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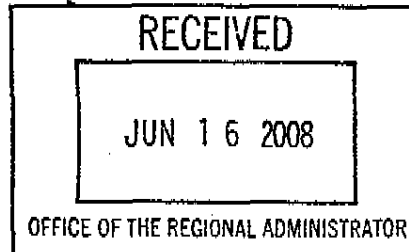
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June 16, 2008

By Hand Delivery

Robert W. Varney
Regional Administrator
U.S. Environmental Protection Agency
One Congress Street
Boston, MA 02114-2023



Re: Housatonic River – Rest of the River Corrective Measure Study

Dear Bob:

I am writing to follow up on our phone call of last week regarding EPA's intended course of action with respect to the Housatonic River Corrective Measure Study. Some of my colleagues have reported that the EPA is contemplating issuing a notice very shortly that will request supplemental information from General Electric (GE) and give GE just sixty days to supply that information. At that time, EPA reportedly intends to close the record and issue a proposed decision as to the selected remedy. As we discussed, while I appreciate EPA's goal of moving the clean-up expeditiously, I am concerned that this potential timeline is unrealistic.

The cleanup of the Housatonic River is an extremely high priority for the Commonwealth, as this natural resource is vital to the well being of the entire Berkshires community. Any decision on the extent and method of the cleanup must be grounded in a thorough assessment of the advantages and disadvantages of all viable approaches. Both the Department of Environmental Protection and the Department of Fish and Game have made clear in their respective comments that there are fundamental inadequacies in the draft study and that much more information needs to be provided before a decision can be made on this matter. We are skeptical that GE can adequately supply all of the information requested by these agencies in only sixty days.

In addition, there is also a need for extensive discussion with GE and other stakeholders. Ultimately, the discussions must consider options that do not lie within the four corners of the

Corrective Measures Study, and that are likely to achieve a consensus allowing a cleanup to go forward. It is not possible to complete these discussions in a mere sixty days.

Moreover, I am also concerned that if EPA attempts to issue a decision without a stakeholder consensus, it is highly likely that the decision will be challenged in court. The legal challenge will distract from the necessary consensus-building process, and the cleanup of the river will be delayed as a result.

For these reasons, I respectfully request a modification of the potential timeline. Specifically, I request that EPA issue a notice requiring GE to prepare a scope of work for a supplemental document to address the comments of our agencies and any additional information that EPA intends to require. The scope of work should include proposed timelines for the completion of the supplemental document. Our agencies and EPA would jointly review the scope of work and the timelines, and modify it as necessary. While this may require additional time for this one interim step—the submission of the document—in the long run it will ensure that all of the necessary questions are answered, give time for additional discussion to reach a consensus on the appropriate remedy, and ultimately lead to a more timely remedy.

Thank you for your consideration of this request. I look forward to following up with you in the next few weeks.

Sincerely,



Ian Bowles
Secretary

cc: Senator Edward Kennedy
Senator John Kerry
Representative John Olver
Commissioner Laurie Burt
Commissioner Mary Griffin