



GE
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USA

Transmitted Via Overnight Delivery

August 21, 2008

Ms. Susan Svirsky
U.S. Environmental Protection Agency
c/o Weston Solutions, Inc.
10 Lyman Street
Pittsfield, MA 01201

**Re: GE-Pittsfield/Housatonic River Site
Unkamet Brook Area (GEC170)
Status of Obtaining Access from CSX to Parcels L11-4-11 and L11-4-12 for Sampling**

Dear Ms. Svirsky:

On April 24, 2008, the General Electric Company (GE) submitted a document to the United States Environmental Protection Agency (EPA) titled *Second Supplement to the Pre-Design Investigation Report for Unkamet Brook Area Removal Action* (Second Supplement). EPA conditionally approved the Second Supplement in a letter to GE dated June 30, 2008. That letter indicated that GE is to use best efforts (as defined in the CD) to obtain an access agreement from CSX Transportation, Inc. (CSX) within 45 days to allow for supplemental investigations (i.e., sampling) to be conducted on the CSX properties. In addition, the above-referenced letter requires GE to provide notification to EPA within 14 days of failing to obtain such access.

GE is writing to advise EPA of the current status of its efforts to obtain access from CSX. Specifically, as further discussed below, GE has received access from CSX to conduct the necessary survey activities to support future supplemental sampling; however, CSX has indicated that a separate access agreement will be required once the scope of the supplemental sampling is determined.

From approximately April 30 through July 15, 2008, GE sought to secure access from CSX to Parcels L11-4-11 and L11-4-12 (owned by CSX) to conduct soil sampling on those properties. On July 18, GE received a draft Second Supplemental Access Agreement from CSX. That draft agreement, however, granted GE access to conduct survey activities only. GE discussed these issues with CSX; and CSX advised GE that it would grant GE access for sampling only based on specific sampling locations, and that since GE could not identify those locations prior to receipt of the survey information, CSX would grant access at this time only for the purposes of the survey. GE agreed to this approach to move this process forward and proceeded to finalize the Second Supplemental Access Agreement drafted by CSX. GE received the signed access agreement for survey activities from CSX on August 12, 2008, and that agreement became effective on August 14, 2008.

GE is currently conducting the survey activities on CSX properties to determine the sample locations. Following completion of those activities and review of the survey data, GE will submit to EPA by September 15, 2008, as required by EPA's June 30, 2008 conditional approval letter, a sampling proposal for defining the southern boundary of the Unkamet Brook Area. Upon EPA's approval of that proposal, GE will seek a further agreement from CSX for access to the CSX properties for the purpose of sampling. CSX has indicated that it would be willing to grant such access on further request from GE.

Please call me if you have any questions or comments.

Sincerely,

Richard W. Gates /EGB

Richard W. Gates
Remediation Project Manager

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