

**Citizens Coordinating Council for EPA-GE Housatonic Project
Herberg Middle School
Pittsfield, MA**

June 23, 2008

Meeting Highlights

Participants: The list of participants is included in Attachment 1.

Introductions: Suzanne Orenstein, facilitator for the meeting, welcomed the participants and reviewed the agenda. She noted that the primary focus of this meeting would be on remediation projects in Pittsfield.

Ms. Orenstein reported that EPA had received a request from the Housatonic Clean River Coalition to have two representatives on the CCC, and that EPA had agreed to the request. All CCC members introduced themselves, and the new members described their organization and distributed a partial list of its members. Ms. Orenstein distributed a copy of the CCC Operating Procedures as a reminder about the purpose of the group and the process for adding new members. The Procedures are attached to this document.

Updates on Pittsfield Remediation Activities

Dean Tagliaferro, EPA Project Manager for the Housatonic remediation, provided updates on several activities being undertaken under the Consent Decree (CD) that governs the remediation. Using a map of the Remediation Action Areas (RAAs) he described work that was ongoing and scheduled for completion soon. Those projects included:

- Capping of the Hill 78 landfill, which is 50% complete
- Removal of contaminated soil for the wetland area near the Allendale School. Dean noted that 1700 cubic yards of contaminated soil were removed and disposed in the Hill 78 landfill. The area is currently fenced to protect emerging vegetation, but the fence will be removed in the coming weeks.
- The relocation of storm drain and sanitary sewer lines below Hill 78 is almost complete. Restoration work is the last step. The old storm and sewer line pipes under the landfill were cut, capped, and filled with flowable concrete to ensure they would not serve as pathways for contamination.
- In the East Street Area 2-North, 800 cubic yards of contaminated soil were removed and sent to an offsite TSCA-licensed disposal facility.

Dean continued with updates about remediation projects that would be started or completed in the 2008 construction season. He presented the following updates.

- In the Hill 78-Remainder Area, GE is required to excavate and dispose of 950 cubic yards of material. Approximately 250 cubic yards was removed in conjunction with

the pipeline relocation project. The remaining 700 cubic yards will be disposed of to an off-site licensed landfill.

- A portion of the area referred to as East Street Area 2 North is going to be transferred to the Pittsfield Economic Development Authority (PEDA) for redevelopment. Several buildings will be demolished. Building materials with 1 ppm PCBs or less will be crushed and reused as fill on the site. Contaminated material between 1 ppm and 50 ppm will be disposed of at Hill 78. All material with more than 50 ppm PCB will go to an offsite licensed facility. GE estimates the project will take sixteen months to complete.

At a later point in the meeting, EPA noted that they may propose a modification to the CD to clarify that the material with less than 1 ppm can be used for fill on the PEDA site. EPA will inform the CCC about the modification as it is developed.

- For the area south of East Street (the former 60s complex) GE will be taking down some buildings, and 16,000 cubic yards of soil will be removed and sent off-site. GE is required to install a 200-foot buffer area with grass and an engineered vegetative barrier as part of this project.

Questions and Comments on Current Remediation Projects

Q. You said that Lakewood Park will not be remediated. What are levels of PCBs there?

A. EPA recalls that they are less than 2 ppm.

Q. What will happen to the material removed from East Street Area 2 – North?

A. Some building demolition debris will be reused on site. Other building demolition debris will be going to Hill 78. Hill 78 has approximately 15,000 yards of remaining capacity. The remainder of the material will be going to an offsite licensed facility.

Q. Have any new wells been sunk near Hill 78 during the relocation of the storm and sewer drains?

A. GE will relocate two of the wells affected by the sewer relocation project this summer. There are ten or more additional wells that were not affected by the drain relocation project.

Presentation on Unkamet Brook

Jim Nuss, GE's consultant from Arcadis on the Unkamet Brook project, presented a status report of work on the remedial action area, RAA 10. Dean Tagliaferro had earlier explained that RAA 10 was one of the action areas yet to be addressed. Mr. Nuss reviewed the CD requirements for the site, and described the characterization and monitoring activities that have been underway for several years.

The site consists of a stream (Unkamet Brook), the interior landfill, a former chemical settling pond, industrial areas, and a large inundated wetland. The CD requires that the landfill be capped and the brook returned to its original course, and thus

characterization of that portion of the RAA has been conducted only to the extent necessary to plan for the cap and rerouting the brook. GE and its contractors have been investigating soil and groundwater contamination since 2002 for the entire RAA. NAPL-related monitoring and recovery for groundwater has been ongoing.

GE anticipates that a conceptual remedial design work plan for soil contamination will be completed by mid-2009, and that long-term groundwater monitoring will be specified following the soil remediation activities.

Questions and Comments on Unkamet Brook

Q. Years ago, GE workers talked about plans for injection wells that would have injected waste into the aquifer near this area. The aquifers were found at that time to be contaminated beyond the point that remediation is possible. Are there standards for the Unkamet Brook remediation that can be protective of the aquifers?

A. By GE's consultant. The standards for the groundwater near buildings will be the MCP GW-2 groundwater standards. Everything else will be covered by the MCP GW-3 groundwater standards. There is no plan to address anything related to the aquifer, which is not covered by the Consent Decree (CD).

Q. Who used the Unkamet Brook interior landfill and what was placed in it? How deep did substances go?

A. By GE's consultant. Not sure of the full details.

Q. Has the former chemical settling pond area been characterized?

A. By GE's consultant. Yes, and the wells are being monitored.

Q. It seems like the inundated wetland cleanup standard is less stringent? Why?

A. By GE's consultant. The standard is 1ppm, which is a more stringent standard.

Q. Why wasn't this area (Unkamet Brook, RAA 10) remediated first, given the upland nature and degree of contamination?

A. By EPA. The City of Pittsfield is investigating the upstream watershed, and plans to improve it. EPA and GE are hoping to coordinate this action with the City's efforts. Also, the priority was placed on remediating the non-GE-owned properties when the schedule of remediation projects was developed, and this is a GE-owned property.

Comment: Several CCC members expressed outrage at the existence of an unremediated landfill in the center of Pittsfield, and at the plan to cap the landfill with no remediation. The suggestion was made to have a more lengthy presentation on the status of the landfill at a future CCC meeting.

Presentation/Updates on Silver Lake Remediation

Andy Silber, GE project manager, provided a brief update on the progress of the Silver Lake capping project. He reminded the group that there are several components of the project that need to be coordinated, including the bank soil remediation, bank

stabilization, and sediment capping. GE's contractors are currently creating the conceptual design for the cap, and expect to submit a report in July. For the bank soil remediation, samples have been submitted for EPA review. GE expects to start work on the remediation in 2009 and the work will extend into 2010.

Kenneth Munney of the U.S. Fish and Wildlife Service (USFWS) and one of the Natural Resource Damage Assessment Trustees presented a proposal from the trustees for a partial removal of contaminated fish from Silver Lake prior to the capping and remediation work. The fish removal operations are slated to begin in 2008. He noted that the fish tissue studies and survey of the fish communities led the trustees to conclude that the largest size classes of carp, goldfish, largemouth bass, yellow perch, white sucker and sunfish may contribute to elevated PCB levels in sediment in the future and should be removed to protect the proposed remedial actions. Specifically, as the fish die, PCBs in the fish will end up on the lake bottom. Smaller size classes of representative warm-water species will be left to repopulate the lake naturally, and no restocking of the lake will be conducted.

Fish will be collected by electro-shocking and gill netting. The fish will be removed and containerized for disposal at an offsite TSCA-regulated landfill. USFWS and the MA Dept. of Fish and Game will be conducting the fish removal operations.

Questions and Comments on Silver Lake

Comment: The community was looking for more restoration of the fish community than you describe. Using the restoration funds for the fish removal seems to set us back on the restoration front.

Response: Part of the problem regarding restoration is that the NRDA Trustees would be liable in perpetuity for any damage to the cap from restoration, and that is not a responsibility the Trustees can accept.

Q. Are there other areas where this type of fish removal has been successful?

A. USFWS is not aware of another area where this method was used for a contamination issue.

Q. Was the pilot project on the Silver Lake cap considered a success?

A. By GE. For the most part, GE may make some small modifications to the plan based on the pilot results.

Updates on MA DEP Remediation Projects

Susan Steenstrup, MA DEP Coordinator, presented several updates on remediation projects that are under the supervision of MA DEP.

- *Hope St. and Radcliffe Ave.:* Soil remediation was completed in February 2008, and wetland restoration was completed in April 2008.

- *Westwood Road:* A remedial action workplan is under review. Work will commence in the fall of 2008, following the collection of samples for non-PCB constituents. This is the schedule requested by the property owner.
- *Crane Ave.:* Eighteen soil samples were taken in the spring of 2008, after the property owner presented credible evidence of fill potentially related to the GE facility. The results were received in June, and all were under 0.05 ppm for PCBs. No further investigation is planned.
- *Sackett St. and Hathaway St., near Newell St. II:* The residential properties adjacent to these streets were assessed up to the fence line and remediated up to the property line in 1999 under the residential fill program. At that time, the boundaries of the Consent Decree Newell Street Area II Site had not been established. The Consent Decree boundaries for Newell II encompass the properties located east of the fence that runs down undeveloped Sackett Street and the portion of undeveloped Sackett Street that lies within the fenced-in area. GE will now investigate the portion of undeveloped Sackett Street that is located between the residential properties and the fence. DEP expects GE to submit a plan soon that outlines its approach to assess and remediate (if necessary) this undeveloped strip of land to a 2 ppm cleanup level.
- *East Street Area I- South at Newell St.:* Soil remediation was conducted in May 2006 on one part of this site. GE conducted monthly outfall and riverbank inspections in 2006 to ensure that none of the utility trenches were serving a preferential pathways conveying residual oil from East Street across the site to the river. Another component of this project was to confirm if basements contain sumps and to clean sediments from the sumps if they existed. Most sumps were cleaned in 2006, but after repeated attempts by GE and DEP to contact three property owners, GE finally received responses from two of them. Both stated that they did not have sumps in their basements. Completion of all work at this site is expected after DEP approves GE's amended Phase II investigation Report, submitted on May 28, 2008.
- *Dalton Ave.:* GE has done iterative soil sampling since March 1997. Activities under GE's Phase IV Remedy Implementation Plan are in process. GE obtained a Massachusetts Environmental Policy Act (MEPA) Certificate and wetland- and water quality-related permits in late 2007/early 2008. In April 2008, GE submitted a NPDES permit request that would allow GE to use its on-facility water treatment plant for this project. The NPDES permit request was conditionally approved in June 2008, with a requirement for monitoring for metals. GE has hired a remediation contractor and expects to complete the remediation in two or three months.
- *Commercial St.:* After the Phase IV Remedy Implementation Plan was approved by DEP in April 2008, an application for MEPA review was submitted in May 2008, and a scoping session will be held on June 24. After that a Notice of Intent will be filed, as well as a Massachusetts Endangered Species Act (MESA) application, due to concerns for wood turtle and American bittern. Work is expected to begin in fall 2009 and take two months to complete.

- *Springside Reservoir:* On March 6, GE removed the three welded metal covers on the roof of the reservoir and took photos of the portions of the interior that were visible from the openings. No sediment samples were collected for analysis, since neither GE nor DEP representatives observed any sediments on the floor of the reservoir. GE's investigations turned up old drawings showing an intake pipe for the reservoir extending 100 feet into Silver Lake. These investigations also determined that GE had plugged that pipe in 2002. DEP concurs with GE that no further action is needed at this time relative to the reservoir or pipe.
- *West Branch:* GE submitted an Environmental Notification Form and no EIR is required for work on the West Branch. GE negotiated access with the City of Pittsfield, and submitted a request for an NPDES Permit to allow treatment of water at GE's on-facility treatment plant. The NPDES Permit was approved on June 16, 2008 and required monitoring of discharges for metals. The Corps of Engineers Section 404 application was approved on June 2, 2008, and the Wetlands Protection Act's Order of Conditions, 401 Water Quality Certification and Chapter 91 License are currently pending. The Request for Proposals (RFP) for remedial contractors is being readied, and a late summer/early fall start date is expected. DEP will sponsor a community meeting prior to the beginning of the project. It will take three to five weeks to complete the project.

Comments and Questions on DEP Updates

Comment: It is astonishing that it is OK to have PCBs in sumps.

Response: By GE. There is a cleaning component to the sump pump work.

Q. Where was the one sump that was not sampled?

A. A property located on Fasce Street

Q. What is the outstanding issue at Commercial Street?

A. By GE. We are sampling indoor air for chlorobenzene and other volatile organic compounds (VOCs). GE is not the source of any petroleum-related VOCs at the site.

Presentation and Discussion on Modification Seven to the Consent Decree

Tim Conway, EPA's regional counsel for the CD described the recent modification to the Consent Decree that involved GE's transferring its interest in the on-site power plant to another operator. The CD requires Environmental Restriction Easements (ERE) on the property, and those EREs are not yet in place. GE is not transferring the property, just its interest in the power plant, and GE remains responsible for completing the ERE and for long-term monitoring of the land. The City of Pittsfield and the Pittsfield Economic Development Authority (PEDA) were informed about the modification.

Q. Are the water supply wells going to be tested and who pays for it?

A. They have been and will be tested every six months and the owner pays for it.

Q. Why wasn't the CCC told of this modification before it occurred?

A. EPA viewed this as a real estate transaction, and GE was keeping responsibility for any contamination.

Comment: The CCC has been advised of proposed modifications in the past. This is another example of the erosion of the public process that the CCC used to represent.

Q. Could we have a policy that if a modification is being considered, it is disseminated to the CCC in advance?

A. Yes, under most circumstances.

Update on Rest of River Corrective Measures Study

Susan Svirsky, EPA Project Manager for Rest of River (ROR) noted that EPA is wrapping up its review of GE's Corrective Measures Study for the Rest of River. EPA has significant concerns, which will be outlined in an EPA letter to GE that may be more than 30 pages in length. EPA plans to publish a public fact sheet summarizing its letter to GE. Susan noted that even if EPA approves the CMS with conditions, it does not mean that EPA is accepting GE's proposal. GE can be asked to supplement the CMS with the information that EPA requests, and EPA can use that supplemental information in its selection of the remedy. Susan noted that MA DEP and GE have submitted letters to EPA about the CMS, and these letters are posted on EPA's web site. EPA is hopeful that its response to GE will go to them within the month.

Additional Comments from CCC Members

The representative from HEAL asked EPA about its involvement in several bridge construction projects that are planned for bridges in CT. Because bridges are being removed, contamination from disturbed sediment can be an issue. Bridge removals are occurring in Falls Village and work is proposed at Stevenson Dam. The HEAL representative mentioned that HEAL intends to notify property owners adjacent to construction.

Future Meetings

CCC members suggested the following topics for future meetings. The next meeting will most likely be in the fall.

- A presentation on the interior landfill at Unkamet Brook
- Update on the Silver Lake project
- Next steps on the CMS for Rest of River

In addition, MA DEP will conduct a meeting on the Dorothy Amos Park/West Branch prior to the initiation of remediation activities.

The CCC also asked to be kept informed about the proposed modification to the CD to address the issue of reuse of debris from Area 5 (East Street Area 2-North) as fill on the PEDDA property.

**EPA-GE Housatonic Project Citizens Coordinating Council
Attendance June 23, 2008**

Name	Organization	Email Address	Attended
Members			
Valerie Anderson	Hous. Clean River Coalition	Vander4@verizon.net	X
Thelma Barzottini	Citizens for PCB Removal		X
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Jeff Cook	Downtown Pittsfield	cjcook@cainhibbard.com	
Shep Evans	Hous. Valley Association	shepevans@yahoo.com	X
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Tim Gray	Hous. River Initiative	housriverkeeper@verizon.net	X
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Tim Conway	U.S. EPA	Conway.tim@epa.gov	X
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Additional Attendees			
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Charlie Cianfarini	Citizens for PCB Removal	ccianfar@mcla.edu	X
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Jack Dew	Berkshire Eagle		

Rich Fisher	U.S. EPA	Fisher.Richard@epa.gov	
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Procedures for CCC Operations Accepted, October, 2005

Purpose (as proposed in 1998):

- To serve as a vehicle for community involvement in the implementation of the settlement agreement between GE/Pittsfield and the government.
- To be a mechanism to ensure that all parties to the negotiated agreement are able to honor their commitment to listen to, to learn from, and incorporate the ideas and concerns of the community to the greatest extent possible.
- To enable representatives of diverse interests in the region to communicate with each other, and to provide community input and structured feedback to GE and the government.

Scope

The scope of the CCC is to address topics related to PCB clean up in Pittsfield and in and around the Housatonic River, especially issues related to implementation of the Consent Decree.

Role of the EPA and State Departments of Environmental Protection

EPA has the lead in the CCC for issues related to implementation of the Consent Decree. MA DEP, and CT DEP when applicable, has the lead for PCB issues not covered by the Consent Decree. "Lead" means that they are the starting point for discussion and resolution of issues, and they are the key decision makers on those issues.

Membership

Criteria for Membership:

For the CCC to function as a forum for community dialogue, membership should include representatives of interest groups from all or most segments of the community (for example, environmental advocates, business interests, state, local and federal government, river users, abutters, etc.) Membership seats should be limited to 30 entities to preserve the ability for in depth conversations during meetings. In consultation with the facilitator and the CCC, EPA will invite members to achieve a balanced group of participants from a cross-section of the affected public interests.

Ideally, members should

- Represent a constituency that is affected by the clean up (rather than an individual who represents just him or herself)
- Be willing to commit to (1) attending meetings, (2) participating constructively in the meetings, and (3) reaching back to their constituency with information and bringing concerns of their constituency to the CCC.

- Represent interests that, if added, would improve the balance among various stakeholder groups on the CCC.

Roles and Responsibilities of Members

Members are expected to:

- Strive to attend all meetings or send an alternate.
- Bring concerns and information from constituencies to CCC meetings. This assumes checking in with them before and after meetings.
- Accept that each constituency is one segment of the larger community, and that all views are important to include in the dialogue.
- Maintain and act with respect in meetings, defined as treating every individual, including those you disagree with, in a way that:
 - Gives them the benefit of the doubt,
 - Does not start with the presumption of negative motives,
 - Avoids accusations, and
 - Is consistent with how you would want to be treated.

Meeting Procedures

- The CCC is not a negotiating forum. Community input and information exchange will be the focus of meetings.
- CCC meetings are open to the public and the press.
- Meetings will be facilitated and meeting highlights will be drafted by the facilitator and posted on the website for the remediation project.