



GE
159 Plastics Avenue
Pittsfield, MA 01201
USA

Transmitted via Overnight Courier

December 17, 2009

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

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

**Re: GE-Pittsfield/Housatonic River Site
Lyman Street Area (GECD430)
Summary of 2009 Conditional Solution Inspection Activities**

Dear Mr. Tagliaferro and Mr. Gorski:

On November 30, 2009, the General Electric Company (GE) performed an inspection of properties located within the Lyman Street Area at which Conditional Solutions have been implemented under the Consent Decree (CD) for the GE-Pittsfield/Housatonic River Site. Those properties are Parcels I9-4-14 and I9-4-19 (which are commonly owned), Parcels I9-4-25, I9-4-202, and I9-4-203 (all commonly owned), Parcel I9-4-201 (except for sub-area 201A), and Parcel I9-8-2. Both riverbank and non-riverbank portions of these properties were inspected. GE has sent letters to the owners of these properties 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 2009 inspection was conducted in accordance with Paragraphs 36 and 38 and Appendix Q of the CD and GE's *Final Completion Report for the Lyman Street Area Removal Action* (Final Completion Report; August 2009), which was approved by EPA on September 14, 2009.

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 of these properties in November 2008. In addition, GE reviewed the Final Completion Report, which describes the Conditional Solutions, as well as the as-built survey drawings included in Appendix D 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 any of the following had occurred since the prior Condition Solution inspection in November 2008:

- Any change in activities or uses of the property that would be potentially inconsistent with the land use(s) for which the Conditional Solution was implemented (i.e., commercial and/or recreational use, as specified in the Final Completion Report);

- 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 as-built survey drawings included in Appendix D of the Final Completion Report (or any recent plan that GE proposes and EPA approves).

The results of the November 2009 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, the property record reviews indicated that there has been no change in ownership of these properties since the November 2008 inspection. In addition, the inspection showed no visual evidence of any of the above-listed activities or conditions at these properties since that prior inspection. However, it was noted that an air conditioning unit was installed on the asphalt area behind the building on Parcel I9-4-201. No intrusive activities were apparent as a result of this installation.

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/EGB

Richard Gates
Remediation Project Manager

Attachments

cc: Tim Conway, EPA
Holly Inglis, EPA
Rose Howell, EPA*
John Ziegler, MDEP (2 copies)
Eva Tor, MDEP*
Nancy E. Harper, MA AG
Linda Palmieri, Weston
Mayor James Ruberto, City of Pittsfield
Michael Carroll, GE*
Roderic McLaren, GE*
Peter Wojcik, GE*

James Nuss, ARCADIS
James Bieke, Goodwin Procter
Property Owner – Parcels I9-4-14 & -19
Property Owner – Parcels I9-4-25, -202, & -203
Property Owner – Parcel I9-4-201
John Burke, WMECo
Charles J. Nicol, Northeast Utilities
Salvatore Giuliano, WMECo
John Tulloch, WMECo
GE Internal Repository

** cover letter only*

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

LYMAN STREET AREA REMOVAL ACTION

PARCEL NUMBER 19-4-14 (including riverbank)

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS Representing: GE
Review Start Date: 11/12/2009

- Check here to confirm that the description of the Conditional Solution in the Final RD/RA Work Plan, applicable as-built survey drawing included in Appendix D of the Final Completion Report (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 the 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: 11/12/2009

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS Representing: GE
Inspection Start Date: 11/30/2009

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

- 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

LYMAN STREET AREA 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 applicable as-built survey drawing included in Appendix D of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade changes on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawing 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: 11/30/2009

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

LYMAN STREET AREA REMOVAL ACTION

PARCEL NUMBER 19-4-19 (including riverbank)

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS Representing: GE
Review Start Date: 11/12/2009

- Check here to confirm that the description of the Conditional Solution in the Final RD/RA Work Plan, applicable as-built survey drawing included in Appendix D of the Final Completion Report (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 the 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: 11/12/2009

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS Representing: GE
Inspection Start Date: 11/30/2009

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

- 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

LYMAN STREET AREA 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 applicable as-built survey drawing included in Appendix D of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade changes on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawing 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: 11/30/2009

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

LYMAN STREET AREA REMOVAL ACTION

PARCEL NUMBER 19-4-25/-202 (including riverbank)

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS Representing: GE
Review Start Date: 11/12/2009

- Check here to confirm that the description of the Conditional Solution in the Final RD/RA Work Plan, applicable as-built survey drawing included in Appendix D of the Final Completion Report (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 the 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: 11/12/2009

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS Representing: GE
Inspection Start Date: 11/30/2009

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

- 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

LYMAN STREET AREA 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 applicable as-built survey drawing included in Appendix D of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade changes on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawing 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: 11/30/2009

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

LYMAN STREET AREA REMOVAL ACTION

PARCEL NUMBER 19-4-201 (including riverbank, excluding sub-area 201A)

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS Representing: GE
Review Start Date: 11/12/2009

- Check here to confirm that the description of the Conditional Solution in the Final RD/RA Work Plan, applicable as-built survey drawing included in Appendix D of the Final Completion Report (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 the 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: 11/12/2009

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS Representing: GE
Inspection Start Date: 11/30/2009

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

- 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

LYMAN STREET AREA 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 applicable as-built survey drawing included in Appendix D of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade changes on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawing 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: 11/30/2009

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

LYMAN STREET AREA REMOVAL ACTION

PARCEL NUMBER 19-4-203 (including riverbank)

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS Representing: GE
Review Start Date: 11/12/2009

- Check here to confirm that the description of the Conditional Solution in the Final RD/RA Work Plan, applicable as-built survey drawing included in Appendix D of the Final Completion Report (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 the 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: 11/12/2009

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS Representing: GE
Inspection Start Date: 11/30/2009

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

- 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

LYMAN STREET AREA 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 applicable as-built survey drawing included in Appendix D of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade changes on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawing 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: 11/30/2009

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST

LYMAN STREET AREA REMOVAL ACTION

PARCEL NUMBER 19-8-2 (including riverbank)

DOCUMENT REVIEW

Conducted By: Paolo Filippetti, ARCADIS Representing: GE
Review Start Date: 11/12/2009

- Check here to confirm that the description of the Conditional Solution in the Final RD/RA Work Plan, applicable as-built survey drawing included in Appendix D of the Final Completion Report (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 the 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: 11/12/2009

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS Representing: GE
Inspection Start Date: 11/30/2009

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

- 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

LYMAN STREET AREA 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 applicable as-built survey drawing included in Appendix D of the Final Completion Report (or an alternative, more recent plan proposed by GE), identify the approximate area/location(s) of such grade changes on a plan and compare the new surface grade in such area(s) to the surface grade in the above-listed drawing 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: 11/30/2009