

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
New England Office – Region I
One Congress Street, Suite 1100
Boston, Massachusetts 02114-2023**

October 16, 2007

Mr. Andrew T. Silfer
General Electric Company
159 Plastics Avenue
Pittsfield, Massachusetts 01201

Sent via US Mail and Electronic Mail

RE: EPA's Conditional Approval of the *Phase 1 Cultural Resources Assessment (CRA) – Credentials of Archaeologists Conducting the CRA*

Dear Mr. Silfer:

EPA has completed its review of GE's submittal entitled "*Phase 1 Cultural Resources Assessment (CRA) – Credentials of Archaeologists Conducting the CRA*" (hereinafter "Credentials"), submitted August 1, 2007. GE submitted the Credentials as directed by EPA in response to EPA's July 11, 2007 conditional approval of the document entitled "*Corrective Measures Proposal Supplement*," submitted on May 11, 2007. These documents and other submittals are required pursuant to the Reissued RCRA Permit for the GE-Pittsfield/Housatonic River Site ("Permit"), which is Appendix G to the Site Consent Decree.

With respect to work plans or other submittals related to the CMS Proposal, nothing in any of the approval and/or conditional approvals in this letter shall be interpreted to supersede the approval, the conditions in a conditional approval, or the disapproval of such GE submittals, unless expressly stated as such by EPA. EPA reserves all its review and compliance rights under the Consent Decree regarding such GE submittals.

After consultation with the Massachusetts Historical Commission (MA HC) and Board of Underwater Archaeological Resources (BUAR), EPA conditionally approves the credentials with one condition:

- GE shall include on the team an archaeologist qualified in the characterization of submerged cultural resources when preparing the CRA.

GE shall submit the credentials for this individual to EPA for the file and begin the CRA within 30 days of receipt of this letter.

For GE's consideration, EPA has attached the correspondence received from the MA HC, the BUAR and the Mashantucket Pequot Tribal Preservation Officer.

This conditional approval of the Credentials required as part of the CMS Proposal and previous approvals and conditional approvals of related documents, do not alter GE's requirement to submit the Corrective Measures Study and all other submittals under the terms of the Permit.

Sincerely,



Susan C. Svirsky, Project Manager
Rest of River

Attachments

cc: Mike Carroll, GE
Rod McLaren, GE
Kevin Mooney, GE
James Bieke, Goodwin Procter
Susan Steenstrup, MADEP
Anna Symington, MADEP

Dale Young, MAEOEA
Brona Simon, MA HC
Victor Mastone, MA BUAR
James Milkey, MA AG
Don Frankel, US DOJ
Susan Peterson, CTDEP
Kenneth Munney, USFWS
Ken Finkelstein, NOAA
Holly Inglis, EPA
Tim Conway, EPA
Dean Tagliaferro, EPA
K.C. Mitkevicius, USACE
Kathleen Atwood, USACE
Kathleen Knowles, MPTHPO
Cheryl Andrews-Maltais, WTHPO
Sherry White, MTHPO
Mayor James Ruberto, City of Pittsfield
Thomas J. Hickey, PEDA
Scott Campbell, Weston Solutions
Linda Palmieri, Weston Solutions
Public Information Repositories



The Commonwealth of Massachusetts

September 27, 2007
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

Susan C. Svirsky
Project Manager
US EPA Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

RE: GE-Pittsfield/Housatonic River Site, Rest of River (GECD850) Phase I Cultural Resource Assessment. **MHC #RC.5875.**

Dear Ms. Svirsky

The Massachusetts Historical Commission (MHC), the office of the State Historic Preservation Officer (SHPO), and the office of the Massachusetts State Archaeologist, have reviewed the "Phase I Cultural Resources Assessment Work Plan for the Housatonic River—Rest of River," prepared by URS Corporation (URS) on behalf of General Electric Company (GE). EPA's comments (July 11, 2007) on the draft work plan were reviewed, along with the credentials and experience summaries of the URS research team.

The work plan generally describes a research design and methodology to commence a cultural resources survey of an area of potential effect (APE) for an undertaking by EPA to make corrective actions to address polychlorinated biphenyls (PCBs) in the Housatonic River sediments and floodplain soils.

The Phase I survey, called a "reconnaissance" survey in Massachusetts, requires a field investigation permit (950 CMR 70) to be issued by the Massachusetts State Archaeologist, and may require a reconnaissance permit (312 CME 2) from the Massachusetts Board of Underwater Archaeological Resources.

For the State Archaeologist's review, URS should prepare and submit a permit application (950 CMR 70) for a reconnaissance survey. The regulations outline the information required as part of the application. MHC offers the following general comments to assist the Principal Investigator in further developing the research design and methodology to make it more detailed and explicit.

Curricula vitae for the Principal Investigator and the other members of the research team should be included, as well as a description of the URS facilities, equipment, and support staff required to bring the project to a successful completion. As the APE may contain submerged cultural resources, the research team should include individuals who have experience in locating and evaluating ancient and historic period submerged sites. An archaeological curatorial facility for the project data and records (no specimens and samples are proposed to be collected) should be identified. The protocol and methods proposed to preserve the digital data should be described.

Review of previous and relevant research results for the Berkshire region and analogous survey efforts in other regions will be required to prepare the research design. For example, a similar

survey effort was undertaken for the Deerfield River in Vermont and Massachusetts (MHC reports #25-1392 & -2417) and the methodology, predictive modeling, and format of the reports of those studies will provide guidance for the proposed study. The survey that Cassedy undertook along the Housatonic River in Connecticut would be directly relevant. Review of MHC's inventory and cultural resources survey reports on file at MHC should be undertaken at this time. A more explicit predictive model needs to be proposed based on the regional archaeology and history, and the present and past environmental settings of the APE. Operative definitions of the sensitivity typology (no, low, and high, or just moderate and high) should be developed. However, recently many archaeologists have begun to consider survey areas either sensitive or not, with the amount and nature of sampling tailored to the expected size and type of resources that may be located in favorable microenvironmental settings. This approach allows both systematic and judgmental survey strategies across a range of landforms that have been demonstrated to be effective to locate and identify cultural resources. This flexible approach in sampling assists to overcome biases in sensitivity assessments, with an efficient and cost-effective method.

The map included with the work plan is too large a scale to understand the APE or the study/survey area boundaries. USGS locus maps clearly showing the boundaries of the survey area will be required. The USGS maps will assist in identifying a "study area" that can serve as a provisional APE boundary. The nature of the proposed impacts should be characterized. There may be both direct and indirect effects to archaeological and historic resources; some of these effects may be temporary (such as noise or vibration impacts to historic properties) or longer-term.

The use of GIS-based technologies to assemble the data (e.g., soil types and slope, proximity to water, wetlands, and other natural resources, proximity to transportation routes and known areas of settlement and occupation, etc.) is sensible. More details about the proposed "database of known cultural resources" (page 12) should be provided. Please also take into account the dynamics of the river hydrology and previous impacts (e.g., dredging) when evaluating sensitivity. Flood scouring could have removed resources; sediment deposition on floodplains may have buried sites deeply; and dam impoundments could have submerged lands with preserved cultural resources.

Further description of the surface reconnaissance should be provided, particularly the amount of sampling proposed for the surface reconnaissance. Typically, 100% of an APE is subject to surface reconnaissance when the impact areas are defined. For this study, a sampling approach appears to be proposed. How are the areas proposed for surface reconnaissance to be selected as a representative and reliable sample? Additional surface reconnaissance may be recommended once impact areas are defined to verify the remote and sampling assessment of the APE. The "detailed information on terrain, soils, and vegetation" that will be sought and recorded should be more fully described, with the recording protocol explained. Hand-held soil coring should be considered to evaluate subsurface soil conditions in selected areas, including areas of apparent disturbance. Because the survey area contains known hazards, a health and safety plan should be included in the methodology.

Completion of MHC inventory forms should be included in the scope for properties within the APE that appear to be eligible for listing in the National Register. Professional judgment should be exercised for 20th-century properties that may be 50 years old or older, but either lack integrity (e.g., because of vinyl siding, replacement windows, and other modification not in keeping with the original design, materials, etc.), or are not significant because they are of a common and undistinguished type (e.g., modern ranch houses and generic commercial

architecture, etc.). Summary information (photos, maps, age, address, brief description and assessment) of these likely ineligible properties may be prepared for MHC staff review to determine if any of these sort of unexceptional 20th-century properties should require MHC inventory forms.

It is not clear how initial consultation with the Tribal Historic Preservation Officers will occur or whether it will be effective. Some THPOs will not respond to consultants, will not comment on voluminous submittals, and prefer direct government-to-government contacts. EPA should make initial contacts with THPOs to introduce the project and ask the THPOs how they prefer to be consulted during this review, and what kinds of information and in what format they may require.

The report contents should include those elements outlined at 950 CMR 70.14, and should take into account 48 Fed. Reg. 190 (1983). Please note that MHC will require one copy of the draft report for review and comment, and two copies of the final report responsive to review comments, with original MHC inventory forms, and a CD-ROM containing a word processing file that includes the report bibliographic information (authors, date, title, page count) and the report's archaeological abstract.

Please note that under MGL. c. 9, s. 26A and 27C, the State Archaeologist must approve release of archaeological reports and inventory data. Locational data on archaeological sites must not be included in documents prepared for public review to protect the sites. The reports should be clearly marked on the cover and title page, "Confidential. Not for Public Release."

These comments are offered to assist in compliance with Section 106 of the National Historic Preservation Act of 1966 (36 CFR 800), the Secretary of Interior's Standards and Guidelines for Archeology and Historic Preservation (48 Fed. Reg. 190 (1983)), and MGL c. 9, ss. 26-27C (950 CMR 70). If you have questions or require additional information please contact Edward L. Bell at this office.

Sincerely,



Brona Simon
State Historic Preservation Officer
Executive Director
State Archaeologist
Massachusetts Historical Commission

xc:

Daniel F. Cassedy, URS
Kathleen Atwood, USACOE-NED
Victor T. Mastone, Massachusetts BUAR

RECEIVED
SEP 28 2007
REGULATORY DIVISION



The COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
OFFICE OF COASTAL ZONE MANAGEMENT
251 Causeway Street, Suite 800, Boston, MA 02114-2136
Tel. (617) 626-1200 Fax (617) 626-1240 Web Site: www.mass.gov/czm/buar/index.htm

September 24, 2007

Susan C. Svirsky
Project Manager - Rest of the River
U.S. EPA New England – Region 1
One Congress Street, Suite 1100
Boston, MA 02114-2023

RE: GE-Pittsfield/Housatonic River Site, Rest of the River Cultural Resources Assessment

Dear Ms. Svirsky:

In your letter of September 5, 2007, you submitted information for comment to the Massachusetts Board of Underwater Archaeological Resources (BUAR) regarding the proposed Phase I Cultural Resources Assessment for the Rest of the River portion of GE-Pittsfield/Housatonic River remediation project. Given BUAR had previously expressed concerns and commented on the previous archaeological activities related to the 1.5 Mile Reach Removal Action, it is disappointed that it had not been consulted at an earlier date regarding the Rest of the River project. BUAR welcomes this opportunity to consult with USEPA concerning this project. Please note that these comments are restricted to only the consideration of submerged cultural resources and should not be interpreted to reflect upon the treatment of terrestrial cultural resources.

The BUAR staff has reviewed that information and offers the following comments. The basic research design and methodology for conducting an archaeological assessment are described in Appendix A: Work Plan and the USEPA letter of July 11, 2007. The credentials summary and resumes for the URS project team were provided in the GE letter of August 1, 2007. In general, it is unclear how the proposed scope will address the potential for submerged cultural resources and from the credentials that the project staff has experience directly related to identifying or assessing submerged cultural resources. Perhaps the preparation of a revised work plan that incorporated the comments in the July 11 letter would have assisted in alleviating these concerns.

The BUAR staff notes that the Area of Project Effect (APE) is not clearly defined in Appendix A: Work Plan, particularly Figure 1. The scale of Figure 1, roughly 4 miles to the inch, is too gross to provide a clear understanding of the APE. The USEPA letter (dated July 11, 2007, page 3) does clarify the terrestrial extent of the APE. However, it is unclear to BUAR staff why the smaller isopleth is used for Reaches 5 and 6 while the limits of the 100-year flood plain are used for Reaches 7 and 8. While this is likely driven by PCB distribution, this should be articulated in the research design for the cultural resources assessment. Further, it remains unclear that the assessment of lands under water is restricted to solely the limits of Housatonic River proper or extends to the tributaries and other bodies of water found within the limits of the associated flood plains for each Reach. Perhaps, additional figures depicting the APE at a finer scale would clarify this situation.

From our review, it is not clear if the consultant has considered the possibilities for the occurrence of submerged cultural resources or how the proposed methodology will identify inundated sites or sunken water craft. There is no mention of looking for submerged cultural resources. The visual inspection seems to be a judgmental sampling of the APE. Depending on water column conditions and flow, all or most of the lands under water may be obscured from view during a proposed visual survey. The visual survey appears geared toward identifying only on-shore cultural materials. Typically, an underwater archaeological reconnaissance survey would involve a visual inspection by diver and/or remotely operated vehicle as well as a remote sensing survey of the project area. Given the size of the APE, the proponent might consider undertaking such extensive reconnaissance activities in those areas specifically subject to intrusive remediation activities rather than the entire length of the 4 Reaches. Archaeological monitoring, though possibly necessary at later stages of this remediation project, would not be an acceptable alternative to reconnaissance survey.

While the background research methodology provides a general idea of the URS approach, it needs to explicitly address the issue of identifying potential submerged cultural resources. While the BUAR site files currently contain no listings for submerged cultural resources in the APE, this cannot be interpreted that there are no resources. It is simply a gap in data. Corollary experience, particularly within the nearby Connecticut River Valley as well as elsewhere in Massachusetts, strongly suggests the possibility of buried native American sites in the now inundated flood plains, preservation of sunken native American and European vessels/small craft, and industrial structures (mill and dam components). Similarly, numerous isolated finds from these inland waters are indicative of human activities on these waters and erosion of nearby archaeological sites. In addition to consultation with local historical societies, the URS team needs to consider soliciting commentary/observations from local divers, dive clubs, dive shops, police/fire dive rescue teams, and others who may utilize the river.

From a review of the staff credentials for the primary URS team, it is not clearly demonstrated that URS has staff or project experience with submerged cultural resources. While GE and URS note work on the Hudson River PCB Remediation Project, it is not evident that work involved the identification or assessment of submerged cultural resources. From the credentials as presented, the listed individuals do not meet the minimum requirements to serve as project archaeologist as defined in the BUAR's regulations 312 CMR 2.09(4)(d). If the PI does not meet these standards, then URS should identify staff or sub-contractors as part of their research team assigned to this project that meet these standards and possess the requisite experience.

BUAR welcomes the opportunity to provide comments on the proposed archaeological assessment. If you should have any questions or if I can be of further assistance, do not hesitate to contact me at 617-626-1141. Thank you for your consideration of these comments.

Sincerely,



Victor T. Mastone
Director

Cc: Kate Atwood, USACE
Brona Simon, MHC/SHPO (Attn: Ed Bell)
Cheryl Andrews-Maltais, WTHPO
Kathleen Knowles, MPTHPO
Sherry White, S-MTHPO



9-21-07

Ms. Susan C. Svirsky,
Rest of River Project Manager
United States Environmental Protection Agency
EPA New England – Region I
One Congress Street, Suite 1100
Boston, MA 02114-2023

Re: WORKPLAN – PHASE I CULTURAL RESOURCES ASSESSMENT WORK
PLAN FOR THE HOUSATONIC RIVER – REST OF RIVER
GE-PITTSFIELD / HOUSATONIC RIVER SITE, REST OF RIVER PHASE I
CULTURAL RESOURCE ASSESSMENT

Dear Ms Svirsky,

I have reviewed the Work Plan entitled “PHASE I CULTURAL RESOURCES
ASSESSMENT WORK PLAN FOR THE HOUSATONIC RIVER – REST OF RIVER
GE-PITTSFIELD / HOUSATONIC RIVER SITE, REST OF RIVER PHASE I
CULTURAL RESOURCE ASSESSMENT,” submitted by URS Corporation.
The research design and testing strategy meets acceptable professional standards, and I
agree with the recommendations and conclusions.
Please keep me informed of any further developments with respect to this project.

Sincerely,

Kathleen Knowles

Kathleen Knowles,
Tribal Historic Preservation Officer
Mashantucket Pequot Tribe

**MASHANTUCKET PEQUOT MUSEUM
& RESEARCH CENTER**

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