



GE
159 Plastics Avenue
Pittsfield, MA 01201
USA

Transmitted via Overnight Courier

September 13, 2011

Michael Gorski
Regional Director, Western Region
Bureau of Waste Site Cleanup
Massachusetts Department of Environmental Protection
436 Dwight Street
Springfield, MA 01103

Dean Tagliaferro
EPA Project Coordinator
c/o Weston Solutions, Inc.
10 Lyman Street
Pittsfield, MA 01201

**Re: GE-Pittsfield/Housatonic River Site
30s Complex (GECD120)
Summary of Annual ERE Inspection for 2011**

Dear Mr. Gorski and Mr. Tagliaferro:

On August 16, 2011, the General Electric Company (GE) performed a visual inspection of Tax Parcel I10-4-101, which generally corresponds with the former 30s Complex at GE's facility in Pittsfield, Massachusetts, in accordance with the Consent Decree (CD) for the GE-Pittsfield/Housatonic River Site and the Post-Removal Site Control Plan (PRSCP) included in GE's *Final Completion Report for the 30s Complex Removal Action* (March 2005). A Grant of Environmental Restriction and Easement (ERE) was recorded for Parcel I10-4-101 in February 2005 to restrict future uses of the property; and the property was subsequently transferred to the Pittsfield Economic Development Authority (PEDA) in March 2005, making PEDA the Grantor of that ERE. Until such time as PEDA conveys an interest in the former 30s Complex to another party, GE is required to perform an annual ERE inspection to determine whether site conditions at the time of the inspection or activities conducted since the last inspection are consistent with the provisions of the ERE. This letter presents the results of the seventh annual ERE inspection conducted by GE since the transfer of the 30s Complex to PEDA in March 2005.¹

In accordance with the CD and the PRSCP, the annual ERE inspection consists of two components. The first component consists of a review of several ERE-related documents including, as appropriate: (i) the ERE itself, (ii) the Plan of Restricted Area, (iii) any conditional exceptions approved under the ERE (if known), (iv) any recorded amendments to and/or releases from the ERE, (v) the most recent topographic mapping, and (vi) any Post-Work Notification Forms (Exhibit E to the ERE) available to GE. The second component consists of a visual inspection of the former 30s Complex to determine whether there is visual evidence that any of the following have occurred since the last annual inspection:

¹ These ERE inspections focus on Parcel I10-4-101, which is the property subject to the ERE. Since that property corresponds generally with the former 30s Complex, it is generally referred to as the 30s Complex. However, along the edge of Silver Lake Boulevard, the 30s Complex actually extends slightly beyond the boundary of Parcel I10-4-101 to include a narrow strip between that boundary and the paved roadway. That narrow strip of property is not subject to the ERE inspections.

- Activities or uses that, based on visual observations, are potentially contrary to the restrictions stated in the ERE;
- Utility construction or maintenance work or any building construction, modification, addition, and/or demolition;
- Soil excavations that involved more than 10 cubic yards (cy) of soil;
- Significant soil erosion; and/or
- Significant pavement construction, disturbance, and/or removal/excavation.

Following the inspection, GE is required to submit a summary report, which is to include a summary of the findings of the inspection, an identification (based on the visual inspection) of any instances of potential non-compliance with the ERE, and a copy of a completed Annual Inspection Check List (which was provided as an exhibit to the PRSCP).

GE conducted the 2011 annual ERE inspection of the former 30s Complex in August 2011. Prior to the visual on-site inspection, GE reviewed the existing documentation relating to the ERE, including the ERE itself, the Plan of Restricted Area, the most recent topographic map provided by PED A (dated September 21, 2010), the applicable documents listed in prior ERE inspection reports on the former 30s Complex (e.g., Conditional Exception Reports, Post-Work Notification Forms), and several additional documents provided by PED A (listed below). The visual on-site inspection was then conducted on August 16, 2011, and was attended by representatives of GE, the Massachusetts Department of Environmental Protection (MDEP), the U.S. Environmental Protection Agency (EPA), and PED A. Information pertaining to the document review and the observations recorded during the visual on-site inspection are documented in the completed Annual Inspection Check List, attached hereto. Also attached for reference is a copy of the above-mentioned topographic map provided by PED A, dated September 21, 2010.

The document review, visual on-site inspection, and discussions with PED A revealed a number of developments at the former 30s Complex since the last inspection in August 2010. The first relates to the area in the northwest corner of the property where PED A has granted to Western Massachusetts Electric Company (WMECo) an easement for a solar power generation facility (as shown on the attached topographic map). PED A advised GE that, since the last inspection, Weston & Sampson, an engineering consulting firm to WMECo, had submitted documentation to MDEP under the ERE for certain minor landscaping work associated with the solar power facility and the installation of a perimeter wrought iron fence around the easement area. However, PED A did not have (and GE does not have) copies of any such documentation.² Second, PED A conducted an emergency excavation of the forebay associated with the water quality basin just west of Silver Lake Boulevard, as also shown on the attached map. Third, and most significantly, work has recently begun on construction of a new building by MountainOne Financial Partners in the southwest corner of the property, as further shown on the attached map.

The documents reviewed relating to the emergency forebay excavation and the MountainOne construction project included the following:

- Letter from PED A to MDEP dated May 23, 2011, regarding Post-Work Notification; ERE Section 8-Emergency Repair; Repairs to North Fore Bay of the Water Quality Basin;
- Letter from PED A to MDEP dated June 15, 2011, regarding Advanced Notice of Activities relating to MountainOne Financial Partners proposed construction project located in the southwest corner of the former 30s Complex;

² The only documentation PED A was able to provide related to this project was a letter from MDEP to Weston & Sampson dated July 14, 2010, approving the latter's July 13, 2010 request to extend soil disturbance activities relating to the WMECo solar power project. That July 14, 2010 letter was reviewed.

- Letter from PEDA to MDEP dated June 23, 2011, enclosing a Conditional Exception Request relating to a net cut for the ATM driveway associated with the MountainOne Financial Partners construction project;
- Letter from PEDA to MDEP dated June 23, 2011, enclosing a Soil Sampling Plan and Pre-Work Transmittal Form relating to additional characterization required for proposed activities associated with the MountainOne Financial Partners construction project involving excavations associated with building foundation construction that are deeper than 6 feet;
- Letter from PEDA to MDEP dated June 27, 2011, enclosing a Soil Sampling Plan and Pre-Work Transmittal Form relating to additional characterization required for proposed activities associated with the MountainOne Financial Partners construction project involving excavations associated with utility installations that are deeper than 6 feet;
- Letter from MDEP to PEDA dated July 1, 2011, providing (a) approval of PEDA's June 23, 2011 Conditional Exception Request; (b) a statement of no objections to the two proposed Soil Sampling Plans submitted on June 23 and 27, 2011; and (c) a waiver of the 30-day waiting period required following submittal of the two Sampling Plans;
- Letter from PEDA to MDEP dated August 2, 2011, enclosing a Data Evaluation Report – Excavation for Construction of New Utilities (dated July 28, 2011) and notifying MDEP that, based on updated design information indicating that excavation below 6 feet was not required for building construction, the June 23, 2011 Soil Sampling Plan was not required and was therefore never implemented; and
- Letter from MDEP to PEDA dated August 4, 2011 approving PEDA's August 2, 2011 submittal.

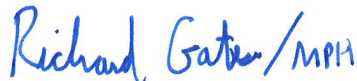
The visual inspection, together with the document review, revealed certain changes in the above-listed physical conditions of the property since the time of the last inspection in August 2010. As indicated in the attached Inspection Check List, the emergency excavation of the forebay associated with the water quality basin involved the excavation of 10 cy of soil. In addition, the MountainOne Financial Partners construction project involves building construction work, including the excavation of more than 10 cy of soil. With respect to the landscaping and fence installation work within the WMECo easement area, PEDA was uncertain whether that work involved excavation of more than 10 cy of soil; and access could not be obtained to that portion of the property for a closer visual examination during the August 16, 2011 on-site inspection due to the perimeter fence, thus limiting the visual observations of that portion to those that could be made from outside that fence.

Although certain excavation activities have thus taken place at the former 30s Complex, the observations made during the visual on-site inspection, the documents reviewed prior to that inspection, and discussions with PEDA, MDEP, and EPA personnel during the visual on-site inspection indicate that no activities or uses have occurred at the former 30s Complex since the last inspection that appear contrary to the restrictions stated in the ERE, with the conditional exceptions approved by MDEP.

While there were no known ERE amendments as of the time of this inspection, PEDA has advised GE that it is developing an amended ERE for the former 30s Complex that will replace the current ERE. It is GE's understanding that this amended ERE will include a revised topographic survey plan and a Revised Plan of Restricted Area, reflecting the changes in topography as well as modifications to the restricted areas that have been affected by the development activities at this property. If that amended ERE is in effect at the time of the next annual ERE inspection of the former 30s Complex (in August 2012), it will be used as the basis for that inspection.

Please feel free to contact me at (413) 448-5902 with any questions or comments.

Sincerely,

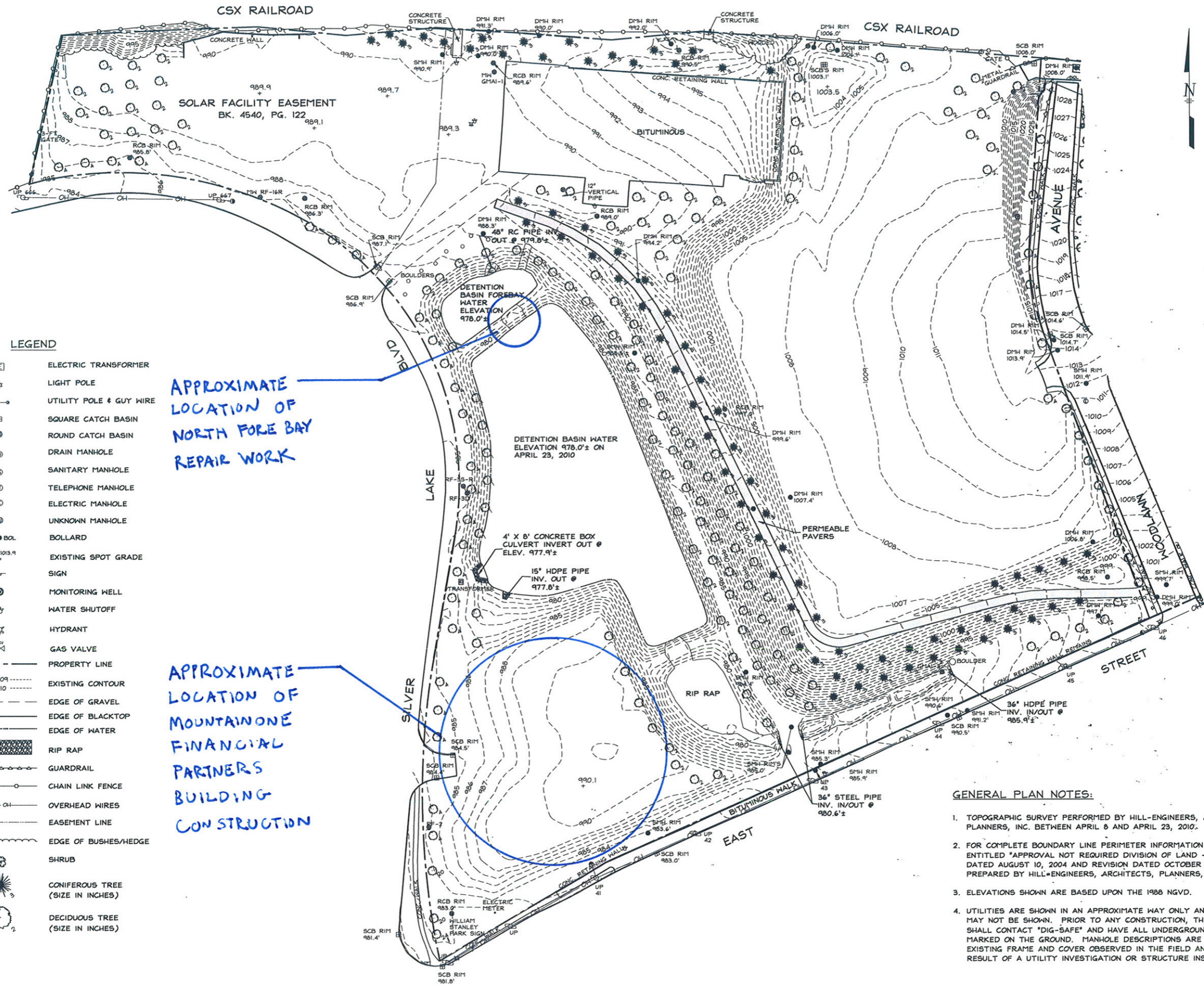


Richard W. Gates
Remediation Project Manager

Attachments

cc: T. Conway, EPA*
H. Inglis, EPA
R. Howell, EPA
J. Ziegler, MDEP (2 copies)
E. Tor, MDEP*
L. Palmieri, Weston
Mayor J. Ruberto, City of Pittsfield
C. Thurston, Executive Director, PEDDA
B. Landau, Noble & Wickersham
J. Gagnon, O'Reilly, Talbot & Okun
R. McLaren, GE*
M. Carroll, GE*
J. Bieke, Goodwin Procter
J. Nuss, ARCADIS
M. Hassett, ARCADIS
GE Internal Repositories
Public Information Repositories

(* without attachments)



LEGEND

⊞	ELECTRIC TRANSFORMER
☆	LIGHT POLE
⊞	UTILITY POLE & GUY WIRE
⊞	SQUARE CATCH BASIN
⊞	ROUND CATCH BASIN
⊞	DRAIN MANHOLE
⊞	SANITARY MANHOLE
⊞	TELEPHONE MANHOLE
⊞	ELECTRIC MANHOLE
⊞	UNKNOWN MANHOLE
●	BOLLARD
+	EXISTING SPOT GRADE
—	SIGN
⊞	MONITORING WELL
⊞	WATER SHUTOFF
⊞	HYDRANT
⊞	GAS VALVE
---	PROPERTY LINE
---	EXISTING CONTOUR
---	EDGE OF GRAVEL
---	EDGE OF BLACKTOP
---	EDGE OF WATER
▨	RIP RAP
---	GUARDRAIL
---	CHAIN LINK FENCE
---	OVERHEAD WIRES
---	EASEMENT LINE
---	EDGE OF BUSHES/HEDGE
⊞	SHRUB
⊞	CONIFEROUS TREE (SIZE IN INCHES)
⊞	DECIDUOUS TREE (SIZE IN INCHES)

- GENERAL PLAN NOTES:**
1. TOPOGRAPHIC SURVEY PERFORMED BY HILL-ENGINEERS, ARCHITECTS, PLANNERS, INC. BETWEEN APRIL 6 AND APRIL 23, 2010.
 2. FOR COMPLETE BOUNDARY LINE PERIMETER INFORMATION SEE PLAN ENTITLED "APPROVAL NOT REQUIRED DIVISION OF LAND - SURVEY PLAN" DATED AUGUST 10, 2004 AND REVISION DATED OCTOBER 5, 2004 PREPARED BY HILL-ENGINEERS, ARCHITECTS, PLANNERS, INC.
 3. ELEVATIONS SHOWN ARE BASED UPON THE 1988 NGVD.
 4. UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND ALL UTILITIES MAY NOT BE SHOWN. PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL CONTACT "DIG-SAFE" AND HAVE ALL UNDERGROUND UTILITIES MARKED ON THE GROUND. MANHOLE DESCRIPTIONS ARE BASED UPON EXISTING FRAME AND COVER OBSERVED IN THE FIELD AND ARE NOT THE RESULT OF A UTILITY INVESTIGATION OR STRUCTURE INSPECTION.

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(413) 684-0925

41 Park Street
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(413) 743-0013
www.hillengineers.com

REV.	ISSUED	DESCRIPTION	DATE
A	MAC		9-21-10

A COPY OF THE DATA IN THIS DRAWING FILE IS MAINTAINED AT THE OFFICES OF HILL ENGINEERS ARCHITECTS, PLANNERS, INC. THE INTERPRETATION, APPLICATION AND RELEASE OF THIS DATA IS THE SOLE RESPONSIBILITY OF THE USER.

GENERAL ELECTRIC COMPANY
159 PLASTICS AVE.
PITTSFIELD, MA 01201

EXISTING CONDITIONS
SITE PLAN

AS-BUILT TOPOGRAPHIC SURVEY - 30'S COMPLEX

DRAWN BY: MAC
DATE DRAWN: 9-21-10
SCALE: 1"=50'
AP'D BY:

CAD CODE: GE-1055-20 CX101M.dwg
GRAPHIC SCALE: 0 50 100
PROJECT NUMBER: GE-1055-20

DRAWING NUMBER	REV.
CX101	A

**ANNUAL INSPECTION CHECK LIST
30s COMPLEX RAA**

DOCUMENT REVIEW

Conducted By: Mike Hassett, ARCADIS
Review Start Date: July 25, 2011

Representing: General Electric Co.

1. Check here to confirm that the Grant of Environmental Restriction and Easement has been reviewed.
2. Check here to confirm that the Plan of Restricted Area (as revised if appropriate) has been reviewed.
3. Are there any recorded amendments to or releases from the ERE, and/or any known conditional exceptions under the ERE, and/or any Post-Work Notification Forms (ERE Exhibit E) which have been submitted by the Grantor under the ERE and of which the reviewing party has a copy?
 No
 Yes - If yes, review those items for background informational purposes and list them below (along with the book and page reference in the Registry of Deeds where applicable). (Note that the document reviewer has no obligation to verify the accuracy or completeness of any of these documents, either as of the time they were prepared or as compared to current conditions).

The documents reviewed consisted of the same documents listed in the response to Item #3 in the Document Review section of the Annual Inspection Check Lists attached to GE's prior ERE inspection reports on the former 30s Complex submitted on August 24, 2009 (for the August 12, 2009 inspection) and September 24, 2010 (for the August 31, 2009 inspection). In addition, the following documents were reviewed:

- Letter from MDEP to PEDAs dated July 14, 2010, approving a request on behalf of WMECo to extend soil disturbance activities relating to WMECo's solar power project;
- Letter from PEDAs to MDEP dated May 23, 2011 re: Post-Work Notification; ERE Section 8-Emergency Repair; Repairs to North Fore Bay of the Water Quality Basin;
- Letter from PEDAs to MDEP dated June 15, 2011 re: Advanced Notice of Activities relating to MountainOne Financial Partners proposed construction project located in the southwest corner of the former 30s Complex;
- Letter from PEDAs to MDEP dated June 23, 2011 transmitting a Conditional Exception Request relating to a net-cut for the ATM driveway associated with the MountainOne Financial Partners construction project;
- Letter from PEDAs to MDEP dated June 23, 2011 transmitting a Soil Sampling Plan and Pre-Work Transmittal Form relating to additional characterization required for proposed activities associated with the MountainOne Financial Partners construction project involving excavations associated with building foundation construction that are deeper than 6 feet;
- Letter from PEDAs to MDEP dated June 27, 2011 transmitting a Soil Sampling Plan and Pre-Work Transmittal Form relating to additional characterization required for proposed activities associated with the MountainOne Financial Partners construction project involving excavations associated with utility installations that are deeper than 6 feet;
- Letter from MDEP to PEDAs dated July 1, 2011 providing (1) approval of PEDAs's June 23, 2011 Conditional Exception Request; (2) a statement of no objections to the two proposed Soil Sampling Plans submitted on June 23 and 27, 2011; and (3) a waiver of the 30-day waiting period requiring following submittal of the two Sampling Plans;
- Letter from PEDAs to MDEP dated August 2, 2011 transmitting the Data Evaluation Report - Excavation for Construction of New Utilities (dated July 28, 2011) and notifying MDEP that based on updated design information indicating that excavation below 6 feet was not required for building construction, the June 23, 2011 Soil Sampling Plan was not required and therefore never implemented and
- Letter from MDEP to PEDAs dated August 4, 2011 approving PEDAs's August 2, 2011 transmittal.

4. Review Completed: August 15, 2011

VISUAL ON-SITE INSPECTION

Conducted By: Mike Hassett, ARCADIS
Inspection Start Date: August 16, 2011

Representing: General Electric Co.

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

Jim Gagnon (O'Reilly, Talbot, & Okun Associates, Inc. on behalf of PEDAs)
Mike Backunas (MDEP)
Mike Argue (Weston Solutions, Inc. on behalf of EPA)

ANNUAL INSPECTION CHECK LIST
30s COMPLEX RAA

2. Is there any visual evidence of activities and uses of the property since the last inspection that are potentially contrary to the restrictions of the ERE?

- No
 Yes - If yes, describe below.

3. Is there any visual evidence of utility work or building construction, modification, addition, or demolition since the last inspection?

- No
 Yes - If yes, describe below and show the location(s) of such activity on a plan.

Construction of the new MountainOne Financial Partners building in the southwest corner of the former 30s Complex has begun in accordance with the above-referenced submittals. The location of this work is shown on the attached topographic survey plan.

4. Is there any visual evidence of soil excavation that generated more than 10 cubic yards of soil since the last inspection?

- No
 Yes - If yes, describe below and show the location(s) of such activity on a plan.

The emergency excavation of the north forebay associated with the water quality basin involved the excavation of 10 cubic yards (cy) of soil, as documented in the above-listed Post-Work Notification Form. The MountainOne Financial Partners building construction project in the southwest corner of the former 30s Complex has also involved or will involve the excavation of more than 10 cy of soil. The locations of these projects are shown on the attached topographic survey plan.

In addition, PEDAs has advised GE that, since the last inspection, an engineering consultant to Western Massachusetts Electric Company (WMECo) had performed some landscaping work and the installation of a perimeter fence in the area of WMECo's easement for its solar power generation facility in the northeastern corner of the property (see attached survey plan). However, neither PEDAs nor GE has any documentation relating to these activities, and PEDAs is uncertain whether this work involved excavation of more than 10 cy of soil. Further, access could not be obtained to that portion of the property during the on-site visual inspection due to the perimeter fence; and thus the visual observation of that portion was made from outside the perimeter fence.

5. Is there any visual evidence of excessive soil erosion since the last inspection?

- No
 Yes - If yes, describe below and show the location(s) of such erosion on a plan.

6. Is there any visual evidence of significant pavement construction, disturbance, or excavations since the last inspection?

- No
 Yes - If yes, describe below and show the location(s) of such activity on a plan.

ANNUAL INSPECTION CHECK LIST
30s COMPLEX RAA

7. If any of the conditions listed in the responses to Questions 3 through 6 appears to have altered the surface grade of the the property compared to the surface grade shown on the topographic survey map included in Attachment C of the Final Completion Report or the most current drawing of such grade (if available), identify the approximate area/location of such grade change on a plan.

The construction work associated with the MountainOne Financial Partners project appears to involve alteration of the current surface grade, as supported by PEDA's above-listed June 23, 2011 Conditional Exception request for a net cut. The location of that project is shown on the attached topographic survey plan, dated September 21, 2010, which is the most recent topographic survey plan provided by PEDA. It is anticipated that, upon completion of the MountainOne Financial Partners project, an updated topographic survey plan showing the change in grade will be provided by PEDA.

8. Inspection Completed: August 16, 2011