



GE Corporate

159 Plastics Avenue
Pittsfield, MA 01201
USA

March 21, 2013

The Clip Shop, LLC
42 Spring Street
Williamstown, MA 01267

Attn: Vassilios Stamatakos

**Re: Retaining Wall on Your Property at 60 Elm Street in Pittsfield, MA
(Tax Parcel No. 18-10-4)**

Dear Mr. Stamatakos:

This letter relates to The Clip Shop's above-referenced property in Pittsfield. As you may recall, the riverbank at this property was addressed by the U.S. Environmental Protection Agency (EPA) as part of its cleanup of the 1.5 Mile Reach of the Housatonic River under a Consent Decree executed by the General Electric Company (GE), EPA, the Massachusetts Department of Environmental Protection (MassDEP), and other governmental entities, which was approved by the federal district court in Springfield in October 2000. On May 22, 2008, EPA delivered a letter to you and Luiz Carlos deAbreu, as then-owners of this property, advising you that, as part of EPA's cleanup of the 1.5 Mile Reach of the River, EPA had installed a retaining wall on the riverbank at this property to stabilize the existing riverbank, which was very steep and susceptible to erosion. As described in that letter, this retaining wall is a tie-back anchored retaining wall, constructed of steel sheet piling with a timber façade. EPA's letter included detailed drawings of this retaining wall. The letter also explained that the anchors that hold in place the steel sheet piling extend into the soil beneath the parking lot at the property for approximately 29 feet from the retaining wall (at depths ranging from 8 feet to 16 feet below the parking lot).

It has come to our attention that, in 2009, you and Mr. deAbreu transferred ownership of this property to The Clip Shop, LLC. Accordingly, at EPA's request, I am attaching for you, as the resident agent for The Clip Shop, LLC, an additional copy of EPA's May 22, 2008 letter. That letter now applies to The Clip Shop, LLC as the current owner of this property.

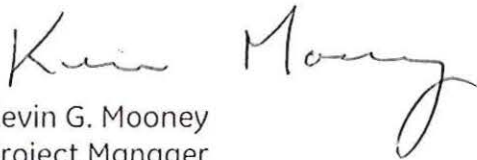
As noted in the attached letter, GE is responsible for the long-term inspection, monitoring, and maintenance of this retaining wall and is required to conduct periodic inspections of this wall. However, as also stated in the letter, it is important that, before performing any activities beneath the parking lot at your property (such as excavations or utility work), you contact EPA and/or MassDEP to ensure that those activities do not affect the support anchors or the structural integrity of the wall. The relevant contact persons at those agencies are:

For EPA: Dean Tagliaferro
GE-Pittsfield Team Leader
U.S. Environmental Protection Agency
EPA New England
One Congress Street, Suite 1100 (Mail Code: HBO)
Boston, MA 02114
Boston - (617) 918-1282
Pittsfield - (413) 236-0969

For MassDEP: Michael J. Gorski
Project Coordinator, GE-Pittsfield/Housatonic River Site
Massachusetts Department of Environmental Protection
436 Dwight Street
Springfield, Massachusetts 01103
(413) 784-1100

If you have any questions about this matter, you may contact either of the above individuals, or you can call me at 413-448-5910.

Very truly yours,



Kevin G. Mooney
Project Manager

Attachment

cc: Dean Tagliaferro, EPA
John Kilborn, EPA
Holly Inglis, EPA
Michael Gorski, MassDEP
John Ziegler, MassDEP
Rod McLaren, GE
James Bieke, Sidley Austin



**U. S. ENVIRONMENTAL PROTECTION AGENCY – NEW ENGLAND
ONE CONGRESS STREET, SUITE 1100 (MAIL CODE HBT)
BOSTON, MA 02114-2023**

May 22, 2008

HAND DELIVERED

Mr. Vassilios Stamatakos
Mr. Luiz Carlos deAbreu
60 Elm Street
Pittsfield, MA 01201

**RE: Maintenance Requirements for Retaining Wall
Tax Parcel Number I8-10-4
GE-Pittsfield/Housatonic River Site, Pittsfield, Massachusetts**

Dear Messrs. deAbreu and Stamatakos:

As you know, as part of EPA's 1.5 Mile Reach cleanup actions for the Housatonic River, EPA installed a retaining wall on your property at 60 Elm Street (Tax ID Parcel I8-10-4). The retaining wall was constructed to stabilize the existing riverbank that was very steep and susceptible to erosion. The retaining wall is a tieback anchored retaining wall, constructed of steel sheet piling with a timber façades. Attached are detailed drawings of the retaining wall for your records.

Under the terms of the Consent Decree for the site, GE is responsible for the long-term maintenance of EPA's cleanup actions. As such, GE is responsible for the inspection, monitoring, and maintenance of this retaining wall. GE will be conducting periodic inspections of the retaining wall. Attached are GE's inspection requirements for your property.

You should be aware that the anchors that hold in place the steel sheet piling extend into the soil beneath your parking lot approximately 29 feet from the retaining wall. The anchors are approximately eight feet below the parking lot near the retaining wall and sixteen feet below the parking lot 29 feet away from the retaining wall.

Prior to performing any activities beneath your parking lot (for example, excavations or utility work), it is very important that you contact EPA and/or Massachusetts DEP to ensure that the actions do not affect the support anchors and/or the structural integrity of the retaining wall. If you need to perform any activities that would impact the structural integrity of the support anchors and/or the retaining wall and if there are verifiable incremental costs associated with protecting the structural integrity of the anchors and/or retaining wall, GE may be responsible for reimbursing you for such incremental costs, provided you give EPA and/or Mass DEP advance notice of your activities. Please be aware that EPA may hold you responsible if you negligently damage the anchors and/or retaining wall.

The following are the relevant contact persons:

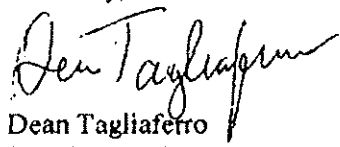
For EPA: Dean Tagliaferro
 GE-Pittsfield Team Leader
 U.S. Environmental protection Agency
 EPA New England
 One Congress Street, Suite 1100 (Mail Code HBO)
 Boston, MA 02114
 (617) 918-1282 (Boston)
 (413) 236-0969 (Pittsfield)

For MassDEP: Susan Steenstrup
 Project Coordinator, Special Projects
 Bureau of Waste Site Cleanup
 Massachusetts Department of Environmental Protection
 436 Dwight Street
 Springfield, MA 01103
 (413) 755-2264

Please retain this letter with your records for the property. Additionally, it is very important that you inform any buyer of your property of the existence of the anchors beneath the parking lot and give such buyer a copy of this letter.

Please call me if you have any questions about any information in this letter.

Sincerely,



Dean Tagliaferro
EPA Project Manager

Attachments

cc: Susan Steenstrup, MA DEP
 Andy Silfer, GE
 Holly Inglis, EPA

**Inspection Requirements for the Retaining Wall Located at Parcel 18-10-4
(as defined in the Interim Post-Removal Site Control Plan, 1.5 Mile Removal
Reach, May 2008, page 3-8)**

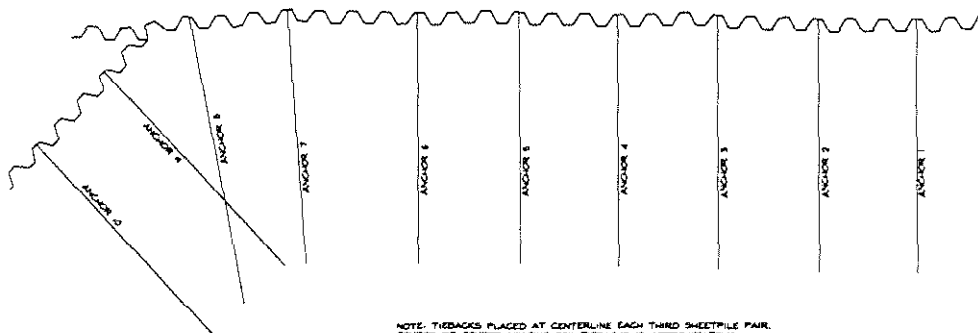
The retaining wall located on Parcel 18-10-4 is a tieback anchored retaining wall, constructed of steel sheet piling with a timber façades. Since the structural elements of the wall are not exposed, visual inspection of the wall is not feasible. Rather, the inspections shall focus on the condition of the timber façades and the parking area behind the wall on Parcel 18-10-4 adjacent to the retaining wall.

Visual inspections of the pavement shall extend for a distance of approximately 20 feet behind the wall. Cracks in the asphalt pavement running more-or-less parallel to the wall within this area may indicate potential deflection of the wall. Likewise, a pronounced drop in the ground surface elevation within this zone may also indicate wall deflection. Excessively cracked curbs, and excessively leaning trees, utility poles or fence posts may also be a predictor of wall deflection. It should be noted that some cracking of the asphalt may occur as a result of normal wear and should be distinguished from those cracks that would indicate potential wall deflection.

The timber façade shall be inspected in order to identify any missing, loose or damaged boards. GE shall repair any deficient items in the façade. Since the façade is for aesthetic purposes, there will be no impacts on the functionality of the wall due to damage of the façade.

If any of the any of the above described indicators of potential wall deflection have been observed, GE shall propose a more rigorous, detailed follow-up evaluation of the structural stability of the retaining wall (for example, a program to monitor wall deflection) to EPA for approval. Based on the outcome of this evaluation, corrective actions may be required.

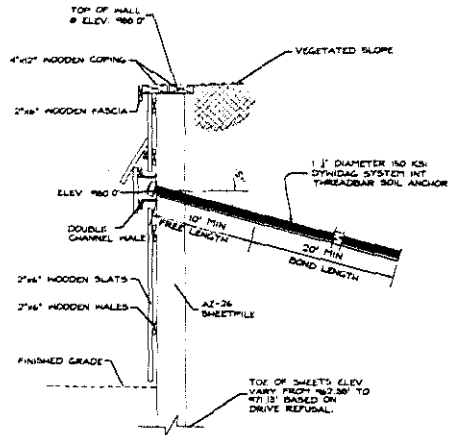
← HOUSATONIC RIVER ←



NOTE: TIEBACKS PLACED AT CENTERLINE EACH THIRD SHEETPILE PAIR. CENTER-TO-CENTER SPACING FOR TIEBACKS IS APPROXIMATELY 17'-6" FOR A2-26 SHEETPILE DOUBLE WITH A WIDTH OF 49.6".

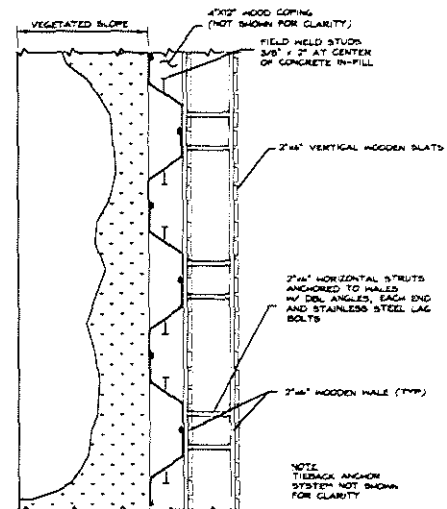
OVERALL PLAN ANCHORED SHEETPILE WALL (STATIONS 523+00 TO 524+24)

C-502



NOTE: ALL WOODEN COMPONENTS ARE PRESURE TREATED.

STATIONS 523+00 TO 524+24



NOTE: TIEBACK ANCHOR SYSTEM NOT SHOWN FOR CLARITY.

STATIONS 523+00 TO 524+24

2 ANCHORED SHEETPILE WALL SECTION

C-502

3 PARTIAL PLAN ANCHORED SHEETPILE WALL

C-502



Hill
Construction Services, Inc.
761 Chapel Street
Boston, MA 02210
(617) 694-0625
41 Park Street
Boston, MA 02120
(617) 743-0613
www.hillconstruction.com

NO.	DATE	BY	CHKD.	DESCRIPTION
1	12/11/08			ISSUED FOR CONSTRUCTION
2				
3				
4				
5				
6				
7				
8				
9				
10				

WESTON SOLUTIONS, INC.
EAST BRANCH HOUSATONIC RIVER, PHASE 2
REVISION SHEET NUMBER
NO. 11 OF 12 SHEETS
DATE: 12/11/08
AS-BUILT DETAILS FOR RETAINING WALL ON PARCEL 18-10-24
PHASE #2
AS-BUILT DRAWINGS

DATE:	12-22-08
SCALE:	AS SHOWN
BY:	
CHECKED:	
APP.:	
DATE:	
PROJECT NUMBER:	SRV-758-64

C-502