



GE
159 Plastics Avenue
Pittsfield, MA 01201
USA

Transmitted via Overnight Courier

December 21, 2007

Mr. Richard Fisher
United States Environmental Protection Agency
1 Congress Street, Suite 1100 (HBO)
Boston, MA 02114-2023

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 II (GECD450)
Summary of 2007 Conditional Solution Inspection Activities**

Dear Mr. Fisher and Ms. Steenstrup:

On November 29, 2007, the General Electric Company (GE) completed the first annual review and inspection of properties located within the Newell Street Area II 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 Parcel J9-23-4 and Parcels J9-23-6 and J9-23-8 (which are commonly owned). GE sent letters to the owner of Parcels J9-23-6 and J9-23-8 and the potential owner of Parcel J9-23-4 on June 21, 2007, with follow-up letters on July 13, 2007, 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.

Once a Final Completion Report for the Newell Street Area II Removal Action has been finalized, it will establish 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 2007 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 II* (Final Work Plan; March 2005), with the modifications on which GE and EPA have agreed for such inspections at other areas subject to the CD.

As part of these activities, GE reviewed the most recent property records from the Pittsfield Tax Assessor's Office, as well as the deed records at the Berkshire Middle District Registry of Deeds 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 the technical drawings and engineered barrier plan from the Final Work Plan (as revised in GE's *Proposal for Engineered Barrier Modifications*; May 2006), 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 any of the following have occurred since completion of the remediation activities and implementation of the Conditional Solutions:

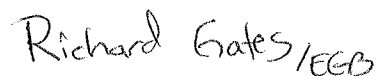
- 1) Any change in activities or uses of the property that would be potentially inconsistent with the land use for which the Conditional Solution was implemented;
- 2) Installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil;
- 3) Any excavations, 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 drawings from the Final Work Plan, as revised in the *Proposal for Engineered Barrier Modifications* (or any more up-to-date map, if available).

The results of the November 2007 inspection were documented in an Annual Inspection Checklist for each property. Copies of the completed forms are attached. As documented in these forms, the property record reviews indicated that there has been no change in ownership of any of the properties involved and the inspection showed no visual evidence of any of the above-listed activities or conditions at these properties since the implementation of the Conditional Solutions.

As required by the CD, these properties will be inspected annually. 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
Remediation Project Manager

Attachments

G:\GE\GE_Pittsfield_CD_Newell_St_Area_IIV\Reports and Presentations\Inspections\599711324Ltr.doc

cc: Dean Tagliaferro, EPA
Tim Conway, EPA
Holly Inglis, EPA
Rose Howell, EPA*
K.C. Mitkevicius, USACE
Anna Symington, MDEP*
Jane Rothchild, MDEP*
Linda Palmieri, Weston (2 copies)
Nancy E. Harper, MA AG*
Mayor James Ruberto, City of Pittsfield
Michael Carroll, GE*

Andrew Silfer, GE*
Roderic McLaren, GE*
Peter Wojcik, GE*
James Nuss, ARCADIS BBL
James Bieke, Goodwin Procter
Robert Dvorchik, Western Massachusetts
Electric Company
Public Information Repositories
GE Internal Repository

*cover letter only

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECK LIST FOR NEWELL STREET AREA II

PARCEL NUMBER J9-23-4

DOCUMENT REVIEW

Conducted By: Elizabeth Bremer, ARCADIS BBL
Representing: GE

Phone Number: (315) 671-9444
Review Start Date: 11/13/2007

1. Check here to confirm that the description of the Conditional Solution in the Final Removal Design/Removal Action Work Plan, technical drawings and engineered barrier plan included in the Final Removal Design/Removal Action Work Plan, as revised in the Proposal for Engineered Barrier Modifications (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: 11/13/2007

VISUAL SITE INSPECTION

Conducted By: Paolo Filippetti, ARCADIS BBL
Representing: GE

Phone Number: (585) 770-4702
Inspection Start Date: 11/29/2007

1. List other individuals and their company/agency that were present during the visual site inspection.
Mike Argue - Weston Solutions, Inc.

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 (i.e., recreational use)?
 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 II

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 the technical drawings and engineered barrier plan included in the Final Removal Design/Removal Action Work Plan, as revised in the Proposal for Engineered Barrier Modifications (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 in 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.)

6. Inspection Completed Date: 11/29/2007

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECK LIST FOR NEWELL STREET AREA II

PARCEL NUMBER J9-23-6

DOCUMENT REVIEW

Conducted By: Elizabeth Bremer, ARCADIS BBL
Representing: GE

Phone Number: (315) 671-9444
Review Start Date: 11/13/2007

1. Check here to confirm that the description of the Conditional Solution in the Final Removal Design/Removal Action Work Plan, technical drawings and engineered barrier plan included in the Final Removal Design/Removal Action Work Plan, as revised in the Proposal for Engineered Barrier Modifications (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: 11/13/2007

VISUAL SITE INSPECTION

Conducted By: Paolo Filippetti, ARCADIS BBL
Representing: GE

Phone Number: (585) 770-4702
Inspection Start Date: 11/29/2007

1. List other individuals and their company/agency that were present during the visual site inspection.
Mike Argue - Weston Solutions, Inc.

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 (i.e., recreational use)?
 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 II

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 the technical drawings and engineered barrier plan included in the Final Removal Design/Removal Action Work Plan, as revised in the Proposal for Engineered Barrier Modifications (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 in 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.)

6. Inspection Completed Date: 11/29/2007

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECK LIST FOR NEWELL STREET AREA II

PARCEL NUMBER J9-23-8

DOCUMENT REVIEW

Conducted By: Elizabeth Bremer, ARCADIS BBL
Representing: GE

Phone Number: (315) 671-9444
Review Start Date: 11/13/2007

1. Check here to confirm that the description of the Conditional Solution in the Final Removal Design/Removal Action Work Plan, technical drawings and engineered barrier plan included in the Final Removal Design/Removal Action Work Plan, as revised in the Proposal for Engineered Barrier Modifications (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: 11/13/2007

VISUAL SITE INSPECTION

Conducted By: Paolo Filippetti, ARCADIS BBL
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Phone Number: (585) 770-4702
Inspection Start Date: 11/29/2007

1. List other individuals and their company/agency that were present during the visual site inspection.
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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 (i.e., recreational use)?
 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 II

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 the technical drawings and engineered barrier plan included in the Final Removal Design/Removal Action Work Plan, as revised in the Proposal for Engineered Barrier Modifications (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 in 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.)

6. Inspection Completed Date: 11/29/2007