



GE
159 Plastics Avenue
Pittsfield, MA 01201
USA

Transmitted via Overnight Courier

June 13, 2008

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

**Re: GE-Pittsfield/Housatonic River Site
Newell Street Area I (GECD440)
Summary of Annual ERE Inspection for Parcel J9-23-24**

Dear Mr. Tagliaferro:

On May 20, 2008, the General Electric Company (GE) performed an inspection of Parcel J9-23-24, located within Newell Street Area I Remedial Action Area (RAA) in Pittsfield, Massachusetts. GE completed remediation activities at Newell Street Area I in June 2006. A Grant of Environmental Restriction and Easement (ERE) executed by the owner of Parcel J9-23-24, along with a Notice of Completion executed by GE for that property, were registered in the Land Court records of the Berkshire Middle District Registry of Deeds on November 29, 2006. 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 second annual ERE inspection conducted by GE at Parcel J9-23-24.

In accordance with Appendix Q to the CD, the annual ERE inspection is to consist of two components. The first component consists of a review of several ERE-related documents – namely: i) the ERE itself, ii) the Plan of Restricted Area, iii) any conditional exceptions approved under the ERE (if known), iv) any recorded amendments to and/or releases from the ERE, v) the most recent topographic mapping, and vi) 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 since the last inspection:

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

Following the inspection, GE is required to submit a report that includes a summary of the findings of the inspection, an identification (based on the visual inspection) of any instances of potential non-compliance with the ERE, and a copy of a completed Annual Inspection Checklist.

In May 2008, GE conducted the second annual ERE inspection of Parcel J9-23-24. Since no new ERE-related documentation has been generated since the ERE was registered, GE reviewed the existing documentation (i.e., ERE, Plan of Restricted Area, and topographic mapping). The visual inspection conducted on May 20, 2008, revealed no significant changes in the physical condition of the property and no evidence of any of the other above-listed conditions since the last annual inspection in May 2007, as documented in the attached Annual Inspection Checklist.

Please call me if you have any comments or questions.

Sincerely,

Richard Gates /SME

Richard Gates
Remediation Project Manager

Attachment

cc: Tim Conway, EPA*
John Kilborn, EPA
Holly Inglis, EPA
Rose Howell, EPA*
K.C. Mitkevicius, USACE
Susan Steenstrup, MDEP (2 copies)
Anna Symington, MDEP*
Jane Rothchild, MDEP*
Nancy E. Harper, MA AG*
Linda Palmieri, Weston

Michael Carroll, GE*
Rod McLaren, GE*
Peter Wojcik, GE*
James Nuss, ARCADIS
James Bieke, Goodwin Procter
Property Owner – Parcel J9-23-24
Public Information Repositories
GE Internal Repository

**cover letter only*

ERE ANNUAL INSPECTION CHECKLIST

NEWELL STREET AREA I - PARCEL J9-23-24

DOCUMENT REVIEW

Conducted By: Elizabeth Bremer Representing: GE
Review Start Date: 5/20/2008

- 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. 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 (ERE Exhibit E) which have been submitted by the Grantor under the ERE and of which the reviewing party has a copy?
 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).

4. Review Completed: 5/20/2008

VISUAL ON-SITE INSPECTION

Conducted By: Robert Papallo Representing: GE
Inspection Start Date: 5/16/2008

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

- 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.

- 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.

ERE ANNUAL INSPECTION CHECKLIST
NEWELL STREET AREA I - PARCEL J9-23-24

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 excessive 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 the as-built survey drawings and engineered barrier plans included in Appendix E of the Final Completion Report or the most current drawing of such grade (if available), identify the approximate area/location of such grade change on a plan.

8. Inspection Completed: 5/16/2008