

**EPA-GE Citizens Coordinating Council Meeting
Berkshire Athenaeum (Pittsfield's Public Library)
Pittsfield, MA**

**June 17, 2009
5:30 to 7:00 PM**

Final Meeting Summary

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

Introduction

Patrick Field, Facilitator, opened the meeting and reviewed the agenda included:

- Update on building demolition
- NPDES permit status
- Updates on MassDEP-lead activities in Pittsfield
- CCC reflections on the River Tour
- Update on the status of Rest of River Corrective Measures Study
- CCC meeting process moving forward

Patrick asked for comments on the April 4, 2009 CCC meeting summary. There were no suggested changes, and the CCC approved the meeting summary.

Update on Building Demolition

Dean Tagliaferro, EPA GE/Housatonic Project Manager, provided an update on building demolition. He explained that GE is currently demolishing six additional buildings around Tyler Street, New York Avenue, and Kellogg Street. GE began demolition in May 2009 and is expected to continue work into 2010. Five of the six buildings are on property to be transferred to Pittsfield Economic Development Authority (PEDA). He explained that the materials removed from the six buildings fall into the following categories:

- *Suitable for reuse on the site:* this material meets residential use standards
- *Transfer to Hill 78:* this material has been tested and will be transferred to Hill 78
- *Offsite disposal:* this material does not meet standards for transfer to Hill 78 and will be taken to other disposal sites.

Dean noted that the Hill 78 landfill is near capacity, and that by the end of 2009, once it receives materials from the building demolition, it is expected to be at capacity. At this point, the Hill 78 landfill

* *Connecticut Department of Environmental Protection (CT DEP) staff circulated an email to the CCC prior to the meeting explaining that their staff cannot attend CCC meetings held in Massachusetts due to out-of-state travel restrictions. However CT DEP staff continue to participate actively in the process and are available to discuss any concerns or questions that CCC members may have regarding the Housatonic clean up issue. CT DEP and CCC members also requested that options for video or webcasting technologies be pursued.*

will be ready for a final cap. He also reported that all of the parties have reached agreement on the Consent Decree modification, which will be filed with the Court in the next month.

CCC members raised the following questions and comments:

- *What will happen to materials that need to be disposed once Hill 78 is closed?* Dean responded that the materials will go to offsite facilities.
- *Are there new waste facilities proposed in Pittsfield?* Dean noted that EPA is not aware of any new facilities proposed in Pittsfield.
- *How much additional material will need to be disposed of?* Dean responded that he does not have an exact figure at this time. There are three remediation projects left, and as work plans get finalized they will have rough estimates. These projects are Silver Lake, Unkamet Brook, and East Street Area 2-South. The work plans will be available on the EPA website.

NPDES Permit Status and Discussion

Dean Tagliaferro, offered an update on the NPDES permit status. He noted that this permit is under a separate EPA division than remediation. He explained that the non-appealed portions of the permit became effective January 1, 2009. GE is fulfilling its obligations under the permit and on June 1, 2009 submitted to EPA a summary of conveyances. This summary is available on the EPA website. A Storm Water Pollution Prevention Plan is due on June 30, and EPA will advise the CCC when that plan is available to the public.

A draft Permit Modification to address the contested portions was issued on June 3, 2009. There will be a formal public comment period on the proposed permit modification from June 3 – July 2, 2009. Dean announced that Roger Janson, EPA, has scheduled a public meeting on Wednesday, June 24, 2009 at the EPA/Weston Offices in Pittsfield to discuss the draft Permit Modification. The meeting will be an interactive session, provide information on the draft Permit Modification, and give participants an opportunity to make comments and ask questions.

CCC members raised the following questions and comments:

- *Could the public comment period be extended to Friday, July 3?* Dean suggested that the request be emailed to Roger Janson.
- *Will there be a comment period on the Storm Water Pollution Prevention Plan?* Dean responded that EPA has not decided at this time.
- *A CCC member asked GE who represented GE at the NPDES meeting in Springfield, MA, noting that the public was not allowed to participate in that meeting?* Mike Carroll, GE, responded that it was represented by a team, including GE attorneys and Pittsfield staff. Brooke Smith from Washington DC was one of the attorneys representing GE.

Updates on MassDEP-Lead Activities in Pittsfield

John Ziegler from MA DEP, Springfield Office introduced himself to the CCC, noting that he worked on the GE site from 1998-2000 and recently returned to DEP and this project. He explained that the DEP management team is becoming more involved in the remediation process.

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

Commercial Street: Remediation on Commercial Street was completed in early June. She noted that at the last CCC meeting she had indicated that some of the bank work would be delayed until fall 2009. That turned out not to be necessary and GE completed the work. She added that DEP expects Response Action Statements from GE in summer 2009.

Dorothy Amos Park/West Branch: GE has begun to reinstall the temporary dam and piping, which is a first step in preparation for the remediation. She noted that the basketball courts will remain open until excavation begins, at which point they will need to be closed again. When excavation begins, DEP will conduct inspections of the site each week.

CCC members raised the following questions and comments:

- *How will DEP ensure that project is done and done correctly, noting that the first project did not catch all of the PCBs.* Susan responded that this conclusion was not quite accurate and that based on EPA samples, the PCBs found reflected that there was an issue in the river itself, not with the previous clean up of the park. She added that downstream sediments have been sampled and show that the clean up is being done correctly.

CCC Reflections on River Tour, CCC members

Patrick asked CCC members to offer reflections on the River Tour that was coordinated by EPA and the Housatonic River Initiative on June 9, 2009. The tour was open to the public and included a field visit to the two-mile stretch of river that has been remediated to see what is taking place in this stretch of river. CCC members offered the following reflections:

- It was a great event that demonstrated that the restoration has been going better than it's been portrayed by some stakeholders. It was nice to look at the river from the Newell Street Bridge, and the Pomeroy section will look good once the saplings grow in. It seems that the river can restore itself and that restoration will work well in the next sections of the river.
- It was overall a good event, and it was good to see the macro-invertebrates that have moved into the area, which are a good indication of a healthy river system. It was disappointing to see that the power lines were not buried. It was also disappointing to see that the boulders that were initially put into the stream above Elm Street (10-12 big boulders) seem to have been removed. It would be good to see more woody debris and shelter for fish, especially around Fred Garner Park. More boulders and shelter for fish habitat would be better both in this section of the river and in the Rest of River.
 - Dean responded that EPA did not approach the utility Western Mass Electric Company about burying the power line, but that Western Mass Electric may remove the lines from service in the future. Because of the lines, EPA did not plant trees in that area. He also explained that the Aquatic Structures that were specified in the Work Plans, which are available on the EPA website, were not modified and that to the best of his knowledge the boulders were not removed. Some boulders may have settled or moved into deeper areas than intended. He added that EPA did not use woody debris because they calculated that it would come into the area on its own.
 - Dean added that woody debris, boulders, and other elements could be discussed for Rest of River.

- It was nice to see that EPA hired Keith Bowers, Biohabitats Inc, as consultant to the restoration process, and it would be good to include him in the process moving forward, including at CCC meetings.
 - Susan Svirsky responded that Keith is in Maryland, and that EPA will consider bringing him to CCC meetings, when appropriate.
- The tour was excellent and long overdue. It would be good to do it again periodically.
- A CCC member asked if there is monitoring in place for species and if there are any provisions for modifying the restoration plans (i.e. add more boulders) in the future, if necessary.
 - Dean responded that there are monitoring plans for the Half Mile and 1½ Mile sections of the river, which include spring and summer inspections. There are also performance standards for trees, shrubs, and invasive species and inspections for erosion. He explained that there is not a standard on quantity of fish in the river.
- Several CCC members suggested that outreach be done to bring additional sports people, canoers, and kayakers into the Rest of River process since there is some concern in the paddling community about the impacts of the remediation on boating recreation.
- A CCC member thanked GE for use of their buses on previous tours and requested that they be used again in the future.
- A CCC member suggested that the next tour might include a visit to and discussion about vernal pools.

Susan Svirsky added that Lynn Fowler requested that EPA present the information from the River Tour to the Housatonic River Commission in Connecticut. This presentation is tentatively scheduled for September 8, 2009 at 7:30 pm. EPA will send an announcement to the CCC about this meeting.

Update On The Status Of Rest Of River Corrective Measures Study

Susan Svirsky, EPA, provided an update on Rest of River activities. She explained that EPA gave GE approval to provide a Supplemental Work Plan to the Corrective Measures Study and evaluate two additional alternatives. She noted that EPA has received a first draft of the Supplement to the Work Plan. However, EPA is still considering options for how to proceed – especially in light of recent staffing changes at MassDEP and new participants from MassWildlife. EPA hopes to have a resubmitted version of the Work Plan from GE in July 2009 and an informal public comment period in August.

CCC members raised the following questions and comments:

- *Will the additional alternatives be evaluated by the same criteria as the other alternatives?*
Susan responded that yes, EPA will compare these alternatives to those previously evaluated in the Corrective Measures Study and will use the same criteria to determine if some, none, different combinations of components from the alternatives, or something new entirely will be pursued in the Record of Decision.
- *Which Connecticut representatives have been re-engaged?* *To clarify, Connecticut representatives have been actively engaged in the Rest of River remediation process. They are unable to attend CCC meetings held in Massachusetts due to out-of-state travel restrictions, but they have submitted comments on relevant documents, and participated in conference calls and other inter-agency forums concerning this process. In addition to Susan Peterson at the CT

* This clarification was added after the meeting.

Department of Environmental Protection (CT DEP), Traci Iott from CT DEP and Jack Looney from the Attorney General's office are engaged in this process. The Attorney General signed on to the Consent Decree and therefore needs to be involved.

- *Who has replaced Ed Parker from Connecticut DEP?* William (Bill) Hyatt has been serving as the Acting Bureau Chief for the CT DEP Bureau of Natural Resources. In addition, since Ed Parker's retirement, Richard (Rick) Jacobson has been appointed the Trustee Representative for the State of Connecticut for the Housatonic River Basin Natural Resource Restoration Project. Prior to this, Rick served as the Alternate Trustee Representative.

Brief Updates

CCC members offered brief updates on several sites.

Silver Lake Walkway: Dick Gates, GE, noted that GE is developing a Planting Plan, which it will submit to the agencies in the next couple of weeks.

CCC members raised the following questions and comments:

- *What is the status of capping of Silver Lake?* Susan responded that EPA is reviewing the sediments component of the conceptual work plan. After EPA provides comments to GE on that Work Plan, Within the next five months, GE will submit a final design which will include both the sediment and bank soil components. There will be an informal comment period on the final design.
 - A CCC member requested a formal comment period. EPA noted that informal comments are still on the record.
 - A CCC member noted that until Silver Lake is capped, there will be PCBs coming through.
- *Why is the road around Silver Lake closed and when will it reopen?* Dean explained that the road is closed due to culvert work being done on the PEDAs property that abuts the lake. The road is expected to reopen in a month or so.

Unkamet Brook: Dean reported that GE has submitted a conceptual cleanup plan for the two components of Unkamet Brook remediation and that EPA is reviewing it. Once EPA approves the conceptual plan, a final work plan will be required.

Recent High Water Event: Dean explained that recently there was flooding around New York Avenue due to a localized, heavy rain storm. Since the storm was very localized, the elevation of the river did not rise significantly and impacts were minimized. After the event, EPA conducted inspections for erosion and did not observe any significant erosion. Dick Gates, GE, said he found one area on Commercial Street with some erosion, which is currently being repaired.

CCC members raised the following questions and comments:

- *Was sampling for PCB transport done at New York Avenue?* Dean responded that sampling was not done because most of the water came from north of the plant site and down Dalton Avenue. EPA looked for erosion at the GE plant site and at the storm water basins, and EPA did not find any problems.

- *Does EPA test wells after a high water event?* Dean responded that wells are tested on a set schedule.
- *In the absence of sampling, we cannot confirm that the engineering worked in terms of re-release of PCBs. We would like to see EPA conduct sampling in high water events.*

ACEC: Jim Murphy, EPA, reported that on May 28 he attended an informal, State-sponsored meeting to discuss formation of the ACEC Stewardship Committee. Meeting participants agreed to schedule a follow up meeting to form the Committee, sometime in late July, but no date has been confirmed yet.

CCC members raised the following questions and comments:

- *A lot of people in the environmental/conservation community seem pleased with the ACEC nomination and hope that it will enhance restoration and raise the bar for the next section of the river. The ACEC designation gives that area a layer of protection forever.*
- *It was proposed that a CCC member sit on the ACEC Stewardship Committee and recommended that Tim Gray sit on the Committee on the CCC's behalf.* Tim Gray clarified that anyone who wants to serve on the Committee can. He added that he probably will participate.

CCC Meeting Process Moving Forward

Membership: Jim Murphy, EPA, observed that things are evolving and the ACEC and Rest of River will bring a new group of interested stakeholders into the process. He suggested that the CCC wait to solicit additional members until the Rest of River process moves forward, at which point the group can think about how to bring CCC and ACEC stakeholders together in an effective manner.

- Patrick Field added since several CCC members had raised the issue that the CCC may want to begin reaching out to the paddling community. EPA agreed to begin to identify stakeholders in the paddling community.
- Other CCC members agreed that incorporating community interests in the process will be very important moving forward.
- A CCC member suggested reaching out to more Connecticut stakeholders as well.

CCC Operating Procedures: Patrick Field reviewed an updated version of the operating procedures that were developed by CBI. He explained that the procedures contain elements from past iterations and a few new sections that document existing CCC practices (such as the role of EPA or agenda development). CCC members offered suggested changes, which CBI will incorporate and distribute for finalization at the next CCC meeting.

Next CCC Meeting: The next CCC meeting is scheduled for Wednesday, September 23, 2009. A meeting location has not been selected, however it is likely to be further south, such as in Great Barrington.

- A CCC member noted that it would be good to host a CCC meeting in Connecticut on a more regular basis and requested reinvigoration of the CT CCC Subcommittee.
- There were no suggested agenda items.

Public Comments

Members of the public offered the following questions and comments:

- *What is it that EPA is looking for/concerned about during high water events?* Dean responded that EPA is looking in areas where active remediation has happened for evidence of physical failure of structural components (physical erosion) that need to be repaired.
- *Could sampling during high water events be helpful?* Dean explained that EPA is looking at structural components, which does not require sampling. If the area did not erode then the remedy is effective.
- *What are the barriers to employing sampling procedures after high water events?* Dean noted that there are already some requirements for sampling under the NPDES permit, including of storm drains.
- *A CCC member commended EPA for including the NPDES information on the EPA-Consent Decree website, which serves as a comprehensive information repository, though many members of the public will never be fully satisfied with the NPDES or the Consent Decree.*
- *It would send a powerful message to the community that the remedy is working if sampling were done. The community cares about whether or not the work that has been done is adequate and sampling would help to demonstrate that/if it is adequate.* Dean suggested that this is a good point to raise at the NPDES meeting that will be hosted on Wednesday, June 24.

The meeting adjourned at 7:05 pm.

**EPA-GE Housatonic Project Citizens Coordinating Council
Attendance June 17, 2009**

| Name | Organization | Email Address | Attended |
|--------------------------|--|--|-----------------|
| <i>Members</i> | | | |
| Valerie Anderson | Hous. Clean River Coalition | Vander4@verizon.net | |
| Thelma Barzottini | Citizens for PCB Removal | | X |
| Barbara Cianfarini | Citizens for PCB Removal | bcianfar@hotmail.com | X |
| Michael Carroll | GE-MTC | Michael.carroll@corporate.ge.com | X |
| Gene Chague | Trout Unlimited; Berkshire League of Sportsmen | JG_Chague@hotmail.com | X |
| Jeff Cook | Downtown Pittsfield | jcook@cohenkinne.com | |
| Shep Evans | Hous. Valley Association | shepevans@yahoo.com | |
| Sarah Flynn | Hous. Clean River Coalition | ethansarah@verizon.net | |
| Lynn Fowler | Housatonic River Commiss. | lynnfowler@att.net | |
| Benno Friedman | Sheffield | Benno2@verizon.net | |
| Tim Gray | Hous. River Initiative | housriverkeeper@verizon.net | X |
| Judy Herkimer | Hous. Env. Action League | healct@snet.net | X |
| Bill Hines | PEDA-City of Pittsfield | | |
| Charles Kilson | Schaghticoke Tribal Nation | Cekemt731@earthlink.net | |
| Rene Laubach | MA Audubon | rlaubach@massaudubon.org | X |
| Andrew Madden | MA Dept. for Fish & Wildlife | Andrew.madden@state.ma.us | X |
| Caleb Mitchell | Pittsfield. | | |
| Dan McGuinness | NW CT Council of Govts. | Nwccog1@snet.net | |
| Susan Peterson | CT DEP | Susan.Peterson@po.state.ct.us | |
| Dennis Regan | Housatonic Valley Assoc. | dregan@hvatoday.org | X |
| Andy Silfer | GE | Andrew.silfer@ge.com | X |
| Susan Steenstrup | MA DEP | Susan.steenstrup@state.ma.us | X |
| Susan Svirsky | U.S. EPA | Svirsky.susan@epa.gov | X |
| Eva Tor | MA DEP | Eva.tor@state.ma.us | |
| Dean Tagliaferro | U.S EPA | Tagliaferro.dean@epa.gov | X |
| Jane Winn | Berk. Envir. Action Team | jane@thebeatnews.org | |
| Dale Young | MA Natural Res. Trustees | Dale.young@state.ma.us | X |
| John Ziegler | MA DEP | John.Ziegler@state.ma.us | X |
| <i>Alternates</i> | | | |
| Audrey Cole | HEAL | healct@snet.net | |
| Tim Conway | U.S. EPA | Conway.tim@epa.gov | X |
| Dick Gates | GE | Richard.gates@corporate.ge.com | X |
| Dave Gibbs | Housatonic River Initiative | Dgibbs@verizon.net | |
| Samantha Lefenfeld | Housatonic Valley Assoc. | slefenfeld@hvatoday.org | |
| J.Connell | S.Berk. Chamber of Comm. | Jennifer@clarkandgreen.com | |
| Michael Makes | Pittsfield Cons. Comm. | djtjrinc@berkshire.rr.com | |
| Gayle Tardif-Raser | Mass Audubon | gtraser@massaudubon.org | |
| Patrick Field | Consensus Building Institute | pfield@cbuilding.org | X |

Additional Attendees

| | | | |
|-------------------|------------------------------|--|---|
| Al Bertelli | HRI | | X |
| Scott Campbell | Westons Solutions | s.w.Campbell@westonsolutions.com | X |
| Rich DiNitto | Sleeman, Hanley & DiNitto | rdinitto@shd-inc.com | X |
| Michael Feldstein | | | X |
| Dick McGrath | Sleeman, Hanley & DiNitto | rmcgrath@shd-inc.com | X |
| Kevin Mooney | GE | Kevin.mooney@ge.com | X |
| Mike Argue | Weston Solutions | | X |
| Kathy Kessler | HRI/HCRC/BEAT | Kathy.kessler@earthlink.net | X |
| Teruko Edmonds | Falls Village, CT | | X |
| Rich Fisher | U.S. EPA | | X |
| Jim Murphy | U.S. EPA | Murphy.Jim@epamail.epa.gov | X |
| Patrick Field | Consensus Building Institute | pfield@cbuilding.org | X |
| Kate Harvey | Consensus Building Institute | kharvey@cbuilding.org | X |
| Rod McLaren | GE | | X |