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May 20, 2008

Ms. Susan Svirsky, Rest of River Project Manager
United States Environmental Protection Agency
c/o Weston Solutions
10 Lyman Street
Pittsfield, MA 01201

RE: General Electric Company's Corrective Measures Study for the Housatonic River Site, Rest of River

Dear Ms. Svirsky,

Please accept these comments from the Berkshire Environmental Action Team, Inc. (BEAT) on General Electric Company's (GE) Corrective Measures Study (CMS) for the Housatonic River Site, Rest of River (ROR).

We are very disappointed with the CMS that GE presented for the ROR. Please either disapprove the CMS or apply conditions to dramatically change the structure of the CMS.

BEAT supports the comments made by Environmental Stewardship Concepts on behalf of the Housatonic River Initiative. Our comments will not address GE's CMS directly because we do not feel it deserves to be taken seriously. GE does not offer any options that we find acceptable. We agree with the Housatonic River Initiative that the goal of the CMS should be to return the Housatonic River to the people as a fishable, swimmable river.

BEAT feels very strongly that the first issue that must be dealt with is source control. We are pleased that the flows out of both Unkamet Brook and Silver lake are being measured, but measuring will just give us a better indication of how much contamination is continuing to flow into the Housatonic River upstream of the remediation that has been done thus far. In addition, the long-expired National Pollution Discharge Elimination System (NPDES) permit allows even more contamination to be released back into our river. The recent communication between GE and EPA shows that GE's attempts to contain LNAPL in the groundwater in the area of Unkamet Brook have not been entirely successful. We do understand that far less contamination is flowing into the river than there was 10 years ago. However, PCBs are persistent. We feel strongly that the known sources of PCBs entering the river should be stopped as quickly as possible.

BEAT will not be commenting on GE's CMS specifically, because we believe a fundamentally different approach should be taken. One that does not treat the river in nearly as uniform a manner, but instead looks at different areas in different ways given the ecological processes each area supports. This approach should be an iterative process employing adaptive management. That is, starting in one ecologically distinct area, best management procedures should be employed, possibly testing alternative technologies or strategies for restoration. Then a thorough evaluation should be conducted to determine what worked and what did not. Then the strategy for the next area should be adapted given what was learned. At each stage, public input should be solicited, because the people who live by or use an area have valuable insights to share.

It seems logical to start at the top (most upstream part) of the rest of the river, however a suggestion was made to possibly use Woods Pond as a temporary catch basin. BEAT believes this suggestion should be carefully evaluated. Perhaps suction dredging behind the dam at Woods Pond before any other remediation is attempted would increase the ability of this area to catch more PCB contaminated sediment while eliminating the threat of all the current contamination behind the dam from moving further downstream.

Each section chosen for remediation should use the best available methods and technologies for the given situation. The most promising alternative technologies could be carefully tested, monitored, and evaluated. Perhaps in some areas nothing would be done at this point in belief that in the near future an alternative technology would produce a much more desirable outcome and the amount of contamination that would move from the location in the meantime would be acceptable – especially if it could be contained or if it were captured further downstream.

While these treatments are being employed, the downstream effects should be carefully monitored, because even small changes upstream can have profound impacts downstream. Any restoration should not just be to make the river look like it did before, but to restore the ecological processes that were there before. That includes leaving the river in a condition that it can do what rivers do – meander back and forth in the floodplain.

After the remediation in a given stretch of river, the process and outcomes should be carefully evaluated and changes made based on those lessons learned. BEAT believes that the remediation in the ROR should advance the science of river remediation.

We realize that this approach may not give GE the closure that the company wants, but the company that did the polluting, not the citizens of all the communities downstream, should bear the consequences. To ease the uncertainty, a trust fund could be set up to fund future cleanup efforts.

Thank you for considering our comments.

Sincerely,

Jane Winn
Executive Director

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