded on May 4, 2012 in Book 4952, Page 269, and Book 4953, Page 1, respectively). In each of these cases, the ERE provides that, following completion of the remediation activities, GE will record a Notice of Completion and (if necessary) a revised Plan of Restricted Area. Although remediation activities were initiated in other portions of the Unkamet Brook Area in December 2014 and are ongoing, they have not to date been conducted in the vicinity of these three properties. In addition, in 2013, an ERE was executed and recorded for Tax Parcel K11-7-9, which is owned by the City of Pittsfield (ERE recorded on August 16, 2013 in Book 5249, Page 277). For this property, no remediation is necessary, and thus the ERE does not provide for subsequent recording of a Notice of Completion.

Under Paragraph 57.o of the CD, GE is required to perform an annual inspection of non-GE-owned properties subject to an ERE to assess compliance with the ERE. The last ERE inspections of these four properties were performed in November 2014, with a report on them submitted to the U.S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP) on December 11, 2014. This letter presents the results of the 2015 annual ERE inspections of these properties – which constituted the fourth ERE inspection conducted by GE at Parcels L12-1-5, L12-1-4, and L12-1-101 and the third ERE inspection at Parcel K11-7-9.

GE conducted these ERE inspections in accordance with the requirements of Appendix Q to the CD. Under the applicable requirements, the annual ERE inspection is to consist of two components – a document review and a visual on-site inspection. For each of the above-listed properties, the document review is to include review of the following documents: (i) the ERE itself, (ii) the Plan of Restricted Area,

(iii) descriptions of the property in an approved work plan and an associated figure depicting certain topographic features at the property, and (iv) any recorded amendments to and/or releases from the ERE, any known conditional exceptions under the ERE, and any Post-Work Notification Forms (Exhibit F to the ERE) of which GE has a copy. The second component is to consist of a visual on-site inspection to determine whether there is visual evidence that any of the following have occurred at the property since the last 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 excavation that involved more than 10 cubic yards of soil;
- Significant soil erosion; and
- Significant pavement construction, disturbance, and/or removal/excavation.

Following the inspection, GE is required to submit to EPA and MassDEP 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 EREs, and a copy of a completed ERE Annual Inspection Checklist for each property.

The document review for the above-listed properties included review of the documents listed above.* The visual on-site inspection, conducted on December 3, 2015, was performed to determine whether there was visual evidence that any of the above-listed conditions had occurred at any of these properties since the last inspection. It should be noted that, for Parcels L12-1-5, L12-1-4, and L12-1-101, although the inspection evaluated all of these conditions, the restriction on excavation in the EREs for these properties is not effective until a Notice of Completion is recorded, although the property owner is required to provide 14 days' advance notice of any such excavation to EPA and MassDEP.

The results of the December 2015 ERE inspection of Parcels L12-1-5, L12-1-4, L12-1-101 and K11-7-9 are documented in the attached completed Annual Inspection Checklists, one for each property. As indicated in those forms, no new ERE-related documentation had been generated since the last inspection in November 2014. However, since the City of Pittsfield had recorded an Instrument of Taking for Parcel L12-1-5 in 2014 for non-payment of taxes (recorded in the Berkshire Middle District Registry of Deeds on June 26, 2014), which gave the City a security interest in the property in the nature of a lien, GE sent a letter to the City on April 2, 2015 notifying the City of the ERE for this parcel. In addition, since GE had learned that two new businesses were occupying the building on Parcel L12-1-4, GE sent letters to each of those new businesses on May 21, 2015, notifying them of the ERE for that parcel (as noted in the inspection checklist for that parcel).

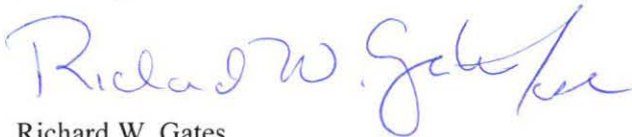
* For Parcels L12-1-5, L12-1-4, and L12-1-101, as specified in the inspection checklists, the property descriptions reviewed consisted of those in GE's *Revised Final RD/RA Work Plan for Unkamet Brook Area-Remainder* (April 2014) and its *Supplemental Information Package for the Unkamet Brook Area Removal Action* (SIP; September 2014) and the drawings reviewed included Drawings 34 and 36 of the SIP. While those drawings were superseded by comparable drawings in GE's SIP Addendum (December 2014) and Second SIP Addendum (April 2015), they are sufficient to show the current pre-remediation topography of these properties. For Parcel K11-7-9, where no remediation is required, the property description reviewed consisted of that in the *Revised Final Removal Design/Remedial Action Work Plan for Unkamet Brook Area-West* (April 2011) and the drawing reviewed was Drawing 1 in Appendix A to that work plan.

As also indicated in the attached inspection checklists, the visual on-site inspection conducted on December 3, 2015 revealed no significant changes in the physical condition of any of these properties and no evidence of any of the other above-listed conditions at any of the properties since the last inspection, with one exception: On Parcel L12-1-101, an erosion rill in the gravel driveway/parking area adjacent to Unkamet Brook, which had been observed during the November 2013 and November 2014 ERE inspections, was still present and was observed to be in the same condition as during those prior inspections. This rill is located near the southeast corner of the building and has created a small gully that is eroding into Unkamet Brook. The location of the erosion on this property is identified on a drawing and shown in photographs attached to the inspection checklist for Parcel L12-1-101. It is anticipated that this erosion will be addressed as part of the remediation activities in this portion of the Unkamet Brook Area.

It was also observed that, on Parcel L12-1-4, the asphalt pavement removal and soil excavation that had been taking place during the November 2014 inspection (pursuant to an approved Conditional Exception under the ERE) for the installation of eight concrete foundation footings and a concrete pad for a canopy, as well as the construction of those footings, pad, and canopy, had been completed. The completed construction is shown in photographs attached to the inspection checklist for Parcel L12-1-4.

The next ERE inspections of these properties are scheduled for the fall of 2016. In the meantime, please call me if you have any comments or questions about the 2015 inspections.

Sincerely,



Richard W. Gates
Senior Project Manager
Global Operations – Environment, Health and Safety

Attachments

cc: Dean Tagliaferro, EPA
John Kilborn, EPA*
Christopher Ferry, ASRC Primus (electronic copy)
John Ziegler, MassDEP (electronic copy)
Eva Tor, MassDEP (electronic copy)*
Nancy E. Harper, MA AG*
Scott Campbell, Avatar Environmental (2 copies + electronic copy)
Perri Petricca, Petricca Industries (for Parcels L12-1-4 and L12-1-101)**
Michael MacDonald, Petricca Industries (for Parcels L12-1-4 and L12-1-101)**
444 Merrill Road LLC (for Parcel L12-1-5)**
Nate Joyner, City of Pittsfield (for Parcels K11-7-9 and L12-1-5) (electronic copy)**
Darren Lee, City Attorney (for Parcels K11-7-9 and L12-1-5)**
Rod McLaren, GE*
James Nuss, ARCADIS
James Bieke, Sidley Austin
GE Internal Repository

* without attachments

** with applicable attachments

ERE ANNUAL INSPECTION CHECKLIST
UNKAMET BROOK AREA - PARCEL NO. L12-1-4
(For Use Prior to Recordation of Notice of Completion)

DOCUMENT REVIEW

Conducted By: Paolo Filippetti Phone Number: (585) 662-4035
Representing: GE Review Start Date: 11/4/2015

1. Check here to confirm that the Grant of Environmental Restriction and Easement (ERE) 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 description of this property in the *Revised Final RD/RA Work Plan for Unkamet Brook Area - Remainder* (April 2014) and *Supplemental Information Package for the Unkamet Brook Area Removal Action* (SIP; September 2014) and Drawings 34 and 36 of the SIP (which depict certain topographic features) have been reviewed.
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 the 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).

On May 21, 2015, GE sent letters to two new businesses that are occupying the building at the property – Tire Warehouse and NAPA Auto Parts, Pittsfield Auto Supply, Inc. of Pittsfield, MA – notifying them of the ERE on this property.

5. Review Completed: 11/25/2015

VISUAL ON-SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS Representing: GE
Inspection Start Date: 12/3/2015

1. List other individuals and their company/agency that were present during the visual on-site inspection.
Izabela Zapisek - Avatar Environmental

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.

ERE ANNUAL INSPECTION CHECKLIST
UNKAMET BROOK AREA - PARCEL NO. L12-1-4
(For Use Prior to Recordation of Notice of Completion)

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.

The asphalt pavement removal and soil excavation that had been observed during the November 2014 inspection for the installation of eight concrete foundation footings and a concrete pad for a canopy, as well as the construction of those footings, pad, and canopy, had been completed. The completed construction is shown on attached Photos #1 and #2.

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.

See response to Question 3 above.

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.

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.

See response to Question 3 above.

7. If any of the conditions listed in the responses to Questions 3 through 6 appears to have altered the surface grade of the the property compared to the surface grade shown on Drawing 34 included in the SIP (or an alternative, more recent plan proposed by GE), 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 on the above-listed drawings and/or plan.* (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: 12/3/2015

* Note that the restriction on excavations in the ERE for this property is not effective until a Notice of Completion is recorded, although the Grantor is required to provide 14 days' advance written notice of any such excavation to the Massachusetts Department of Environmental Protection and the U.S. Environmental Protection Agency.



Photo #1: Completed installation of eight concrete foundation footings and installation of a concrete pad on Parcel L12-1-4.



Photo #2: Completed installation of eight concrete foundation footings and installation of a concrete pad on Parcel L12-1-4.

Client: General Electric Company

Project Name: Unkamet Brook

Project Location: Pittsfield, Massachusetts

ERE ANNUAL INSPECTION CHECKLIST
UNKAMET BROOK AREA - PARCEL NO. L12-1-5
(For Use Prior to Recordation of Notice of Completion)

DOCUMENT REVIEW

Conducted By: Paolo Filippetti Phone Number: (585) 662-4035
Representing: GE Review Start Date: 11/4/2015

1. Check here to confirm that the Grant of Environmental Restriction and Easement (ERE) 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 description of this property in the *Revised Final RD/RA Work Plan for Unkamet Brook Area - Remainder* (April 2014) and *Supplemental Information Package for the Unkamet Brook Area Removal Action* (SIP; September 2014) and Drawings 34 and 36 of the SIP (which depict certain topographic features) have been reviewed.
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 the 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).

On April 2, 2015, GE sent a letter to the City of Pittsfield notifying the City of the ERE on the property in light of the fact that, in 2014, the City had recorded an Instrument of Taking for this property for non-payment of taxes (recorded in the Berkshire Middle District Registry of Deeds on June 26, 2014), which gave the City a security interest in the property in the nature of a lien.

5. Review Completed: 11/25/2015

VISUAL ON-SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS Representing: GE
Inspection Start Date: 12/3/2015

1. List other individuals and their company/agency that were present during the visual on-site inspection.
Izabela Zapisek - Avatar Environmental

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.

ERE ANNUAL INSPECTION CHECKLIST
UNKAMET BROOK AREA - PARCEL NO. L12-1-101
(For Use Prior to Recordation of Notice of Completion)

DOCUMENT REVIEW

Conducted By: Paolo Filippetti Phone Number: (585) 662-4035
Representing: GE Review Start Date: 11/4/2015

1. Check here to confirm that the Grant of Environmental Restriction and Easement (ERE) 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 description of this property in the *Revised Final RD/RA Work Plan for Unkamet Brook Area - Remainder* (April 2014) and *Supplemental Information Package for the Unkamet Brook Area Removal Action* (SIP; September 2014) and Drawings 34 and 36 of the SIP (which depict certain topographic features) have been reviewed.
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 the 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).

5. Review Completed: 11/25/2015

VISUAL ON-SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS Representing: GE
Inspection Start Date: 12/3/2015

1. List other individuals and their company/agency that were present during the visual on-site inspection.
Izabela Zapisek - Avatar Environmental

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.

ERE ANNUAL INSPECTION CHECKLIST
UNKAMET BROOK AREA - PARCEL NO. L12-1-101
(For Use Prior to Recordation of Notice of Completion)

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.

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.

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.

The same soil erosion rill that had been observed during the 2013 and 2014 ERE inspections in the gravel driveway/parking area adjacent to Unkamet Brook continued to be present and appeared to be in the same condition as observed during those prior inspections. The approximate location of this erosion rill is identified on the attached figure, and the erosion is shown on attached Photos #3 and #4. This erosion will be addressed as part of the remediation activities in this portion of the Unkamet Brook Area.

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.

7. If any of the conditions listed in the responses to Questions 3 through 6 appears to have altered the surface grade of the the property compared to the surface grade shown on Drawing 34 included in the SIP (or an alternative, more recent plan proposed by GE), 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 on the above-listed drawings and/or plan.* (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: 12/3/2015

* Note that the restriction on excavations in the ERE for this property is not effective until a Notice of Completion is recorded, although the Grantor is required to provide 14 days' advance written notice of any such excavation to the Massachusetts Department of Environmental Protection and the U.S. Environmental Protection Agency.



Photo #3: Erosion present on Parcel L12-1-101.



Photo #4: Erosion present on Parcel L12-1-101.

Client: General Electric Company

Project Name: Unkamet Brook

Project Location: Pittsfield, Massachusetts



ARCADIS

Design & Consultancy
for natural and
built assets

**ERE ANNUAL INSPECTION CHECKLIST
UNKAMET BROOK AREA - PARCEL NO. K11-7-9**

DOCUMENT REVIEW

Conducted By: Paolo Filippetti Phone Number: (585) 662-4035
Representing: GE Review Start Date: 11/4/2015

1. Check here to confirm that the Grant of Environmental Restriction and Easement (ERE) 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 description of this property in the *Revised Final Removal Design/Removal Action Work Plan for Unkamet Brook Area-West* (April 2011) and Drawing 1 in Appendix A of that Work Plan (which depicts certain topographic features) have been reviewed.
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 the 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).

5. Review Completed: 11/25/2015

VISUAL ON-SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS Representing: GE
Inspection Start Date: 12/3/2015

1. List other individuals and their company/agency that were present during the visual on-site inspection.
Izabela Zapisek - Avatar Environmental

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.

**ERE ANNUAL INSPECTION CHECKLIST
UNKAMET BROOK AREA - PARCEL NO. K11-7-9**

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.

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.

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.

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.

7. If any of the conditions listed in the responses to Questions 3 through 6 appears to have altered the surface grade of the the property compared to the surface grade shown on Drawing 1 included in Appendix A of the Final Work Plan (or an alternative, more recent plan proposed by GE), 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 on the above-listed drawings and/or plan. (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: _____ 12/3/2015 _____