



GE
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USA

Transmitted via Overnight Courier

December 18, 2008

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

Ms. Susan Steenstrup
Program Supervisor, Special Projects
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 2008 Conditional Solution Inspection Activities**

Dear Mr. Fisher and Ms. Steenstrup:

On November 20, 2008, the General Electric Company (GE) performed an 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 (Western Massachusetts Electric Company) 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 the final 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 2008 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 since the last Conditional Solution inspection in November 2007. 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 evaluate whether any of the following had occurred since the last Conditional Solution inspection in November 2007:

- 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 (i.e., recreational use for all of the above-listed properties);
- Installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil;
- Any excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth; and
- If any of the activities in the two preceding bullets are noted, any alteration 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 2008 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 last inspection.

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 the Massachusetts Department of Environmental Protection.

Please call me if you have any comments or questions.

Sincerely

Richard Gates/ecb

Richard Gates
Remediation Project Manager

Attachments

cc: Dean Tagliaferro, EPA
Tim Conway, EPA
Holly Inglis, EPA
Rose Howell, EPA*
Michael Gorski, MDEP*
Jane Rothchild, MDEP*
Linda Palmieri, Weston
Nancy E. Harper, MA AG*
Mayor James Ruberto, City of Pittsfield
Michael Carroll, GE*

Roderic McLaren, GE*
Peter Wojcik, GE*
James Nuss, ARCADIS
James Bieke, Goodwin Procter
Robert Dvorchik, WMECo
Charles J. Nicol, Northeast Utilities
Salvatore Giuliano, WMECo
John Tulloch, WMECo
GE Internal Repository

**cover letter only*

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

NEWELL STREET AREA II REMOVAL ACTION

PARCEL NUMBER J9-23-4

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS
Representing: GE

Phone Number: (585) 770-4702
Review Start Date: 11/20/2008

- 1. [X] Check here to confirm that the description of the Conditional Solution for this property in the Final Removal Design/Removal Action Work Plan...
2. [X] Check here to confirm that the most recent property records from the Pittsfield Tax Assessor's Office...
3. Has there been a change in ownership of this property? [X] No
4. Review Completed Date: 12/3/2008

VISUAL SITE INSPECTION

Conducted By: Paolo Filippetti, ARCADIS
Representing: GE

Phone Number: (585) 770-4702
Inspection Start Date: 11/20/2008

- 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)? [X] No
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? [X] No

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

NEWELL STREET AREA II REMOVAL ACTION

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: 11/20/2008

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

NEWELL STREET AREA II REMOVAL ACTION

PARCEL NUMBER J9-23-6

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS
Representing: GE

Phone Number: (585) 770-4702
Review Start Date: 11/20/2008

- Check here to confirm that the description of the Conditional Solution for this property 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.
- Check here to confirm that the most recent property records from the Pittsfield Tax Assessor's Office and the property deed at the Berkshire Middle District Registry of Deeds for this property have been reviewed.
- 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.

- Review Completed Date: 12/4/2008

VISUAL SITE INSPECTION

Conducted By: Paolo Filippetti, ARCADIS
Representing: GE

Phone Number: (585) 770-4702
Inspection Start Date: 11/20/2008

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

- 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.

- 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 CHECKLIST

NEWELL STREET AREA II REMOVAL ACTION

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: 11/20/2008

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

NEWELL STREET AREA II REMOVAL ACTION

PARCEL NUMBER J9-23-8

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS
Representing: GE

Phone Number: (585) 770-4702
Review Start Date: 11/20/2008

- 1. Check here to confirm that the description of the Conditional Solution for this property in the Final Removal Design/Removal Action Work Plan...
2. Check here to confirm that the most recent property records from the Pittsfield Tax Assessor's Office and the property deed at the Berkshire Middle District Registry of Deeds for this property have been reviewed.
3. Has there been a change in ownership of this property?
4. Review Completed Date: 12/4/2008

VISUAL SITE INSPECTION

Conducted By: Paolo Filippetti, ARCADIS
Representing: GE

Phone Number: (585) 770-4702
Inspection Start Date: 11/20/2008

- 1. List other individuals and their company/agency that were present during the visual site inspection.
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)?
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?

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

NEWELL STREET AREA II REMOVAL ACTION

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: 11/20/2008