

**EPA-GE Citizens Coordinating Council Meeting  
Herberg Middle School Café  
Pittsfield, MA**

**April 7, 2009**

**Meeting Summary**

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

**Introduction:** Dean Tagliaferro opened the meeting and introduced the new CCC Facilitators Patrick Field and Kate Harvey from the Consensus Building Institute.

Patrick Field, Facilitator, reviewed the agenda and noted that the meeting would cover several topics and updates, including:

- Updates on remediation projects
- MassDEP lead activities
- Silver Lake Walkway
- NPDES permit status
- Rest of River Corrective Measures Study

He asked for comments on the December 10, 2008 CCC Meeting Summary. He agreed that in the future, Meeting Summaries would be distributed prior to the meeting to allow CCC members time to review and offer comment on the content.

**EPA Updates on Remediation Projects**

Dean Tagliaferro provided an update on ongoing remediation activities. He explained that there are 19 areas outside of the River that GE is responsible for remediating; fifteen of those areas are substantially completed and four areas are remaining. Specifically:

- The Hill 78 area is nearly complete. Building demolition debris from East Street areas is targeted to be transferred to the site in spring 2009.
- The Silver Lake Area includes riverbank, sediment, and Natural Resource Damages (NRD) components. The Conceptual RD/RA Work Plan for the Bank Soil has been approved. The Conceptual RD/RA Work Plan for Sediments is conditionally approved, and GE will submit an Addendum to this Work Plan in April. The bank soil, sediment and NRD components will be combined into a single, final remediation work plan, which is expected in late November/December 2009. Remediation work may begin in summer 2010.
  - In response to a question, Susan Svirsky noted that there are no problems with the Silver Lake modeling process.
- The East Street Area 2 – South/60s Complex work also includes a NRD component. An Addendum to the Work Plan is expected in April and a final remediation Work Plan is due in Fall/Winter 2009. The remediation work is expected to begin in 2010.

- Demolition work has been completed at Buildings 63, 63X, and 68. The debris has been sized and tested and will be disposed in Spring 2009 at Hill 78; with some debris being disposed of off-site. The site will then be ready for final remediation.
- The Conceptual RD/RA Work Plan for the industrial or “West” portion of the Unkamet Brook Removal Area was submitted by GE in February 2009. The Conceptual RD/RA Work Plan for the remaining section of Unkamet Brook was submitted in March, and is being reviewed by the agencies.
- In response to a question about coordination at Unkamet Brook, Dean explained that EPA is coordinating upstream work with GE and with Pittsfield on an ongoing basis.
- In addition, GE is currently preparing for inspections, monitoring, and maintenance of the 15 actions that GE has already completed. GE must meet certain performance standards established in the CD.
- PEDA is engaged in preparation activities on the property that was transferred to them, including removal of asphalt/concrete surface features, installation of new water and sewer utility lines, and installation of drain lines from the new water quality sedimentation basin to outfall into Silver Lake. PEDA currently has a NPDES permit and will be issued a new permit when/if it is reevaluated.
  - A CCC member asked EPA to describe any specific issues or problems between the Agencies and GE on Silver Lake and if there were going to be any revisions to the CD. Dean responded that there are no outstanding, significant issues to resolve. After many iterations, EPA and GE resolved their differences of opinion on that. It took several iterations because there was a lot of data and EPA needed to be sure that GE meets the requirements of the CD. Also, there are no modifications to the CD anticipated at this time.
  - A CCC member asked if the CD identifies a date when well or fish monitoring will end. Susan responded that EPA envisions that fish monitoring will continue for the foreseeable future. Dean responded that each remedial action has its own monitoring requirements, and that some wells have already been removed from the monitoring program.
  - CCC members asked about monitoring requirements in the Half mile. Dean responded that sediments are sampled at five-year intervals for up to fifteen years. EPA would then review the data and determine if monitoring would continue.
  - He was asked what triggers would terminate groundwater monitoring-and what assurances are there that PCBs will not migrate? Dean responded that Hill 78 will be monitored in perpetuity. There are criteria that EPA considers in its decisions to close wells, including upgradient sources.
  - A CCC member commented that there could be barrels of contaminants located deeper in Hill 78 and likely PCB contamination near groundwater, and that there is no liner in the ravine [Hill 78]. Dean responded that is no liner on the entire 254-acre site and added that EPA does not believe that it will find massive migration of new contamination.
  - A CCC member asked if wells removed from the monitoring program could be reopened. Dean responded that wells that are closed are generally not re-opened.
  - A CCC member asked about conducting a tour of monitoring wells. Dean explained that it is more informative to see the wells on a map, rather than seeing a pipe in the field.

- A CCC member asked if there is a state mechanism that allows citizens to trigger further mitigation and state review of potential groundwater use. Dean responded that the CD has specific groundwater requirements, and that there are some deep wells to gather data. MA DEP representative added that the aquifer is not listed as a drinking water source.
- Dean responded to a question about compensation for loss of a potential drinking water source, explaining that the Natural Resource Damage (NDR) was settled in the CD and there was no compensation to Pittsfield for the aquifer.
- A CCC member asked if there is a procedure for the City to pursue new drinking water sources, and MA DEP explained that the state has a strong new resource approval process.
- A CCC member requested further information on testing for drinking water at Brattlebrook Farm. Another CCC member stated that the information could be found in the Berkshire Eagle, 1981.
- A CCC member asked if all Newell Street properties were cleaned up. Dick Gates, GE, responded that most of the properties on Newell Street have been completed, although there is one small location near Ontario Street with approximately 10 cubic yards of soil to be removed. There is also a small area on Sackett Street that will require removal. Sampling is being conducted on a grid system to determine the removal area.

### **Updates on MA DEP-lead Activities**

Susan Steenstrup from MA DEP provided an update on several DEP activities.

- Commercial Street remediation is ongoing. Seven of eight riverbank areas have been remediated. The eighth has not completed yet because it was a winter habitat for wood turtles, but work will start in Fall 2009.
- West Branch remediation was stopped in Fall 2008 due to high water levels, and GE will resume work at this site in early summer 2009. GE will move the fence in this area so that the basketball courts are accessible.
- Dalton Avenue includes property paving and sampling of a well.
- Westwood Road remediation was done Fall 2008 and included planting and stabilization.
- Oak Hill Road remediation will begin soon.
- A CCC member asked if there are any GE properties on Commercial Street and if there was a GE property where they disposed of beryllium filings. GE responded that there are no GE buildings on Commercial Street. EPA noted that they did not know about disposal of beryllium.

### **Update on Silver Lake Walkway**

Dean Tagliaferro explained that GE is obligated to perform some natural resource restoration at Silver Lake and construct a walking path around a portion of the non-commercial, non-residential side of the Lake. GE will provide benches, trees and shrubs.

Dick Gates, GE, described the planned Walkway.

- The CD states where the walkway should generally be located, but it does provide specifics. GE has engaged in a series of discussions with the City of Pittsfield, who will be the ultimate owner of the walkway.
- The Walkway will be 2000 feet in length, and include a crosswalk to link it to the PEDAs property. The walkway will follow the Lake to the intersection of Fourth Street, where an additional crosswalk will be located. The walkway will be five-feet wide with ten benches along the way. GE will construct a retaining wall approximately thirty feet long and additional railing where the adjacent bank slope is steep.
  - A CCC member asked if GE had considered constructing a boardwalk instead of a retaining wall, and GE responded that the option was considered.
- The City would prefer park benches rather than picnic tables.
- The surface will be rigid, porous asphalt material because the City prefers a surface that, from its perspective, is easy to maintain. There was request for GE to provide additional information on the porous asphalt material.
- Construction of the walkway will be integrated with bank remediation and sediment capping.
- A CCC member commented that GE does amazing commercials on eco imagination and suggested that the costs of airing such commercials be donated to the City of Pittsfield.

### **EPA Update on the Status of the NPDES Permit**

Dean Tagliaferro provided an update on the GE NPDES Permit.

- The non-appealed portions of the permit became effective January 1, 2009. EPA distributed a status update on March 20, 2009 to the EPA Environmental Appeals Board (EAB). Progress is being made on the appealed sections, and an update will be provided by April 23.
- GE is fulfilling its obligations under the permit, such as taking action on storm drains, a storm water prevention plan, and a conveyance survey that reconfirms all outfalls (due May 31).
  - A CCC member asked what happens if the EAB does not resolve the appeals and if there will be opportunity for public comment. Tim Conway, EPA, explained that an appeal goes first to the EAB and that GE may challenge the ruling in court. Anyone who was part of the original appeal can stay in the process; however he was not sure if additional public can comment at that point. He referred to 40 CFR Part 124, which gives a complete description of the appeals process. (available at [http://www.access.gpo.gov/nara/cfr/waisidx\\_07/40cfr124\\_07.html](http://www.access.gpo.gov/nara/cfr/waisidx_07/40cfr124_07.html) )

### **Update Rest of River Corrective Measures Study**

Susan Svirsky, EPA, provided an update on Rest of River activities.

- EPA sent a letter to GE on April 1, 2009, which offers direction to GE on producing a work plan (Addendum to the Corrective Measure Study Proposal) to evaluate additional GE- and EPA-suggested alternatives and compare these alternatives to those previously evaluated in the Corrective Measures Study. The letter also asks GE to consider the ACEC designation in their analysis. A number of CCC members raised numerous questions on the scope and efficacy of the Biogenesis Pilot Study performed for GE.
  - EPA explained that Biogenesis, EPA and the State did not meet to decide what a final reuse standard would be as this was a pilot study, and commented that Biogenesis

- admitted that they lost site of the 2-ppm residential standard. EPA also explained that EPA was not involved in contracting arrangements between Biogenesis and GE.
- Andy Silber, GE, explained that Biogenesis wrote the Work Plan, which was open for public comment. The goal was to reach the lowest level that they could. They spent a month doing the work, however the data was received after the equipment had been removed from the site so they could not do further analysis.
  - A CCC member noted that Biogenesis stated that they reached a 2 ppm level on some samples. A consultant to EPA explained that Biogenesis extrapolated those data and that there were some irregularities in the semi-log plots. Biogenesis had no basis to project the data past the results and 2 ppm was never achieved during the pilot study for any sample.
  - EPA added that this was a pilot study, and if the EPA were to select the technology that it would do a full-scale test. At that time, EPA would discuss reuse standards with the company, the public, and other regulatory agencies.
  - EPA agreed to distribute information that they have on Biogenesis' work plan
- A member of the public request a 60-day extension for public comment on GE's response to EPA's interim Corrective Measure Study (CMS) comments. EPA granted an extension to May 11, 2009 for informal public input. All comments should be set to Jim Murphy at [Murphy.Jim@epamail.epa.gov](mailto:Murphy.Jim@epamail.epa.gov). The document is available under the Public Comment section of EPA's GE/Housatonic River website: <http://www.epa.gov/region1/ge/publiccomment.html>

### **General CCC Process**

- A CCC member suggested that Green Berkshire have a seat on the CCC.
- A CCC member requested that EPA travel to Connecticut. EPA agreed to discuss a Connecticut meeting once EPA has a Rest of River work plan from GE.
- A CCC member shared that there is a disconnect between the CCC and the Agencies, and requested a process that better integrates public input and community dialogue into EPA decision-making about the restoration process, including use of alternative technologies and siting of waste disposal sites (do not want to repeat Hill 78).
- A member of the public explained that the Board of Health in Lenox is interested in the Rest of River process, and requested that Lenox have a seat on the CCC.
- A separate group to discuss the Rest of River was suggested.
- A CCC member requested a different venue with better acoustics, perhaps a municipal venue, and a regular schedule of meetings

### **Next Steps**

The next CCC meeting will occur in June 2009. Potential agenda items include:

- Commercial Street/Newell Street – update
- Update on wells
- Membership
- Rest of River group meeting options

**EPA-GE Housatonic Project Citizens Coordinating Council  
Attendance April 7, 2009**

<b>Name</b>	<b>Organization</b>	<b>Email Address</b>	<b>Attended</b>
<b>Members</b>			
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***Additional Attendees***

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