

BERKSHIRE REGIONAL PLANNING COMMISSION
1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201
TELEPHONE (413) 442-1521 • FAX (413) 442-1523
www.berkshireplanning.org

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Executive Director

May 16, 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: EPA-GE Housatonic River Site, Corrective Measures Study Public Comments

Dear Ms. Svirsky:

The Berkshire Regional Planning Commission, a sub-state governmental district organized under M.G.L. Chapter 40B "The Regional Planning Law", representing the 32 municipalities in Berkshire County, respectfully requests that the U.S. Environmental Protection Agency reject the Corrective Measures Study submitted by General Electric Company in March 2008. We do not believe that the study, as presented, serves the short, medium or long term needs of this region, particularly those of the City of Pittsfield and Towns of Lenox, Lee, Stockbridge, Great Barrington, or Sheffield which are located on the main stem of the river.

It may well be unrealistic to expect that the Housatonic River, even in the next half century, can be returned to a pristine, natural state. However, if we understand GE's proposal correctly, under the alternative chosen by GE, the river in Berkshire County will remain unfit for human contact and for any fish consumption and will be hazardous for most of the species which have been modeled. Leaving the river and floodplain in this condition does not even attempt to move toward the goal of the Clean Water Act to return the nation's rivers to a fishable, swimmable condition. We believe that EPA should reject the GE study, if for no other reason, because it does not achieve any reasonable level of clean-up to achieve important local and regional goals.

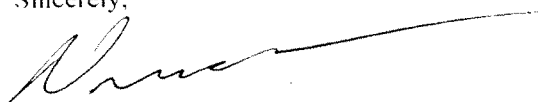
We find it unacceptable that most of the contamination in the river system would remain in place, in both the river itself and in the floodplain. This is only transferring the need for fuller clean-up to, at best, the next generation. Continuing the use of armoring of the riverbank for another five miles is not acceptable. Use of a thin 6-inch sand cap southward through Woods Pond is a very short-term solution to an ongoing problem. The assessment done of how much scouring would occur, which would remove the sand cap, appears to be weak, at best. The study also does not assess the lateral movement that all rivers go through over time which will release portions of the PCBs left in the floodplain back into the river.

Each of the dams and impoundments south of Woods Pond will be left with all of their existing, and presumably an accumulating amount of, contamination. This saddles each of the dam owners with a significant potential problem. We would like to see at least some of the dams considered for clean hydro-electric power generation, as is done at Glendale. With the contamination left in place behind those dams, that becomes much less likely. Some of the dams are possibly subject to removal, due to obsolescence and/or potential hazard. Throughout New England, and already occurring in Berkshire County, obsolete dams are being removed to allow the return of migratory fish. Leaving the contamination in place behind those dams makes breaching/removal much less likely.

We also find that the GE CMS is deficient in its technical aspects. It calls for landfilling of dredged contaminated material but does not provide the location of the proposed landfill(s) nor attempt to quantify transportation impacts. The amount of air pollution generated by the number of trucks which would be necessary could fairly easily be estimated. Without knowing the location of the landfill(s) the neighborhoods affected cannot be assessed, leaving a critical community impact totally out of the equation. On its face, under cursory review, the study indicates that at least the next level of clean-up beyond that proposed by GE would provide dramatic improvements in the portion of the river which is fit for human contact, limited fish consumption, and much more protective of the modeled species, at a cost which is less than double that estimated for GE's preferred alternative. The study does not appear to have fairly assessed the potential alternative technologies to dredging and landfilling. The bias against these is apparent, but the rationale for that bias is not. As best as we can tell, GE has consistently called for the least cost alternative, regardless of the results of its own modeling.

The Berkshire Regional Planning Commission, at its meeting held on May 15, 2008, endorsed these comments.

Sincerely,



Nathaniel W. Karns, AICP
Executive Director

Cc: Mr. Robert W. Varney, EPA New England Regional Director
The Honorable Duval Patrick, Governor
The Honorable Edward Kennedy, U.S. Senator
The Honorable John Kerry, U.S. Senator
The Honorable John Olver, U.S. Congressman
The Honorable Benjamin Downing, State Senator
The Honorable Smitty Pignatelli, State Representative
The Honorable Christopher Speranzo, State Representative
The Honorable Denis Guyer, State Representative
The Honorable James Ruberto, Mayor, City of Pittsfield
Mr. Ian Bowles, Secretary of Energy & Environmental Affairs
Ms. Laurie Burt, Commissioner, Massachusetts Department of Environmental Protection
Ms. Mary Griffin, Commissioner, Massachusetts Department of Fish & Game
Mr. Richard Sullivan, Commissioner, Massachusetts Department of Conservation & Recreation
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Pittsfield City Council