



GE
159 Plastics Avenue
Pittsfield, MA 01201
USA

Transmitted via Overnight Courier

December 14, 2010

Mr. Richard Fisher (Mail Code OSRR07-1)
United States Environmental Protection Agency
5 Post Office Square – Suite 100
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
Newell Street Area I (GECD440)
Summary of 2010 Conditional Solution Inspection Activities**

Dear Mr. Fisher and Mr. Gorski:

On November 16, 2010, the General Electric Company (GE) performed an inspection of properties located within Newell Street Area I at which Conditional Solutions have been implemented under the Consent Decree (CD) for the GE-Pittsfield/Housatonic River Site. Those properties are Parcels J9-23-13 (including the adjacent portion of undeveloped Ontario Street), J9-23-17, J9-23-18, J9-23-19, -20, & -21, J9-23-22, and J9-23-25. GE previously 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 2010 inspection was conducted in accordance with Paragraphs 36 and 38 and Appendix Q of the CD and GE's *Final Completion Report for the Newell Street Area I Removal Action* (Final Completion Report; July 2008), which was approved by the U.S. Environmental Protection Agency (EPA) on August 27, 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 2009. In addition, GE reviewed the Final Completion Report, which describes the Conditional Solutions, as well as the as-built survey drawings included in Appendix E 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 2009:

- 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 at Parcel J9-23-17 and commercial/industrial use at the other above-listed properties);

- 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 E 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 2010 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 these properties since the November 2009 inspection. The site inspection showed visual evidence that the pavement on Parcel J9-23-21 had been cut to allow for removal of an underground storage tank (UST). (GE had previously been informed of that tank removal. However, as EPA is aware, GE was not involved in the excavation of the UST nor did GE have any involvement with the management of any soils or other material as a result of the UST removal activities.) The approximate location of the UST removal is shown on the figure attached to the Inspection Checklist for that property. However, the excavated area had been repaved, and the tank removal activity did not appear to have altered the surface grade at the property. As also documented on those forms, the inspection showed no evidence of any of the other above-listed activities or conditions at Parcel J9-23-21 or of any of the above-listed activities or conditions at any of the other inspected properties since the prior 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, Goodwin Procter LLP
Property Owners – Above-Listed Parcels**
GE Internal Repository

* cover letter only

** with relevant attachment

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I

PARCEL NUMBER J9-23-13 (incl. adj. portion of undeveloped Ontario St.)

DOCUMENT REVIEW

Conducted By: Paolo Filipetti, ARCADIS
Representing: GE

Phone Number: (585) 385-0090
Review Start Date: 11/11/2010

1. Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings included in Appendix E 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: 11/12/2010

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS
Representing: GE

Phone Number: (413) 822-1184
Inspection Start Date: 11/16/2010

1. List other individuals and their company/agency that were present during the visual site inspection.
Mike Backunas (MDEP)
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 NEWELL STREET AREA I

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 E 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: 11/16/2010

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I

PARCEL NUMBER J9-23-17

DOCUMENT REVIEW

Conducted By: Paolo Filipetti, ARCADIS
Representing: GE

Phone Number: (585) 385-0090
Review Start Date: 11/11/2010

1. Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings included in Appendix E 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: 11/12/2010

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS
Representing: GE

Phone Number: (413) 822-1184
Inspection Start Date: 11/16/2010

1. List other individuals and their company/agency that were present during the visual site inspection.
Mike Backunas (MDEP)
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 NEWELL STREET AREA I

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 E 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: 11/16/2010

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I

PARCEL NUMBER J9-23-18

DOCUMENT REVIEW

Conducted By: Paolo Filipetti, ARCADIS
Representing: GE

Phone Number: (585) 385-0090
Review Start Date: 11/11/2010

1. Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings included in Appendix E 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: 11/12/2010

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS
Representing: GE

Phone Number: (413) 822-1184
Inspection Start Date: 11/16/2010

1. List other individuals and their company/agency that were present during the visual site inspection.
Mike Backunas (MDEP)
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 NEWELL STREET AREA I

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 E 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: 11/16/2010

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I

PARCEL NUMBER J9-23-19, -20, -21

DOCUMENT REVIEW

Conducted By: Paolo Filipetti, ARCADIS
Representing: GE

Phone Number: (585) 385-0090
Review Start Date: 11/11/2010

1. Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings included in Appendix E 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: 11/12/2010

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS
Representing: GE

Phone Number: (413) 822-1184
Inspection Start Date: 11/16/2010

1. List other individuals and their company/agency that were present during the visual site inspection.
Mike Backunas (MDEP)
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 NEWELL STREET AREA I

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.

Inspection indicated that the pavement on Parcel J9-23-21 had been cut to allow for removal of an underground storage tank in the last few months. See attached figure for approximate location. The excavated area had been repaved, and the removal activity did not appear to have altered the surface grade at the property.

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 E 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: 11/16/2010

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I

PARCEL NUMBER J9-23-22

DOCUMENT REVIEW

Conducted By: Paolo Filipetti, ARCADIS
Representing: GE

Phone Number: (585) 385-0090
Review Start Date: 11/11/2010

1. Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings included in Appendix E 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: 11/12/2010

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS
Representing: GE

Phone Number: (413) 822-1184
Inspection Start Date: 11/16/2010

1. List other individuals and their company/agency that were present during the visual site inspection.
Mike Backunas (MDEP)
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 NEWELL STREET AREA I

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 E 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: 11/16/2010

CONDITIONAL SOLUTION ANNUAL INSPECTION CHECKLIST FOR NEWELL STREET AREA I

PARCEL NUMBER J9-23-25

DOCUMENT REVIEW

Conducted By: Paolo Filipetti, ARCADIS
Representing: GE

Phone Number: (585) 385-0090
Review Start Date: 11/11/2010

1. Check here to confirm that the description of the Conditional Solution for this property in the Final Completion Report, the as-built drawings included in Appendix E 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: 11/12/2010

VISUAL SITE INSPECTION

Conducted By: Gregg Rabasco, ARCADIS
Representing: GE

Phone Number: (413) 822-1184
Inspection Start Date: 11/16/2010

1. List other individuals and their company/agency that were present during the visual site inspection.
Mike Backunas (MDEP)
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 NEWELL STREET AREA I

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 E 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: 11/16/2010