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***By Hand Delivery***

May 20, 2008

Robert W. Varney  
Regional Administrator  
U.S. Environmental Protection Agency  
One Congress Street  
Boston, MA 02114-2023

RE: Comments of the Massachusetts Departments of Fish and Game and Environmental Protection on the Housatonic River – Rest of River Corrective Measures Study (March, 2008), prepared by General Electric Company

Dear Mr. Varney:

Enclosed are comments from the Division of Fisheries and Wildlife (“DFW”) within the Massachusetts Department of Fish and Game (“DFG”) and the Massachusetts Department of Environmental Protection (“MassDEP”). These comments review the March, 2008 Corrective Measures Study (“CMS”) Report prepared by the General Electric Company (“GE”) for the “Rest of River” (“ROR”) cleanup of the downstream portions of the Housatonic River from the confluence of the East and West Branches in Pittsfield in Berkshire County, Massachusetts, to Long Island Sound in Connecticut. Our comments address the CMS Report with respect to the proposed ROR cleanup within Massachusetts. It is our understanding that the Massachusetts Department of Conservation and Recreation (“DCR”) and the Massachusetts Department of Agricultural Resources (“DAR”) will also be submitting comments on the CMS Report under separate cover letters that identify similar themes and concerns.

This letter is intended to highlight the complementary interests and common concerns within the Commonwealth with respect to the CMS Report and the proposed ROR cleanup. DFG has a direct and substantial interest in the ROR cleanup, and therefore, in the adequacy of the CMS Report. Our DFW has the authority and duty to protect inland wildlife and fisheries resources and habitats of the Commonwealth, including state-listed rare species

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pursuant to the Massachusetts Endangered Species Act ("MESA"). DFG and DFW have primary responsibility for protecting the biodiversity of fish and wildlife habitat in the Commonwealth. DFW also owns and operates the 818 acre George Darey Wildlife Management Area that runs the approximately 10 mile length of Reaches 5 and 6 of the ROR, where the majority of the remaining PCB contamination is located. This Wildlife Management Area has exceptional value to the Commonwealth from the perspective of biological diversity wildlife and fisheries resources and recreational use, and is the culmination of years of work and the dedication of substantial public resources. MassDEP has responsibility for numerous state environmental programs, including wetlands protection, water quality, and protection of ecological resources. MassDEP also has primary responsibility in the Commonwealth to ensure that the proposed ROR cleanup is protective of human health, public safety and welfare and the environment.

The Commonwealth's goal for the ROR is to find an appropriate balance among the public health, ecological, recreational and cultural considerations that best serve the Commonwealth's citizens now and in the future. We cannot hope to reach this goal based upon the information currently provided in the CMS Report. To that end, we urge you to require GE to develop a supplemental CMS Report that analyzes in a more comprehensive and explicit manner the range of areas and concerns identified by our agencies.

The ROR is a wild, largely natural river system that encompasses numerous state-listed rare species and other diverse wildlife and fisheries resources, and is heavily utilized by the public for outdoor recreation and enjoyment purposes. With these considerations in mind, the Commonwealth's vision for the ROR cleanup is one that preserves and improves this valuable natural and recreational resource now and for future generations and does not leave the legacy of a polluted river. The cleanup must be one that minimizes to the greatest extent possible impacts to the ROR environment, and includes genuine ecological restoration for any cleanup impacts that cannot be avoided.

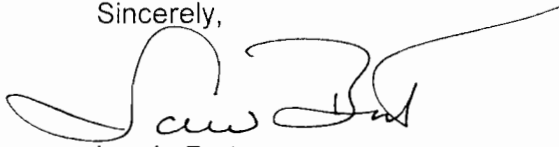
We cannot find an appropriate balance in the "all or nothing" proposal that GE has proposed in the CMS Report. As more thoroughly detailed in the enclosed comment letters, we need additional supporting information and justification relative to complying with Applicable or Appropriate and Relevant Requirements ("ARARs"), which analysis must include MESA and the Massachusetts Wetlands Protection Act, and M.G.L. c. 91, among others. A thorough evaluation is needed on how and the extent to which each alternative will result in the preservation, restoration and replication of impacts to the ecological landscape and wildlife and fisheries habitats and resources. An expanded and updated evaluation of the proposed remediation techniques is also warranted, including review of in situ remediation methods. We also strongly encourage EPA to require a further evaluation of the long term viability of the alternatives in light of climate change considerations, including relative to sediment and dam stability.

In addition, the matrix of alternatives contained in the CMS Report is deficient in numerous respects. Without more information as to scale and type of cleanup options, a balanced consideration of the benefits and detriments to the resources cannot be performed. EPA should require GE to redo the alternatives analysis in the CMS Report based on this more comprehensive assessment of the true costs of the alternatives. Finally, our agencies

request that the public be given a full and reasonable opportunity to provide comments on the revised and supplemental CMS Report.

In closing, thank you for soliciting our input on the CMS Report, and for your consideration of our comment letters.

Sincerely,



Laurie Burt

Commissioner

Massachusetts Department  
of Environmental Protection



Mary Griffin

Commissioner

Massachusetts Department  
of Fish and Game

cc: Ian Bowles, Secretary of Energy and Environmental Affairs  
Susan Svirsky, EPA Region 1  
Holly Inglis, EPA  
Dean Tagliaferro, EPA  
Wayne F. MacCallum, Director, Division of Fisheries and Wildlife