CCC Meeting
Lee (MA) High School
March 26, 2008

Meeting Highlights

Participants: Over 100 people attended the meeting. The list of participants is included in Attachment 1.

Opening Remarks: Suzanne Orenstein, Facilitator for the CCC, opened the meeting with an overview of the procedures and process for the meeting. She described the goal of the meeting, which was for GE to present its proposal for Corrective Measures for the Rest of River (ROR) project in the Housatonic below the area already remediated in Pittsfield, MA. The Consent Decree and the RCRA permit requires GE to evaluate corrective measures for addressing PCB contamination in the Rest of River area, and to submit a proposal for the alternative that GE believes is best suited to meet the review criteria.

Presentation on the Corrective Measures Study: The slides from the presentation are posted on EPA's web site at http://www.epa.gov/ne/ge/publiceventsandmeetings/20080327/286036.pdf. EPA also published a fact sheet describing the Corrective Measures Study presented at this meeting. It can be viewed at http://www.epa.gov/region01/ge/thesite/restofriver/reports/gereportsndocs/285796.pdf.

Andy Silfer, GE Project Manager, and Stuart Messuer from Arcadis, a consultant to GE, presented the results of GE's analysis of the alternatives for addressing the contamination in the Rest of River. Mr. Silfer reviewed the requirements of the Consent Decree, and the organization of the river into reaches for analysis and planning. He also discussed the computer model developed by EPA, which GE is required to use, along with historical and scientific data, to estimate the effectiveness of the various alternatives. He reviewed the criteria that must be used to evaluate each alternative as required in the RCRA Permit.

Mr. Silfer explained that GE identified a range of potential remediation techniques and eliminated what was not technically feasible or implementable. The remaining alternatives were studied in detail during the study. The results of the evaluation led GE to conclude that the combination of alternatives SED 3 (sediment), FP 3 (floodplain), and a local upland disposal facility would be best suited to meet the evaluation criteria in their opinion.

This combination of alternatives would involve removal with capping, of approximately 167,000 cubic yards of river sediment and bank soil over 42 acres of the river between the confluence and the vicinity of New Lenox Road (approximately 5 miles), apply monitored natural recovery (MNR) in Reach 5B (approximately 2 miles) and the upper 1.8 miles of Reach 5C, and apply enhanced monitored natural recovery through the placement of a thin-layer cap in an additional 97 acres of river in the downstream portion of Reach 5 C (approximately 1.5 miles) and Woods Pond, with MNR in the remaining areas downstream. In addition, this combination of alternatives includes the removal of approximately 60,000 cubic yards of soil from 38 acres of the floodplain. In this combination of alternatives, the river sediment and bank and floodplain soil removed would be contained in an upland disposal facility located in an area near the river but outside of the 100-year floodplain. GE estimates that following design and site preparation,

these alternatives could be implemented within 10 years at a cost of approximately $184 million. GE noted that it has included reservation of rights to dispute resolution in the CMS Report, and that the proposal does not constitute a proposal to implement these alternatives.

Stuart Messuer, GE's consultant on the CMS from Arcadis, presented a detailed overview of the comparison of the alternatives against the evaluation criteria. The evaluation criteria include:

- Remedial Action Objectives
  - Reduction of risks to human health
  - Reduction of risks to the environment
  - Elimination/minimization of long-term downstream transport of PCBs and control of sources of release to the river

- General Standards Specified in the Permit
  - Overall protection of human health and the environment
  - Control of Sources of Releases
  - Compliance with applicable or relevant and appropriate federal and state requirements (ARARs)

- Selection Decision Factors
  - Long-term reliability and effectiveness
  - Attainment of Interim Media Protection Goals (IMPGs)
  - Reduction of toxicity, mobility and volume of PCBs
  - Short-term effectiveness
  - Implementability
  - Cost

The full two-hour presentation is best summarized in the fact sheet and presentation slides, as noted above.

Questions and Comments on the CMS

Comment: The numbers in the model GE used are not based in reality. A product is being sold here through GE spin.
A: GE has used EPA's model. It is the best tool we have for calculating the effect of potential remediation alternatives.

Q: What type of remediation would it take to get 5A fish edible (below IMPGs)?
A: In GE's opinion the model is telling us that even with SED 8 we will not achieve concentrations in fish below the IMPGs. There is no alternative that produces fish that can be consumed in unrestricted quantities for the northern reaches.

Comment: GE's proposed alternative never gives us clean edible fish in MA. However, other alternatives do. There is no invisible screen between reaches to prevent contaminated fish from migrating. Fish from Reach 5A and Woods Pond will mingle.

Q: How does model deal with high flow events?
A: The model is set up for a 52-year period. It uses historical records and includes a simulated extreme storm, based on the largest storm on record, a hurricane that occurred in the mid-1930's.

Q: Do the time frames you estimated include time for restoration?
A: The time frame includes time to do the removal and construct the restoration and but does not include the time for monitoring the restoration, which will be ongoing.

Q: Aren't there significant challenges for mitigation and restoration?
A: In GE's opinion the ROR restoration will be very challenging, especially for wetlands.

Q: Could the estimates for how long the remediation will take change as work proceeds?
A: The first two miles took seven years to remediate. We did discuss our projected rates of progress with EPA and they were accepted. We need to go from north to south to minimize re-contamination. Thus, simultaneous restoration in upper and lower reaches does not seem feasible.

Comment: I question your findings regarding thermal desorption. My analysis of the BioGenesis Report shows that they could take 50 ppm to 5 ppm. With another pass the concentration might be further reduced and then the technology could be useable. The GE presentation on that technology is completely one-sided.
A: GE is happy to look at the commenter's data.

Comment: Truck trips are estimated and quantified to worry people. There are railroad tracks right next to the site that could be used to transport contaminated material. Also, there is mention of community acceptance as one of the evaluation criteria. The community does not give a hoot about cost. GE owes it to community to do the best clean-up possible.

Comment: I want to thank Susan Svirsky for all she has done to help citizens understand the remediation. I am a Pomeroy Resident who has followed the cleanup from the beginning. GE invoked fear in Pittsfield about Superfund, and proceeded with the Consent Decree process that was negotiated behind closed doors. No community other than Pittsfield was invited. I urge people to be cautious if you participate in or support this process. The river will resemble an urban drainage ditch, not a river, and the river will be lost. Don't accept anything less than perfect. There is conspiracy on GE's part, but they need to do the right thing.

Q: I am an abutter near GE land. What are potential sites for the proposed upland disposal facility?
A: No determination has been made at this point. The plan for location will not evolve until EPA approves the CMS. Properties recently acquired by GE are not appropriate for siting a landfill, and there is no plan to put the landfill there.

Q: Does GE have to clean up their newly purchased property?
A: Yes, GE will clean up those properties to appropriate standards.

Q: Am I understanding correctly that the land disposal facility will be designed to hold PCBs greater than 50 ppm? Hill 78 doesn't have PCBs greater than 50 ppm. They were shipped off-site to Buffalo. What are the site locations?
A: Yes, the landfill would have PCBs greater than 50 ppm. It would be located outside the 100-year floodplain. For concentrations greater than 50 ppm, a liner and other controls are required. The upland landfill facility would have these controls. GE is not discussing potential locations at this time.

Q: I live on the river and am concerned about removing steep banks and mature trees in certain restoration areas.
A: For purposes of CMS estimates, we assumed that in Reach 5A we would address all contaminated banks. That can be fine tuned later for specific locations.

Comment: We have a very sad situation. The Housatonic River will not ever be beautiful and enjoyed. GE ruined the resource.

Comment: GE takes great pride in how they enrich lives through technology, but this remedy is low tech. I urge GE to look at better ways to approach this. Please consider the quality of life in Berkshire County.

Q: In the summary of the Consent Decree, it was stated that groundwater under the City of Pittsfield would not ever be useable. Is there any ground water component to CMS?
A: Don't recall what was said about ground water in the Consent Decree, but there is no groundwater component to the CMS as groundwater is not an issue for Rest of River.

Q: Typical health risks revolve around eating fish and recreation activity. What is the risk due to volatilization during remediation?
A: There was regular ongoing air monitoring during the 2-mile remediation. Air monitoring results were all below EPA risk levels. There also was real time dust monitoring around the work site, with procedures in place to control volatilization there.

Comment: I have PCBs on my property that will never be cleaned up. If I have to sell my property, I have to tell the buyer that my PCBs will never be cleaned up. Private residential property owners are going to be left holding the bag.

Comment: There is a great deal of intelligence, resources, and creativity in this room. We have to abandon the idea that PCBs are a color on a chart and give up reliance on the model and its predictions. GE should have been forced to have competition between bidders/contractors for the best possible clean up. Then perhaps we would have had a very different presentation. We in Berkshire County are left with EPA to be the protection agency. We hope EPA will come up with solutions that do work, and are creative.

Comment: My organization was organized to address the CT impacts of the PCB contamination. Unlike some other environmental organizations, we do not take money from GE. EPA has written off CT because it has accepted MNR for the CT portions of the river. MNR is not enough. We have contaminated dams, floodplains, and ducks, and they should be addressed.

Presentation on the EPA Review Process

Susan Svirsky, EPA Project Manager for the Rest of River, presented an overview of the process EPA will use to review and approve or disapprove GE's CMS. The steps include:

- An informal public comment period starting on March 22, 2008.[1]

[1] The informal public comment period end date was extended to May 20, 2008 after the CCC meeting.

- After review of GE's submittal and receipt of the public input, EPA can approve the GE proposed plan, conditionally approve it, or disapprove it.
- If EPA conditionally approves the CMS, GE will need to revise the CMS to meet EPA's conditions and/or requirements. If EPA disapproves the CMS, then GE must address the deficiencies or EPA will make its own modifications to the CMS.
- EPA will develop the Agency's preferred remedial alternative or set of alternatives based on the information provided in the CMS. This Preferred Alternative will undergo regional and national EPA review for consistency with remedies implemented or proposed for other hazardous waste sites and the degree of achievement of the criteria.
- After these reviews, EPA will propose the Preferred Alternative for formal public comment as a draft modification to the RCRA Permit. Following closure of the public comment period, EPA will consider the comments received and issue a final decision and a Responsiveness Summary addressing the comments received.
- Prior to the issuance of EPA's final remedy decision, GE has the right to invoke administrative dispute resolution.
- The final cleanup decision is subject to appeal by GE and the public to EPA's Environmental Appeals Board (EAB) and subsequently the US Court of Appeals. During appeals, there are provisions for design of the remedy to take place as the appeals progress.
- Upon completion of all appeals, GE is required to implement and pay for the remedial action under the Consent Decree.

Questions and Comments re: EPA Review Process

Q: To whom should our informal comments be directed?
A: Submit to Susan Svirsky.

Q: Is EPA limited to the alternatives presented by GE?
A: We can mix and match parts of alternatives if we think that will improve the outcome.

Q: Is tonight's public presentation by GE required by the Consent Decree?
A: No, EPA requested that GE present their proposal.

Q: If EPA could take over CMS, when does that happen?
A: EPA has an option to modify the CMS if we disapprove it.

Q: Last summer, when GE invoked Dispute Resolution, did that become part of the public record?
A: Yes, the communications are posted on EPA's website and in the repositories.

EPA-GE Housatonic Project Citizens Coordinating Council

Attendance
Lee High School
March 27, 2008

Name	Organization
CCC Members	
Thelma Barzottini	Citizens for PCB Removal
Barbara Cianfarini	Citizens for PCB Removal
Michael Carroll	GE
Shep Evans	Hous. Valley Association
Benno Friedman	Sheffield
Tim Gray	Hous. River Initiative
Judy Herkimer	Hous. Env. Action League
Tom Hickey	PEDA-City of Pittsfield
Andrew Madden	MA Dept. for Fish & Wildlife
Jim McGrath	Pittsfield Parks Dept.
Dennis Regan	Housatonic Valley Assoc.
Andy Silfer	GE
Susan Steenstrup	MA DEP
Susan Svirsky	U.S. EPA
Dean Tagliaferro	U.S EPA
Jane Winn	Berk. Envir. Action Team
Dale Young	MA Natural Res. Trustees
Public	
Mr. & Mrs. Walter Elwood	
Diana Chihai	BCC Student
Suzanne White	BCC Student
Michele Henderson	BCC Student
Bob Kelly	
Kathi D'Amato	
Jay Mendoza	BCC Student
Audrey Fredette	BCC Student
Bryan Emmett	Berkshire Natural Resources Council

Name	Organization
Charles Daly	
John Sontag	BioGenesis Enterprises
John Krob	BioGenesis Enterprises
Kathy Kessler	Berkshire Envir. Action Team, Housatonic River Initiative
Peter deFur	ESC and Housatonic River Initiative
Carolyn Sibner	Housatonic Valley Association
Mr. & Mrs. Keven Chittendon	Berkshire Scenic Railway
Bill & Chris Coan	
Mr. & Mrs. Paul Gloger	
James Robillard	
Jim Czelusniak	Weston Solutions
Dick McGrath	SHD, Inc.
Rich DiNitto	SHD, Inc.
Mike Argue	Weston Solutions
Rich Fisher	US EPA
Scott Campbell	Weston Solutions
Richard Hull	US EPA
Mike Ward	Pittsfield
David Zatorsk	
Steve Pavlosky	Lenox Board of Selectmen
Amdy Gordon	Housatonic River Initiative
Barbara Kellog	Lenox Board of Health
Carrie Saldo	WAMC Radio
Robert Cuthriell	John Adams Associates
Paul Saville	
Steve Garrity	
Yvonne Borsody	Berkshire Environmental Action Team, HRI
Tim Moore	Maxymillian Technologies
Blake Davis	
Leslie Davis	
Mike Kelley	Berkshire Record
Gordon Bailey	Lee Selectman
Bob Nason	Lee Town Administrator
Terri Tulgan	
Gerard Reder	
Edward Provencher	

Name	Organization
Lisa Provencher	
Edmund Dana	
Susan Dana	Lenox Resident
Robert Munch	Lenox Resident
Richared Celli	
Gayle Tardif Raser	MA Audubon
Greg Federspiel	Lenox Town Manager
Joseph Moran	
Lisa Levernoch	BCC Student
Philip Gitser, Jr.	Lee Sportsmen/Ducks Unlimited
Kevin Gayner	Jacobs Engineering
Kathy Sferra	MA Audubon
Valerie Andersen	
Bill Jerome	
Kathleen Jerome	
Charlie Cianfarini	Citizens for PCB Removal
Mike Gorski	MA DEP
Jane Tothchild	MA DEP
Tim Conway	US EPA
Rich Cavagnero	US EPA
Ken Finkelstein	National Oceanographic and Atmospheric Administration
Bob Cianciarulo	US EPA
Nat Karns	Berkshire Regional Planning Commission
Gretchen DeBartolo	Property owner on river
Mario DeBartolo	Property owner
Carl Kronberg	Trout Unlimited
Leanne Parsons	
Rich and Liz Williams	Property owner on river
John Hyson	Stockbridge property owner on river
Nick Nadorff	Stockbridge Gas Co.
Rod McLaren	GE
Dick Gates	GE
Peter O'Toole	GE
Joseph Simon	BCC Student
Sarah Hudson	Berkshire Regional Planning Commission
Kathy Orlando	Sheffield Trust