



GE
159 Plastics Avenue
Pittsfield, MA 01201
USA

Transmitted via Overnight Courier

December 15, 2011

Mr. Richard Fisher
Office of Site Remediation and Restoration
U.S. Environmental Protection Agency, Region I
5 Post Office Square – Suite 100 (OSRR07-1)
Boston, MA 02019-3912

Mr. Michael Gorski
Regional Director, Western Regional Office
Department of Environmental Protection
436 Dwight Street
Springfield, MA 01103

**Re: GE-Pittsfield/Housatonic River Site
Former Oxbow Areas J and K (GECD420)
Summary of 2011 Conditional Solution Inspection Activities**

Dear Mr. Fisher and Mr. Gorski:

On November 16, 2011, the General Electric Company (GE) performed an inspection of properties located within Former Oxbow Areas J and K at which Conditional Solutions have been implemented under the Consent Decree (CD) for the GE-Pittsfield/Housatonic River Site. Those properties are Parcels K10-11-1, K10-11-2, K10-11-3, and K10-13-1. GE previously sent letters to the owners of these properties on June 21, 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. The November 2011 inspection was conducted in accordance with Paragraphs 36 and 38 and Appendix Q of the CD and GE's *Final Completion Report for Former Oxbow Areas J and K Removal Action* (Final Completion Report; May 2008), which was approved by the U.S. Environmental Protection Agency (EPA) on June 3, 2008.

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 that there had not been a change in ownership of any of the parcels subject to a Conditional Solution since the last Conditional Solution inspection of these properties in November 2010. In addition, GE reviewed the Final Completion Report, which describes the Conditional Solutions, as well as the as-built survey drawings included in Appendix C of the Final Completion Report, which depict current site features and topography.

GE also conducted a visual site inspection of each property to evaluate whether there was visual evidence that any of the following had occurred at the property since the last Conditional Solution inspection in November 2010:

- 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 Recreational Areas R2, R3A, and R3B and commercial use for the commercial portions of Parcels K10-11-1, K10-11-2, K10-11-3, and K10-13-1);

- Installation of a new utility or repair or replacement of an existing utility that involved disturbance of soil; or
- Any excavations, construction, or other activities or conditions that resulted in the disturbance of 10 cubic yards of soil or greater, regardless of depth.

In addition, in the event that any of the conditions noted in the last two above bullets appears to have altered the surface grade at the property compared to that shown in the as-built survey drawings included in Appendix C of the Final Completion Report (or any more recent plan proposed by GE and approved by EPA), GE is required to identify the approximate location of such surface grade change on a plan and compare it to the surface grade in the above-listed drawings (or plan).

The results of the November 2011 inspection were documented in a Conditional Solution Annual Inspection Checklist for each property. Copies of the completed forms are attached. As documented in these forms and noted above, the property record reviews indicated that there had been no change in ownership of any of the properties and the inspection showed no visual evidence of any of the above-listed activities or conditions at these properties since the November 2010 inspection.

As required by the CD, these properties will continue to be inspected annually. Following each such Conditional Solution 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
Remediation Project Manager

Attachments

cc: Dean Tagliaferro, EPA
Tim Conway, EPA
Holly Inglis, EPA
Rose Howell, EPA*
Linda Palmieri, Weston
John Ziegler, MDEP (2 copies)
Eva Tor, MDEP*
Nancy E. Harper, MA AG*
Mayor James Ruberto, City of Pittsfield

Michael Carroll, GE*
Rod McLaren, GE*
Peter Wojcik, GE*
James Nuss, ARCADIS
James Bieke, Sidley Austin
Property Owners – Above-Listed Parcels**
GE Internal Repository

* *cover letter only*

** *with relevant attachment*

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR FORMER OXBOW AREAS J AND K

PARCEL NUMBER K10-11-1

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS
Representing: GE

Phone Number: (585) 385-0090
Review Start Date: 10/28/2011

- 1. Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built survey drawings included in Appendix C of the Final Completion Report (and any alternative plan proposed by GE for the comparison described in Item 5 on next page), 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 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?
 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: 10/28/2011

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS
Representing: GE

Phone Number: (413) 822-1184
Inspection Start Date: 11/16/2011

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

- 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 CHECKLIST FOR FORMER OXBOW AREAS J AND K

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 as-built survey drawings included in Appendix C of the Final Completion Report (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: 11/16/2011

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR FORMER OXBOW AREAS J AND K

PARCEL NUMBER K10-11-2

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS
Representing: GE

Phone Number: (585) 385-0090
Review Start Date: 10/28/2011

1. Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built survey drawings included in Appendix C of the Final Completion Report (and any alternative plan proposed by GE for the comparison described in Item 5 on next page), 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 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?
 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: 10/28/2011

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS
Representing: GE

Phone Number: (413) 822-1184
Inspection Start Date: 11/16/2011

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

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 CHECKLIST FOR FORMER OXBOW AREAS J AND K

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 as-built survey drawings included in Appendix C of the Final Completion Report (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: 11/16/2011

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR FORMER OXBOW AREAS J AND K

PARCEL NUMBER K10-11-3

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS
Representing: GE

Phone Number: (585) 385-0090
Review Start Date: 10/28/2011

- 1. Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built survey drawings included in Appendix C of the Final Completion Report (and any alternative plan proposed by GE for the comparison described in Item 5 on next page), 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 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?
 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: 10/28/2011

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS
Representing: GE

Phone Number: (413) 822-1184
Inspection Start Date: 11/16/2011

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

- 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 CHECKLIST FOR FORMER OXBOW AREAS J AND K

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 as-built survey drawings included in Appendix C of the Final Completion Report (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: 11/16/2011

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR FORMER OXBOW AREAS J AND K

PARCEL NUMBER K10-13-1

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS
Representing: GE

Phone Number: (585) 385-0090
Review Start Date: 10/28/2011

1. Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built survey drawings included in Appendix C of the Final Completion Report (and any alternative plan proposed by GE for the comparison described in Item 5 on next page), 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 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?
 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: 10/28/2011

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS
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Phone Number: (413) 822-1184
Inspection Start Date: 11/16/2011

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Mike Argue (Weston/EPA)

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 CHECKLIST FOR FORMER OXBOW AREAS J AND K

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 as-built survey drawings included in Appendix C of the Final Completion Report (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: 11/16/2011