



GE
159 Plastics Avenue
Pittsfield, MA 01201
USA

Transmitted via Overnight Courier

January 4, 2007

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

Ms. Susan Steenstrup
DEP Project Coordinator
Bureau of Waste Site Cleanup
Department of Environmental Protection
436 Dwight Street
Springfield, MA 01103

**Re: GE-Pittsfield/Housatonic River Site
Newell Street Area I (GECD440)
Summary of 2006 Conditional Solution Inspection Activities**

Dear Mr. Tagliaferro and Ms. Steenstrup:

On November 30, 2006, the General Electric Company (GE) performed the first annual inspection of properties located within the Newell Street Area I Removal Action Area (RAA) at which Conditional Solutions have been implemented under the Consent Decree (CD) for the GE-Pittsfield/Housatonic River Site. Those properties are Parcels J9-23-13, J9-23-17, J9-23-18, J9-23-19, -20, & -21, J9-23-22, and J9-23-25. GE sent letters to the owners of these properties on September 6, 2006, notifying them of the implementation of Conditional Solutions at their properties. For such non-GE-owned properties at which a Conditional Solution has been implemented, the CD requires certain annual post-remediation review and inspection activities.

At the present time, a Final Completion Report for the Newell Street Area I Removal Action has not been completed. When that report is completed, it will provide detailed requirements for the performance of the annual post-remediation review and inspection activities at the properties with Conditional Solutions. In the meantime, for purposes of the 2006 inspections, GE followed the procedures outlined in Paragraphs 36 and 38 and Appendix Q of the CD and GE's *Final Removal Design/Removal Action Work Plan for Newell Street Area I* (Final Work Plan; August 2003), with the modifications on which GE and EPA had agreed for such inspections at the East Street Area 1-North RAA (as set forth in the September 2005 Final Completion Report for that RAA).

In accordance with those procedures, GE reviewed the most recent property records at the Pittsfield Tax Assessor's Office and determined there has not been a change in ownership of any of the parcels subject to a Conditional Solution. In addition, GE reviewed the Final Work Plan, which describes the Conditional Solutions, as well as Technical Drawings 3, 4, 5, 6, and 8 from the Final Work Plan, which depict anticipated post-remediation site features and topography.

GE also conducted a visual site inspection of each property (to the extent possible given any access limitations) to evaluate whether there was evidence, based on visual observation, that any of the following have occurred since completion of the remediation activities and implementation of the Conditional Solutions:

- 1) Any change in activities or uses of the property that would be potentially inconsistent with the land use for which the Conditional Solution was implemented (which was recreational use at Parcel J9-23-17 and commercial/industrial use at the other properties inspected);
- 2) Installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil;
- 3) Any excavations, construction, or other activities or conditions that resulted in the disturbance of ten (10) cubic yards of soil or greater, regardless of depth; and
- 4) If any of the activities described in # 2 or # 3 above are noted, any reduction of the surface grade, compared to that shown in the relevant Technical Drawing from the Final Work Plan (or any more up-to-date map, if available).

To document the results of the November 2006 inspection, GE completed an Annual Inspection Checklist for each property subject to inspection. Copies of the completed forms are provided in Attachment A. As documented in these forms, the November 2006 inspection indicated that there has been no change in ownership of any of the properties involved and no visual evidence of any of the above-listed activities at these properties since the implementation of the Conditional Solutions.

As required by the CD, these properties will be inspected annually. The next inspection is anticipated to occur in November 2007 and will assess the changes in activities and uses that have occurred since the previous inspection. Following each inspection, an inspection report will be prepared and submitted to EPA and MDEP.

Please call me if you have any comments or questions.

Sincerely

Richard Gates *REG*

Richard Gates
Remediation Project Manager

Attachments

V:\GE_Pittsfield_CD_Newell_St_Area_1\Reports and Presentations\Inspections\016711324Ltr.doc

cc: Tim Conway, EPA*
John Kilborn, EPA
Holly Inglis, EPA
Rose Howell, EPA*
Linda Palmieri, Weston
K.C. Mitkevicius, USACE
Anna Symington, MDEP*
Jane Rothchild, MDEP*
Nancy E. Harper, MA AG*
Dale Young, MA EOE*
Mayor James Ruberto, City of Pittsfield

Michael Carroll, GE*
Rod McLaren, GE*
Andrew Silfer, GE*
Peter Wojcik, GE*
James Nuss, ARCADIS BBL
James Bieke, Goodwin Procter LLP
Property Owners – Above-Listed Parcels
Public Information Repositories
GE Internal Repository

** cover letter only*

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECK LIST FOR NEWELL STREET AREA 1

4. Is there any visual evidence of excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth, within the property?

No

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

5. If any of the conditions listed in the responses to Questions 3 and 4 appears to have altered the surface grade of the property compared to the surface grade shown on Technical Drawings 3,4,5,6, and 8 included in the Final RD/RA Work Plan or the most current drawing of such grade (if available), identify the approximate area/location of such grade change on a plan.

6. Inspection Completed Date: 11/30/2006

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECK LIST FOR NEWELL STREET AREA 1

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

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6. Inspection Completed Date: 11/30/2006

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECK LIST FOR NEWELL STREET AREA 1

PARCEL NUMBER J9-23-25

DOCUMENT REVIEW

Conducted By: Elizabeth Bremer, BBL Representing: GE
Review Start Date: 12/6/2006

1. Check here to confirm that the description of the Conditional Solution in the Final RD/RA Work Plan, Technical Drawings 3, 4, 5, 6, and 8 of the Final RD/RA Work Plan (or, if available, a more current drawing of the surface grade of the property), and any subsequent work plan(s) approved and implemented pursuant to Paragraph 35 of the Consent Decree, have been reviewed.

2. Check here to confirm that the most recent property records from the Pittsfield Tax Assessor's Office for this property have been reviewed.

3. Has there been a change in ownership of this property?
 No
 Yes - If yes, list the new owner's name and mailing address below and indicate whether a notice of the Conditional Solution has been or will be sent to the new owner.

4. Review Completed Date: 12/6/2006

VISUAL SITE INSPECTION

Conducted By: Paulo Fillipetti, BBL Representing: GE
Inspection Start Date: 11/30/2006

1. List other individuals and their company/agency that were present during the visual site inspection.
Mike Argue (Weston- EPA oversight)

2. Is there any visual evidence of changes in activities and uses of the property since the last inspection that are potentially inconsistent with the land use for which the Conditional Solution was implemented?
 No
 Yes - If yes, describe below.

3. Is there any visual evidence of installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil within the property since the last inspection?
 No
 Yes - If yes, describe below and show the location(s) of such activity on a plan.

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECK LIST FOR NEWELL STREET AREA 1

4. Is there any visual evidence of excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth, within the property?

No

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

5. If any of the conditions listed in the responses to Questions 3 and 4 appears to have altered the surface grade of the property compared to the surface grade shown on Technical Drawings 3,4,5,6, and 8 included in the Final RD/RA Work Plan or the most current drawing of such grade (if available), identify the approximate area/location of such grade change on a plan.

6. Inspection Completed Date: 11/30/2006