EPA

Moderator: Bob Cianciarulo August 26, 2020 6:00 p.m. ET

OPERATOR: This is Conference #: 6348468

Operator: We're starting tonight's hearing. I would like to turn it over to EPA's Dean

Tagliaferro. Please go ahead.

Dean Tagliaferro: Thank you. This is – good evening. This is Dean Tagliaferro, and I welcome

you to EPA's Public Hearing for the Housatonic Rest of River Draft Permit. I'm the Project Manager for this site. We're on a little bit early to test out the system. And I see people are still signing in so I'm just going to keep this line

open for a little – for a little bit just to give people a chance to sign in.

So hopefully, everybody has audio and can hear me. If you're having a little trouble hearing and you need to turn it off, turn off your volume on your computer. There's also this icon here at the top of your screen, which is speaker volume for the Adobe platform, which is separate from your computer but also controls the audio. So both of those need to be at the right volume.

It looks like we're still not even to 6:30. I'll just keep pointing some stuff out. This Technical Support box here is if you have any issues, any technical issues in the lower left of your screen. You can type in your questions, your technical questions and someone should get back to you immediately, hopefully.

Also for others, if they don't want to stay on the computer all night and if you're in Berkshire County and you just want to listen, it is on the government public TV station, which is 1303. I watched – it was on this afternoon. We had a hearing this afternoon. It seemed to play pretty well on the TV, but

obviously you're welcome to watch on Adobe. It's just another way to participate.

OK. We're just going to wait a few minutes. We had 19 people pre-register to give comments. I see some of them have signed in to Adobe, but there's still many who have not so we're going to wait a few minutes and probably get underway at 6:05. I see a bunch of – I see a lot of people still entering the computer.

So again, if you're just joining, this is Dean Tagliaferro for EPA. And we're here for the Public Hearing for the Housatonic River Draft Permit that EPA issued for public comment in July of this month. And this is a hearing. There'll be a presentation that follow. And after the presentation, people will be allowed to give oral comments.

Still waiting for some others to join in. I know sometimes there's technical challenges. I see one or two questions of people who need technical support so I'll just wait one or two more minutes.

OK. It seems like a fair amount of people have joined. I don't see anybody's having trouble getting on, so I'm just going to get started with this and I'll start from the top for people who just recently joined.

My name is Dean Tagliaferro. I'm the Project Manager for the GE-Pittsfield plate which includes the topic tonight, which is the Housatonic Rest of River. I'll give a brief introduction on how the public hearing will proceed. First however, I want to say that the EPA team, all of our team, me, Bob Cianciarulo, Bryan Olson, Tim Conway, and the others, we really wanted to have these hearings in person. However, obviously due to the COVID situation, that precludes those type of meetings so we're doing this session through Adobe Connect.

It's also shown on Berkshire County cable, Channel 1303. And I believe they're streaming online as well. We have been successful in conducting these type of hearings. We had one this afternoon. But there are oftentimes when some glitches occur, we certainly try our best to minimize those issues but would appreciate your patience should something go slightly wrong today.

I'm just going to walk through the screens that you're going to see today. This would just take three or four minutes, and then we'll get to a presentation. There's this icon here which is the Adobe icon on the top of your screen. If you click that box, that will do a dropdown menu that'll allow you to change the volume on your – on your Adobe. Your computer also has speakers. So you have two volume controls. If you are going to be a speaker, when you get on the phone, if you could mute. Use this dropdown button to mute your computer so we don't get any feedback or an echo, we would appreciate that.

And again, that's only for people who are when they're actually speaking on the phone. The top left corner here is just simple basic information. This is a public hearing. Later on, Bob Cianciarulo will be the hearing officer. Down below is the – in the lower left is your Technical Support pod. If you're having technical issues, you can't hear or any other questions, we can type in a response. It's a chat line to EPA's Technical Assistance, and they will get back to you as soon as they can.

On the bottom of your screen, there's the closed captioning. The middle of the screen is where the presentation will be. And just one last item, there is this icon here, the four arrows that will expand your screen. It will give you full screen. But just be aware that if you go full screen, you will only see the center box, you will lose the closed captioning and you'll lose the Technical Support box.

So if you can see everything fine the way it is, I suggest that you leave it as is so you – in case you wanted to get back, sometimes that's a little bit difficult. So now, I just want to reiterate. There's a few slides to go through that will get to a more formal presentation by Bob. I just want to reiterate, this public hearing is for the Draft Revised 2020 Permit which Outlines the Cleanup Plan for the Rest of River Portion of the Housatonic River.

Like I said, then there'll be a 25-minute presentation and then the public testimony or the public comment period will follow. We have about—let's see. We have about 19 speakers registered. So initially, we're going to limit

comments to five minutes. After all the people have registered who've provided comments, if there's time remaining, we'll open up the hearing to others who wish to comment. If you wish to comment, please send the message in the chat box and you'll be placed in the queue and be given instructions on how to access the phone and leave your comment.

As this is a public hearing, EPA will not be respondent to comments or questions during the hearing. We will provide written comments as part of the formal response to comments that will accompany EPA's final decision.

For those that registered to comment, you can see where you are in the queue up here on the – there'll be a screen in a minute that will show you the queue of where you are placed so you can get a sense of when your time to comment will be.

After the presentation, the operator will let you know when it's your turn to speak and will unmute the – unmute your phone. This public hearing is only one way to provide comments. Members of the public can provide a comment of up to five minutes via EPA's dedicated voicemail box, 617-918-1700.

It can also be sent via fax and via email which is R1Housatonic@epa.gov. We also have a mailing address for those who want to use the post office and regular mail. However, the comment period does end on September 18th, 2020. So there's still plenty of time, but we do encourage you to get your comments sent.

At this point, I'm going to switch over to the presentation. It will be narrated by Bob Cianciarulo.

Bob Cianciarulo: Thank you for joining us for this presentation regarding the U.S. Environmental Protection Agency's Proposed Revisions to the Cleanup Plan for the General Electric Housatonic River "Rest of River" Project in Massachusetts and Connecticut. My name is Bob Cianciarulo, I manage the Remediation Branch that oversees the Housatonic Project for EPA's New England Office in Boston. I will narrate the presentation.

Copies of these slides and the transcript for the audio are available at our website www.epa.gov/gv-Housatonic, H-O-U-S-A-T-O-N-I-C.

This presentation includes an overview of changes to the Housatonic River cleanup plan proposed by EPA in the Summer of 2020. This presentation mainly covers differences from EPA's original plan, so if you need a refresher on the 2016 plan, see EPA's webpage www.epa.gov/ge-Housatonic.

For copies of the 2016 Permit and our 2014 Statement of Basis which outlined site risks and the details of the plan that are not being changed. Other fact sheets and helpful information are also available on the webpage, including a copy of the slides used in this presentation as well as a transcript of the audio portion of this presentation.

First, let's take a moment to orient ourselves and review some terminology you may hear during the presentation. EPA has been overseeing the General Electric Company's cleanup of their Pittsfield plant area and adjacent areas for over two decades, per the terms of a 2000 Consent Decree with the company.

Cleanup of polychlorinated biphenyls or PCBs from the Housatonic River included projects covering the first two miles of river downstream of GE's plant area on the east branch of the Housatonic, north of the confluence of the East and West branches at Fred Garner Park in Pittsfield.

From the confluence south, the project has been termed the "Rest of River" from that point through Massachusetts and Connecticut. The river study has been divided into several reaches and sub reaches. Our Rest of River study area covers Reaches 5 through 16, with 5 through 9 in Massachusetts and 10 through 16 in Connecticut, over 120 river miles in all.

You'll hear me refer to these reaches several times during this presentation. Reach 5 and 6 are considered our primary study area, encompassing about 10 and a half river miles. This includes Reach 5A from Fred Garner Park to the Pittsfield town line, that's five miles, Reach 5B from the Pittsfield/Lenox town line to Roaring Brook in Lenox, two miles, and Reach 5C from Roaring

Brook to Woods Pond near the Lenox Dale/Lee line, three miles. Reach 6 is Woods Pond itself, about one-half mile long.

Reaches 7 and 8 round out remainder of the Rest of River study area where EPA anticipates active remedy construction including dredging and/or capping. Reach 7 includes four impoundments, ponded areas behind dams. Reach 8 is Rising Pond in Great Barrington.

Now, let's review the process thus far. In June of 2014, EPA proposed a comprehensive cleanup plan for the Rest of River area to address PCB contamination in soil and sediment in and around the river. After a public comment period, in October 2016, EPA finalized a cleanup plan in the form of a Permit under the Resource Conservation and Recovery Act or RCRA.

That Permit was appealed by five parties; General Electric, the Housatonic River Initiative, the Berkshire Environmental Action Team, C. Jeffrey Cook, and a group of five Berkshire towns known as the "Rest of River Municipal Committee". The states of Massachusetts and Connecticut, Green Berkshires, and the Massachusetts Audubon Society also filed briefs as part of the process.

Appeals of the Permits such as this are first sent to EPA's Environmental Appeals Board or EAB. And in January of 2018, the EAB rendered its decision on the appeal. Upholding much of EPA's cleanup decision but remanding back to EPA for resolution two issues, with the main issue remanded being EPA's decision to require out-of-state shipment and disposal of all contaminated soils and sediment from the project.

As noted earlier, this presentation only covers changes being proposed since this appeal. So, refer back to EPA's webpage for background information on the cleanup plan and the appeal.

Faced with this Remand, EPA agreed to enter mediation with all of the parties who had appealed the Permit decision to the Environmental Appeals Board. After a lengthy mediation process, EPA and seven other parties reached a settlement agreement announced to the public in February of 2020.

EPA's current proposed Permit Revision updates the cleanup plan to reflect the terms of that Settlement Agreement. The public comment period is taking place during the summer of 2020.

The parties to this settlement agreement include EPA, General Electric, the Connecticut Department of Energy and Environmental Protection, the City of Pittsfield, the Berkshire Environmental Action Team, the Massachusetts Audubon Society, C. Jeffrey Cook, and the five-town Rest of River Municipal Committee; including the towns of Lee, Lenox, Stockbridge, Great Barrington, and Sheffield, Massachusetts.

The major themes of that settlement agreement, which were discussed during three separate public information meetings in Lee, Great Barrington, and Pittsfield in February and March 2020 include; a "Hybrid Disposal" approach, with the most contaminated waste transported out of state and the remainder consolidated safely on-site in a lined Upland Disposal Facility, an expedited start to work on investigations and design of the cleanup. And GE has already begun to submit plans as required by this agreement.

Significant cleanup enhancements to the remedy, which I will discuss further in a moment. Substantial economic development package to the municipalities of \$63 million, along with land transfers, and other community benefits. Reduced impact to the community and enhanced coordination with stakeholders. A commitment from EPA for further research on innovative technologies, demonstration efforts and pilot studies.

An important aspect of the Settlement Agreement is the agreement by all parties to forego challenges to the plan if EPA follows through with a Permit consistent with the agreement. EPA has been attempting to finalize this remedy selection for many years, while the river continues to pose a risk to human health and the environment.

Additionally, in the Settlement Agreement, GE committed to start immediately on the investigation and design components of the cleanup.

Already, GE has moved forward, submitting a draft Statement of Work and beginning to plan necessary follow-up investigations and work plans.

EPA has now released a Draft Revised 2020 Permit reflecting, in redline, strikeout text the proposed changes to the Permit issued in 2016. We have also released a Statement of Basis, which is essentially a fact sheet that outlines supporting information for the proposed changes, as well as a full Administrative Record of documents considered or relied upon in making the proposal. All of this information is available on EPA's website at www.epa.gov/ge-Housatonic.

As noted on our prior slide, see our website for the 2020 Statement of Basis and for the redline, strikeout Draft Revised 2020 Permit. The statement of basis lays out the details of the Proposed Revised Cleanup Plan, EPA's basis for the proposal, as well as information on other regulatory determinations where EPA is seeking public comment.

Now, let's look more closely at some of the changes being proposed in the Permit Revision.

The cleanup plan selected in the 2016 remedy relies heavily on excavation in the riverbed followed by placement of engineered caps to prevent exposure to underlying sediment and to minimize or prevent upward migration of PCBs into the sediment and surface water. These caps have numerous layers as shown in this figure, and are designed to isolate contamination while being stable enough to prevent erosion or washing away. It also includes a habitat layer at the surface to mimic the sediment characteristics of the materials being removed. The 2016 remedy included approximately 300 acres of capping in the riverbed.

By contrast, the 2020 proposed revisions provide for an additional excavation so that capping will not be required in almost 100 acres previously slated for capping, a one-third reduction. These areas include Reaches 5C, four Reach 7 sub-reaches, and Reach 8.

Specifically, Reach 5C, between Roaring Brook and Woods Pond will now be excavated to a PCB concentration of one part per million, and thus, will not

need to be capped. In addition, new permit provisions require a review of riverbank contamination and erosion potential, which could lead to additional riverbank remediation beyond what was contemplated in the 2016 permit.

In Reach 7 impoundments, there will also be substantially more excavation in lieu of capping. In addition, the dams at Columbia Mill and Eagle Mill will be removed as part of the cleanup and sediments will be cleaned up to the one part per million PCB standard, eliminating 18 acres of capping in these two impoundments. The photo at the right shows an aerial shot of both Columbia Mill and Eagle Mill. The dams are highlighted with red lines, Columbia at the top and Eagle Mill further downstream at the bottom left. The photo on the left shows the dam at Columbia Mill.

Further downstream, more sediment will also be excavated from the impoundments at Willow Mill, Glendale Mill, and Rising Pond. At a minimum, this additional cleanup will eliminate at least 20 and a half acres of capping from the cleanup plan in these areas.

For vernal pools, the proposed revisions to the permit broaden the approach to remediation by slating some pools for excavation and restoration as well as the use of innovative non-invasive methods to cleanup in other pools. Baseline ecological data will be collected, and these methods will then be evaluated before determining the best course of action for cleanup of all contaminated vernal pools. The evaluation will focus on both reduction of PCB availability and how remediation meets ecological criteria for success.

This is an example of an "adaptive management" approach to the cleanup. The flood plain clean-up aspects are also being enhanced by proposed revisions specifically in some residential property in Pittsfield and Lenox where the flood point areas are not typically used for residential purposes, the property owners will now have the option to have (GE) conduct additional clean-up on these properties so there'll be no need to place any future use restrictions on these areas.

In addition, the revisions call for additional clean-up in certain areas of Mass Audubon and New Meadows property areas not previously slated for cleanup. The current revisions also include changes to certain provisions governing GE's responsibility to do work in the future should the need arise.

These changes were made in response to one of the issues remanded to EPA by the Environmental Appeals Board. Furthermore, there are additional changes in permit language in order to properly set forth the changes outlined in the settlement agreement.

We have received numerous comments and questions over the years regarding technologies to destroy or otherwise render the PCBs harmless. While EPA hasn't found the technology that could allow us to avoid excavation of the PCB contamination or requires disposal in a landfill, in the settlement agreement, the EPA has committed to a continuing effort towards the identification of opportunities to apply existing and potential future research resources to PCB treatment technology.

And we'll solicit research opportunities for research institutions and/or small businesses to target relevant technologies. GE and EPA will continue to explore current and future technology development and where appropriate, will collaborate on on-site technology demonstration efforts and pilot studies.

As you can see, the target revisions include improvements to the overall remedy. I'll come back to this in the end to give you a better feel for some of the overall quantities, mass reductions, durations, and costs. But first, let's delve more deeply into the proposed change that's generated the most interest, the hybrid disposal approach.

EPA's 2016 permit calls for disposal of all soil and sediment from the project off-site. GE advocated for disposing of all these materials on-site at up to three locations, two in Lee and one in Great Barrington.

As part of the appeal, the (EAB) remanded the decision back to EPA Region 1 noting that our position on off-site disposal was not fully supported. As a result of the remediation process, we have now arrived at the current proposal termed hybrid disposal calling for a combination of both approaches. Removing the highest levels of contamination to a permitted out-of-state

facility while consolidating the remaining, the lower level contaminated soil and sediment into an on-site local upland disposal facility.

Hazardous wastes under the Federal Resource Conservation and Recovery Act or RCRA and PCB wastes averaging greater than 50 parts per million will be sent off-site to a commercial disposal facility permitted to accept such waste. At a minimum, 100,000 cubic yards of contamination will be shipped off-site.

The upland disposal facility is proposed for a location adjacent to (Lane Gravel Pit) in Lee near (Woods Pond). This means that the other two landfill locations previously proposed by GE, one adjacent to (Rising Pond) in Great Barrington and another near (Forest Street) in Lee, will no longer be pursued for disposal of PCB material.

The average concentration of PCBs to be placed in the upland disposal facility are estimated to be 20 to 25 parts per million, well below the 50 parts per million federal criterion for commercial PCB landfills. Segregation of material will be based on sampling protocols that are outlined in the revised permit.

Here is a figure showing the proposed upland disposal facility location, adjacent to (Lane Gravel Pit) and the Lee municipal landfill. The estimated landfill footprint is 20 acres. This will be a dedicated facility, only for the disposal materials from this clean-up, a single waste stream of contaminated soil and sediment.

Despite only accepting lower levels of contamination, it would be designed consistent with a much more substantial facility. It would include a double synthetic liner under the landfill, be at least 15 feet above the water table, and the final cap will include a multi-layer low permeability cap. A groundwater monitoring network will be installed to monitor groundwater conditions over time and GE will remain responsible for landfill operation, maintenance, and monitoring over time.

Here is a cross-section example of the various landfill design elements, including double bottom liners for collection and the proposed multi-layer low permeability cap. Future land and groundwater use at the landfill will be

restricted though the final closed landfill would be available for future use whether that's for solar development, open space or other use.

Let me show you a few photographs giving you a better feel for what we're talking about when we talk about landfill construction. First, as shown in the left photo, the area would be graded with fine sand to prevent punctures or tears and then the photo on the right shows the bottom liner systems subsequently being installed.

The left-hand photos on this slide shows construction of the various layers of the bottom liner. As we've discussed, the bottom liner would have two separate synthetic liners as well as a leachate collection system. The photo on the right shows placement of materials on top of the liner.

Here's an example of landfill capping. In the left-hand photo, you can see workers spreading the flexible membrane liner while in the background of the photo, you can see areas of this cap that have already been completed. The photo on the right shows three typical cap components. A geocomposite clay liner, basically a clay layer package between geotextile layers similar to heavy-duty landscape fabric. The flexible membrane which is typically high-density polyethylene or HDPE and a drainage layer where we often use this geonet material which gives drainage from rainwater above a path to drain off of the landfill cap.

And shown on the prior photo, the HDPE liner material comes in large rolls and then the seams between the sections of the liners are well-knit together using heat. Here are some additional cover system install photos.

Once all the synthetic cover materials are installed, a layer of soil is added to protect the cap and typically it is seeded for grass. Here is an example from a site with two separate landfill cells. As you can see, they're in various stages of being capped. And here is another photo from that same project. The landfill on the foreground has been completed while work on the cap for the second cell in the upper right is still ongoing.

The location of the upland disposal facility creates an opportunity to pump rather than truck contaminated sediments from (inaudible) and Woods Pond.

It's estimated that this approach could eliminate approximately 50,000 truck trips from the project. The two photos here show an example of hydraulic dredging and pumping of contaminated sediment. The photo on the left shows the hydraulic dredge's cutter head up close.

And you can see the dredge platform in the top center of the photo on the right pointed out with a green arrow and the pipe back to the shore pointed out with a red arrow. The photo on the next page shows another perspective from this New Bedford Harbor project example.

Another variation of a hydraulic approach was also conducted in New Bedford Harbor. In these photos, dredging was done mechanically for the two separate platforms and then the sediment was hydraulically pumped to a centralized location for dewatering. The green arrows point out the two dredge platforms or hopefully you can make out the floating pipes pointed out by the red arrows.

OK. Moving on from the disposal aspect, there are a number of other key provisions I'd like to point out. The revised permit provisions also impose limitations on the transport of waste material on small residential streets, especially in the residential neighborhoods in Pittsfield adjacent to H-5A.

It also provides for enhanced coordination with the municipal officials, landowners, and other stakeholders regarding work activities, schedule and traffic routes and incorporates this information into work plan submitted to EPA prior to the work.

The EPA is also committed to providing technical contractor support for municipalities in addition to providing a technical assistance grant or tag funding for community technical support. Also, as part of the settlement agreement, GE is committed to cooperating with stakeholders to enhance recreational activities such as canoeing, other water activity, hiking and bike trails in the rest of river corridor within the city of Pittsfield and other municipalities.

The Statement of Basis includes information comparing the 2016 permit with the draft revised 2020 permit. This table from the Statement of Basis

summarizes some of the key metrics, in particular the revision is expected to result in the elimination of almost 100 acres of capping, at least 96 acres, removing 143,000 additional cubic yards of contaminated material from the river accounting for estimated additional 3500 pounds of PCB removed from the river system.

The remedy is expected to take 13 years to complete as the project moves down the river from north to south, but an evaluation will be done to determine if certain aspects of work can be done concurrently to speed up the overall project progress.

As I noted earlier, these revisions mean more soil and sediment removal from the river and less reliance on capping in the river, a one-third reduction. The revised plan removes over 50,000 pounds of PCB from the river system. That's over 3500 more than the 2016 plan. The plan removes dams at Columbia Mill and Eagle Mill which likely have not been properly maintained in recent years.

The plan also ensures that the highest levels of contamination are taken offsite with the remaining lower level material consolidated in a secure on-site facility. The cost of this revised remediation is estimated at 576 million in 2020 dollars.

EPA is accepting public comments on the proposed modifications to the permit. Please consult our website for specific dates and deadline. For ease of review, proposed edits are shown in red line strikeout text in the permit revision. Information supporting each changes is summarized in the Statement of Basis and numerous other documents have been included in the administrator's record. All of these documents can be found in our website.

A virtual public hearing will also be held. Again, check our website for specific dates and time. Further documentation, details regarding the hearing, and instructions on how to comment can be found on our website at www.epa.gov/ge-housatonic. After considering and responding to comments, EPA will finalize a new revised permit which we hope to do by the end of 2020.

Comments can be submitted via email to (r1housatonic@epa.gov) or by mail to U.S. EPA, 5 Post Office Square, Boston, Mass 02109. I appreciate your attention to this presentation and look forward to receiving the public's comments on EPA's proposed revised clean-up plans for the rest of river. Thank you.

Bob Cianciarulo: OK. Now, this is Bob Cianciarulo again. I will be the moderator for the – for the hearing portion of the evening. I'm going to read a short statement into the record before we turn it over to the public for your comments.

> As I mentioned, my name is Bob Cianciarulo. I am Chief of the Remediation 1 Branch in EPA's Superfund and Emergency Management Division in Boston. I'll be the hearing officer for tonight's hearing on the draft 2020 permit modification for the GE Housatonic River Rest of River Project.

> The purpose of this hearing is to formally accept oral comments on the proposed changes to the permit released to the public on July 9th, 2020. As a reminder, the public commentary has recently been extended and now runs until September 18th, 2020.

We will not be responding to comments today, but we'll respond to them in writing after the close of the comment period. We've just concluded a presentation regarding the contents of the proposed modification. And those that pre-registered to speak during this hearing should be connected by the telephone. We've posted a queue on the Adobe Connect page of those who pre-registered so you can see when you've been called upon.

Those in blue are people who have connected by phone. If your name is not in blue, you should be dialing into the phone number provided to you so you can speak when it is your turn. When it is your turn to speak, you will be called upon and your telephone line will be unmuted.

Please preface your remarks by stating your name, address, city, or any affiliation. Please limit your oral comments to five minutes. If the extent of your comments will take longer than five minutes, we may be able to come back to you after others have had an opportunity to speak. Otherwise, I would

ask that you summarize your major points and you can provide EPA with a copy of the full text of your comments by email or U.S. mail. And this text in its entirety will become part of the record.

If you did not pre-register but would like to make a comment if time permits, please post a note in the technical support box on the Adobe Connect page and we will provide you with further instructions.

After all the comments have been heard, I will close the formal hearing. If you wish to submit written comments, you can mail, fax, or email them. You may also provide oral comments via a dedicated voicemail – excuse me, voicemail box, 617-918-1700.

All oral comments and written comments that we receive during the comment period will be addressed in a Response to Comments document and become part of the administrative record for the site. This document will be included with EPA's final permit decision. Thank you for joining us. Public input is an important factor in EPA's decision-making process. We'll now begin the formal hearing.

As a reminder, when you're called upon to speak over the telephone, please ensure that the volume on your computer or your television, wherever you're connecting to the Adobe Connect website, is muted. I'm now going to go to the queue and call our first speaker. The first speaker is C. Jeffrey Cook. Mr. Cook, if your phone line unmuted now?

C. Jeffrey Cook: Can you hear me?

Bob Cianciarulo: I can. Yes. So we have five-minute clock on the website that we're going start and you can begin your testimony whenever you like.

C. Jeffrey Cook: Thank you for the opportunity. I have lived along Reach 5A in the river for 30 years. I have been very concerned over time about the practicality of dealing with the clean-up area which is the floodplain on which we lived in our neighborhoods which are the (Polo Acres), Palomino Drive, Shetland on one side and then Anita Drive, the other main Drives on the east side of the river.

And – have been very concerned about what the impact is going to be on our neighborhoods for a sustained period of time. I want to urge every person living in these neighborhoods to do two things. To get familiar with what is going on. And if you are among the homeowners like myself who have received a notice about looking for access to look at your property because there may be PCBs located on that, I want everybody to appreciate that you really should do that because if there's anything there, it will be cleaned up to residential standards and you will never have a problem with selling your property down the road.

We're going to be sitting for quite a while with the difficulty of selling our property. I urge you to take advantage of what has been added to this process to make sure that homeowners are being taken care of in that way.

In addition, I want to urge you to take the opportunity to speak to this team of people who have been working on this project for a very long time. I have disagreed with them vigorously and I do not totally support the remedy, but I am absolutely convinced they are doing the very best that they can and they are moving forward with this in a way that is their best approach considering all the factors that have to be addressed, so that the additional changes recognizing impact on the people living along the river, increasing the amount of PCBs being removed, reducing some of the capping. And all of that is in the interest of every one of them.

I have been involved with this for a very long time, and I'm hoping we are at a point where once and for all, we can start to get this process over, because of the uncertainty that is now hanging over the heads of all the homeowners who live along Reach 5A and are going to be having to deal with the impact of the clean-up on their everyday living, ability to sell their homes, and all of that.

The efforts to speed up a lot of this process to ameliorate those impacts are really appreciated by all of us. So I will close by saying that I urge everyone to reach out and talk to the people at EPA. If you have received the notice looking for access to your property, I think you should go forward with that

because to the extent that you have anything on your property, any kind of PCB contamination, it will be taken care of for you.

And you'll then be in a position that when everything is done, you'll have a clean bill of health on your property if – when you get to the point of being able to sell it. So I want to thank the team for listening to us over the time and urge people to be as much involved in this process as you can be. Thanks for the opportunity to talk.

Bob Cianciarulo: OK. Thank you. All right. The next speaker on the list is (Brian Berkel).

(Mr. Berkel), I don't know if your line is now unmuted.

(Brian Berkel): Yes. Can you hear me?

Bob Cianciarulo: Yes, I can. OK. You can begin again.

(Brian Berkel): OK. Great. Well, first of all, again, thank you for giving us this opportunity to put in our opinions on this. I live at 679 East New Lenox Road here in Pittsfield. I can see the river from my house. My home is located just south of Joseph Drive. My family lives within the Reach 5A portion of this project and this truly makes us stakeholders in this process.

My concerns are focused with the quality of life compliance plan that's mentioned in the corrective action permit proposal, particularly with the expected duration of this – of this project being possibly in excess of 10 years, I'm just very concerned about what measures are in place for the safety and well-being of my family and my neighborhoods.

My concerns include us being made aware as to where these staging areas are going to be. We understand that one of them is going to be at Canoe Meadows, up the city, a little bit north of here. But as far as the rest of the neighborhood who live further down the river, we have great concern about where are the next set of staging areas going to be and how is that going to impact our homes and our – and our lives here.

You know, particularly one thing that I've questioned before, haven't gotten an answer on yet, but I understand there is still planning to be done is to whether or not there've been much consideration given to utilizing the train tracks as a less invasive means of transporting some of those wastes away from these residential areas as opposed to relying entirely on the roads, Holmes Road or East New Lenox Road to transport these things – the wastes away from here.

So, you know, it's important for us to understand where these trucks are going to be traveling, what routes they're going to have, what kind of impact they're going to have in the neighborhood. Obviously, it's going to increase traffic with the trucks. The roads over here on East New Lenox Road are notoriously pothole-infested.

We got – they're susceptible because of the run-off from the mountain here, so we would – we usually have a lot of problems here to potholes. So trucks, as it is, are not permitted on this road. So with all that heavy traffic out here, the weight of those trucks, who's going to be responsible for replacing those potholes or filling those potholes and how often.

The existence of the potholes also leads to my next big concern and the biggest concern I have is what is the quality of the trucks, the containers that are going to be transporting this waste. Is it just an open top dump truck or is it some type of a sealed container?

With the dump truck, I think we can all agree that there's going to be sediment that's going to be spilled and shaken from the back of that truck as they go up and down the roads. You know, and if it's even a cup worth of dirt from the – during the whole transport, we're talking about thousands of trucks over 10 years. And that's a lot of sediment that's being sprinkled along our roads and on our front yards.

So I'm very concerned about that. I'd like to have more information about what these trucks are going to be like and what efforts are being made to contain the material as it's being transported. And in addition to that, too, just with all those trucks, you know, is there going to be a constable or police presence to help with the trucks pulling into traffic, to ensure that they're

doing the right thing, that they're properly securing their loads. These are all things that I hope are considered as it progresses.

The – you know, the previous meetings have also talked about some airborne capabilities for these materials once they're being transported, so I'd also like to know more about what that's going to entail and sort of efforts you have in place to measure and prevent any further contamination.

Overall, again, grateful for the opportunity to at least be in this discussion. I have participated in these meetings before and the questions and concerns I'm raising today I haven't – I have not been able to get an answer on yet, so I'm hoping that that will be something that will be hashed out shortly.

I'm pleased to see that there is language in the proposal to address these issues and to involve the stakeholders. I just ask that the EPA, GE, and the City of Pittsfield do adhere to that quality of life compliance plan and do include and give us some sincere consideration to the concerns that we have as your stakeholders. Thank you.

Bob Cianciarulo: All right. Thank you. The next speaker is (C. Matthias). I don't know if your line is unmuted.

(C. Matthias): Hello. Can you hear me?

Bob Cianciarulo: Hello. Yes. Go ahead.

(C. Matthias): OK. Good evening, gentlemen of the EPA. Number one, we would ...

Bob Cianciarulo: Please state your name and maybe what town you're from at least...

(C. Matthias): Oh, my name is (C. Matthias) and I'm a great resident of the town of Lee, the gateway to the Berkshires, which will soon become the armpit of the Berkshires if you guys have your way.

I would like to first say that we would like to extend the comment period to November. I think you guys are holding us hostage during this pandemic. You are holding these hearings today – not hearing, however you call them,

meetings for people to participate during the height of August vacation time and during a pandemic.

That's extremely unfair. I think September 18th, with people getting back to school and trying to get some sense of their lives, I think this comment period is being rushed through. And it should be moved to November after the elections. That is a really big concern, but I'm just stating it. I know there's no answers.

Number two, this permit process was developed by GE, the EPA, and the selectmen of the five towns. There has been no vote from the citizens and residents of the Berkshires. Everything has been held behind closed doors in secret meetings. And then your tactics were phenomenally successful because you took these uneducated selectmen who were scared to death and you pitted them against each other.

You pitted the towns against each other saying, "Oh, you're going to have three dumps in three different towns, but we can make it into one. The less affluent towns, Lee and Lenox Dale. Let's put all the toxic PCBs that we dredge from five towns and drag them into Lee and Lenox Dale because those people are blue collar workers. They work in factories and paper mills. They're not going to rise up like the people of Great Barrington who got a 149-acre park out of the deal because (Ed Abrams) is a little smarter than (Patty Carlino). OK. That's number two.

Number three, all of these toxic PCBs that you'll be dredging up will be traveling through all of the towns, but they will all come to Lee and Lenox Dale in giant dump trucks through our streets and past our homes for the next 15 years. I know you're playing it down to 10 years, but in those meetings in February that I attended in the Lee High School, it was 15 years and you guys know it, because you can't put a date on that.

You'll be passing through with those dump trucks, PCBs going airborne, poisoning the health of our children, our pets, and ourselves. We will lose the real estate value of our homes. We'll never be able to sell them.

Number four, the clean-up didn't work in Hudson, New York, did it? It was a complete disaster. And you're now in litigation over it. Should we trust GE to clean up our towns now when it didn't work in Hudson, New York? I don't think so.

Number five, we don't want a dump that after you put the liner in, will leak forever, because the company that makes the liners voids the warranty when it's used for toxic materials. When toxic chemicals are put into the liners of the dump, that voids the warranty. So you know ...

Bob Cianciarulo: Did we just lose audio?

(C. Matthias):

...want – we want no dump. We want remediation. Successful remediations that have been proven all over the world, we want that, because you haven't tested the levels of PCB since 1999. That's the last time you tested the PCB levels of the Housatonic and you're telling us what's 25 million parts and what's 50 million parts? I don't think so.

You don't even know how many parts. It could be a thousand parts. You're just telling us you're going to ship it off, the rest of the high. How are you going to separate the low from the high? And where is it going, which town decided to sign on for a dump? Is it fair that we dump it somewhere else? I don't think so.

I think we need remediation. There's a million different ways. People in Holland, people in Japan, people in Vietnam, they had successful remediation with how we poisoned them with the DDT that we spread, Agent Orange, all over Vietnam. You know they have found successful ways of cleaning it up?

There's worms, there's heat. There's a million ways to get rid of this, not through dredging it up and throwing it into a dump and dragging it through the Berkshires to pollute us all and kill us. I don't think so. Doesn't the EPA stand for Environmental Protection Agency? Environmental Protection Agency...

Bob Cianciarulo: That's your five minutes.

(C. Matthias): ...but you know what? It's really the arm of GE. They're working for GE.

Not the citizens, not the people. Thank you for my comments ...

Bob Cianciarulo: Thank you. All right. The next speaker is (Janice Brame). (Miss Brame), is

your phone unmuted?

(Janice Brame): Can you hear me?

Bob Cianciarulo: Yes.

(Janice Brame): OK.

Bob Cianciarulo: Go ahead.

(Janice Brame): Hi, I'm (Janice Casimiro Brame). I lived in Lee for 60 years. I grew up in the

neighborhood you are planning to put the PCB dump. As real estate broker for 42 years, the people of Lee and especially the people who live near this proposed dump will lose value of their homes. Who wants to live near a toxic

PCB dump?

Part of the agreement plan is that the EPA said all the wells around the surrounding area are to be decommissioned. My guess is they know that this dump will leak in the future. Homeowners should not be forced to go on public water and public sewer. In fact, the EPA's previous own testimony reveals that landfills do indeed leak. And the EPA also admits that the liners do not last for decades.

The next 15 years, there'll be dump trucks going through own town of Lee with PCBs on them. Once you start dredging the river, it will be in the air we breathe. You should be doing this in public and right before us. You shouldn't be doing this behind a computer.

This whole deal was done underhanded. We can vote for plastic bags, but we cannot vote on a toxic PCB dump. Shame on all of you. The townspeople should be able to vote on this. I can assure you that if a toxic dump was in your backyard, there would not be one.

Exit 2 of the turnpike says we are gateway to the Berkshires. I guess we need to change the sign to the gateway General Electric Toxic PCB Dump. Again, you guys need to face us in person. There's a lot of people that do not have computers and know how to do this. You should put this on hold until after the New Year.

(Cindy) said November. I think you need to wait until this virus is over and face us face-to-face. You guys need to face us face-to-face. You voted for this. You pushed this through. Now, have the balls to face us face-to-face. Have a good day.

Bob Cianciarulo: OK. Thank you. Our next registered speaker was (Susan Lyman) and after that (Marilyn Gagne). We don't see either of those individuals dialed in on the phone line. So if you are on or watching on television, if you could dial in and use the information we gave you, but I will move to (Paula Dowling) right now, if we could unmute her line.

(Paula Dowling): Hi. Can you hear me?

Bob Cianciarulo: Yes. Go ahead.

(Paula Dowling): You can hear me? OK.

Bob Cianciarulo: Yes.

(Paula Dowling): That's a tough act – that's a tough act to follow, that was my cousin.

Anyways, my name is (Paula Dowling) and for the record, I grew up in Lenox Dale. And my family has owned property there and has paid taxes to the town

of Lenox since 1955.

Therefore, I can say that I have had a connection to Lenox Dale my entire life. I'm now a seasonal resident there and I feel blessed to have been raised in such a small town America, especially in Norman Rockwell territory.

My vision for Lenox Dale is that it remain a quaint village. The Housatonic River runs through Lenox Dale which makes it prime waterfront property just begging to be redeveloped into beautiful spaces for recreation, housing, and a vibrant community activity.

Placing a toxic waste dump in the proposed location would certainly destroy property values and the health of its residents and prohibit future development. Now that most of the local mills are closed, the economy of Berkshire County relies on tourism dollars. Seasonal residents contribute heavily to the local economy. Seasonal residents were never notified of the proposed PCB dump.

A decision this big should not have been decided by only a few people behind closed doors. Local representatives did not consider the will of the people. Surely, the Housatonic River is contaminated and GE needs to clean it up, but this is hardly a cleanup. It's a relocation of toxic materials from the river to a pile of dirt at the edge of the river. There is no attempt to destroy the PCBs or to use alternative cleanup methods.

What right does GE have to destroy our property and our way of life? Where does it say that we have to accept this proposal? If they truly believe in their methods, then why create another dump when there is already one in Pittsfield. GE still has plenty of real estate there and they should utilize that dump or expand on it on the property where the PCBs originated in the first place.

One dump is bad enough. But to create another one in Berkshire County is deplorable. Back in the early days of GE, their innovation brought good things to many lives and provided many jobs to local families. And then they got greedy and money became more important than people.

There must be areas where they left a huge amount of contamination. Enough is enough. They should have cleaned up their mess long ago.

The current proposal lacks details and data. What are the current levels of PCB? What roads will they use? How will air quality be affected? How (inaudible) negative health effects of this project?

If it's going to take 13 years to complete, does that mean I can't use my property for 13 years? Their track record with the Hudson River is not good. Why should we trust that they would do any better in our community or even stick to the timeline?

And they certainly have no exit plan. Is GE going to redevelop Lenox Dale into a waterfront tourist destination? Surely the decision makers were accepting bribe money from GE. For the record, I do not want this stuff anywhere Lenox Dale or anywhere else in Berkshire County. Remediation is a better approach. Thank you.

Bob Cianciarulo: OK. Thank you.

Again, the other names on the list here, (Gail Tier), we don't see you on the phone line so do dial in or you can check in on the technical support bar.

(Steven Wellington), I believe you're on the Adobe Connect but we don't see you on the phone line. So, if you could contact us on the technical support.

So, I will move to (Anne Langley). Are you on the line?

(Anne Langley): Hello.

Bob Cianciarulo: Hi. If you could mute your either computer or TV, whatever is on in the

background.

(Anne Langley): OK.

Bob Cianciarulo: Thank you.

(Anne Langley): Can you hear me OK?

Bob Cianciarulo: Yes. Go ahead.

(Anne Langley): Shall I go ahead and start?

Bob Cianciarulo: Yes, please. Thank you.

(Anne Langley): Hi. First of all, I would like to ask, demand actually an extension for the...

Bob Cianciarulo: Just for the record, just maybe the town you're from and your name, for the

record. Hello? I apologize. I'm not sure if I somehow cut her off. We'll try

to reconnect.

Operator, is (Anne Langley's) phone line open?

Operator: I can see that she is still connected.

(Anne Langley): Hello?

Bob Cianciarulo: OK. Sorry. I can hear her now, I think.

(Anne Langley): Can you hear me?

Bob Cianciarulo: I can hear you now, yes. Go ahead.

(Anne Langley): OK. Thank you. Shall I go ahead and start?

Bob Cianciarulo: Yes, please. Thank you.

(Anne Langley): OK. First, my name is (Anne Langley). And I've been a resident here in Lee

since I was a small child.

The first most important thing is that I do demand that there is an extension given for a comment period. And there are so many people out in the residential areas that do not have the ability or the knowledge to use their phones or computers in connection with this. We need to have an actual public hearing. This is absolutely ridiculous and disgraceful.

My husband and I, we have several children and we actually have 11 grandchildren that reside in Lee and the surrounding Berkshire towns. And I'm calling in because I'd like to express, to register my objections to the EPA's decision to allow General Electric to collect approximately half of all the toxic PCBs all around Berkshire County including all the ones from Pittsfield and then make a new toxic dump here in north Lee and Lenox Dale and the neighborhoods where there are so many people that are just so concerned about their livelihoods and their health.

General Electric, over a period of approximately 10 years – used to be 15, for some reason now, it's only 10. They're going to be having thousands of truckloads of these airborne toxic very poisonous PCBs all throughout not just our neighborhoods but all along Berkshire County because these PCBs will be collected from Sheffield trucked to Lee, Pittsfield trucked to Lee, Housatonic trucked to Lee, Great Barrington trucked to Lee, Lenox trucked to Lee, so everyone is going to be exposed in Berkshire County in those towns.

And this proposed toxic dump site is going to be less than two miles from three of our schools and less than a mile and a half from even our own town water source here in Lee. And I'm just blown away that EPA thinks that that's acceptable. Are we going to end up like Hill 78, Allendale School in Pittsfield where they try and make us believe that some chain link fence is going to contain these airborne PCBs? It's absolutely ridiculous.

Both General Electric and the EPA set a fast track in an ill-advised direction to not remediate fully what's (found) in the Housatonic River. There are so many new technologies available but it's cheaper, much, much cheaper for General Electric to add the residents of Lee and Lenox Dale to their ongoing list of 45-plus towns all around the country that have been allowed to be poisoned through EPA's inability to protect our health and our wellbeing.

It's just absolutely unbelievable to me. And as a resident, I'm just appalled that we, the people, didn't even have a vote. As a past conservation commission member, I'm outraged for the residents. Not one of those residents that were rebutters to this proposed site was notified.

Sneakiness, it's just absolutely crazy how nobody had a say so besides one representative from each of the five towns. As a past district rep, I will tell you, we actually only voted to approve the \$10,000 amount from the five towns to get a lawyer's opinion, a professional's and we were told that all the selectmen would make no decisions for us, not one decision, but that the rest of the river cleanup would be re-voted on by us, the district reps. We were lied to.

(Heidi Carolino) stated that she would pin herself to a tree before allowing the PCB dump from GE in our town. Again, we were lied to. Absolutely ridiculous.

And, again, I can't say enough how the way that this meeting is handled is so unfair to the public. No one is allowed to actually come and see face-to-face. You people hide behind closed doors, quiet meetings that continue to go on with our selectmen in our own town and it needs to be stopped.

People need to step up and stop this dump. Stop sleeping, everybody. Thank you.

Bob Cianciarulo: OK. Thank you.

Once again, a reminder to the folks that are higher up on our list, (Steven Layman, Marilyn Gagney, Gail Tier, Steven Wellington), if you do want to speak, you need to dial into the phone line that was provided.

I will provide the phone line to a broader audience after we get through the list of those that pre-registered as well.

I'll now move to (Chris Perrilli) who is next on the list. Mr. (Perrilli), are you there or Ms.? Is that unmuted, (Chris Perrilli)? We're not hearing. All right. We'll work on the technical difficulties there. I'll move to (Amy Winston). (Amy Winston), are you on the line?

(Amy Winston): Can you hear me?

Bob Cianciarulo: Yes.

(Amy Winston): Hi. Yes. My name is (Amy Winston).

Bob Cianciarulo: Go ahead. Yes.

(Amy Winston): Hi. My name is (Amy Winston). I live in the town of Lee presently. I'm someone who doesn't speak up very much about any type of public issue. But this issue, I feel extremely strongly about.

I grew up in Lenox. I went to school in Pittsfield and my children have grown up and have been raised by the village of Lee, Massachusetts. And I am proud to be a member of this town. These children and these families thrive here in this beautiful town.

And I feel that the dump preys upon those that have not had a voice. The towns that are joining in here, no town would want this dump in their town and our town and I do not want this dump in this town and I would fight to keep it out of the other towns.

For all the years that I grew up here, I knew people that lived along the river in all of these towns. I know people who've gotten strange cancers, their family members have died, their animals have died, the values of our properties will decrease with a dump, let alone one holding poison.

I was so proud to have a nice place to live with my children and I feel this PCB dump threatens our home. There's no way that this dump is safe. I've seen things where people are being offered to join the sewer lines because clearly, there is some fear that whatever is in the containers is going to seep throughout the town.

There's no way that anyone could feel safe about allowing these PCBs to travel through our towns, in our streets, on the railroad tracks where everybody – where people live. There's no way we should want this type of a dump near our schools, near our water supply and I really, really plead with those in this town to come out and move against having something like this brought into this beautiful place that's live and will have now a dump, a dump that we have – that will decrease our value, that will decrease our ability to live clean and healthy lives. And I am vehemently opposed to the dump here in Lee. Thank you.

Bob Cianciarulo: OK. Thank you.

I believe we do have (Chris Perrilli) now on the line. Just speak out if your line is unmuted. No. All right.

(Claire Leahy), again, we see you on the Adobe Connect platform but not on the phone line. So, we'd ask you to follow the instructions on the email. I don't think she's on line now.

So, we'll move to (Monica Ryan). Is your phone unmuted?

(Monica Ryan): Yes, it is. Can you hear me?

Bob Cianciarulo: OK. Yes. Go right ahead.

(Monica Ryan): OK. Yes. So, my name is (Monica Ryan). I am a district rep for the town of Lee and I'm sure my house will be on the truck route for this disposal of this poison which will surely become airborne and cause me some health concerns and also real estate values.

I mean, I echo just about what everyone who has been calling and saying, they're really great points. But my first, I guess, request is just for me, you had it right the first time when you said it had to be brought out of state. Why did it go off course?

The gentleman, when he was speaking said it was something that it was not fully supported. And I'm like well, who wouldn't support that except for GE. But I just feel like you sold us out, the EPA and our town select board and everyone because it's something that we clearly did not ever want to agree to. And if it had come to a vote, we would vote it down.

And that's where it comes into – I'm a district six rep in Lee so I vote at every annual meeting which we haven't had this year. But in any event, it was told to us at our annual town meeting that we would be voting on this. It was assured to us by one of the select board members who is the very same one who agreed to this.

I feel like it's a fraudulent document or agreement. And that we were told one thing and then just behind closed doors with very little transparency, if any, where these meetings taking palace and negotiations then all of a sudden, (whammo), press release in February here we go. And the towns are horrified. Lee and Lenox and Great Barrington, the face-to-face meetings that

you did have in the winter before COVID, I've never seen our high school auditorium filled and we've had a lot of contentious issues in our town and it was filled to overflowing with angry people.

So, how could you ever go through with this? So, my suggestion is that you would go back to the original EPA ruling which was take it out of the state. Just get rid of it and put it not next to any residential area anywhere in the United States, as simple as that.

It's as simple as that, because to put it in our residence is to endanger our health, to reduce the value of our real estate, to destroy the Berkshires, the gem of western Massachusetts, where people come for the bucolic area and that's why I bought my house here 10 years ago and I've been living here 17 years. I love Lee and I don't want to see it destroyed by this terrible decision.

I want to know - I would like to know the exact route of all the transport for the waste. I would like to have it on a map and displayed on your website exactly where all of the trucks will be travelling because I'd like to see, I think, we need to see whether they're going by our houses and you need to show that to all of us.

But another point I have is that the – from what I understand, it's supposed to be like 10 football fields. I'd like to know the square footage of the top of this dump, because you say that the rainwater is going to be – contingency plan to take care of all the rainwater. Well, you've seen the deluge that we have been having lately with rain and a heavy rain over a large area would be very difficult to collect and I think there will be a lot of leaching and you would never be able to collect all that rainwater safely and keep it from leaching.

With all the water that we get, there's certain to be leaching. So, there's no plan for taking care of that. It's just a stupid idea. Just don't put it near a residential area, just use your common sense. And also, follow through with what you had originally decreed, Mr. EPA guy and please just go back to what you had – I don't know why you would have ever conceded to this. This is already horrible and, again, we never got to vote on it.

So, I feel like they say that it's the very best that we could do. I say it's the very cheapest that they could do that's why – it's all about the money. Make them spend the right money on the right cleanup, the safest way, secure all the trucks, make sure the trucks have liners. Whatever you have to do, use rail if that's better, I don't know. But look for better ways and safer ways to get it out of our state altogether and we require that.

And I think that my time is probably coming up, but I also wanted to point out that there has been as I said no transparency so the meetings that have taken place for this have been really behind closed doors and just so detrimental to so many people in our town and it's just horrific. So, we ask that those meetings, all those minutes also be exposed at this time because we feel like there's nothing being done for the people. It's just being done for GE and it's not fair.

GE made this mess and GE has to clean it up completely and safely. End of story. Thank you. Bye-bye.

Bob Cianciarulo: Thank you.

All right. (Chris Perrilli). Third time is the charm, I hope.

(Chris Perrilli): Hi. Can you hear me?

Bob Cianciarulo: Yes, absolutely.

(Chris Perrilli): Great.

Bob Cianciarulo: OK.

(Chris Perrilli): My name is (Chris Perrilli). I lived in Lee, Mass for the last 19 or 10 years. I raised my children here. It's a beautiful area.

A lot of issues have not been discussed. For one, lack of transparency from our local government, our local state representative, our local senators. Two, the \$25 million that they're offering Lee will not even cover the damage and the repair to the roads after all this is done.

It seems to me that GE is getting way more of a say than every single person that lives in these towns and that is affected by what is going to happen, all right? We want to save GE money by not trucking everything out. GE has had record profits with very little income tax paid over the years. And the residents are supposed to pick up the pay check for the GE and handle – subsidize them by lower house values, by lower standards of living, by the pollution going down the roads.

I mean, it's just got to be a little bit more transparent to the local citizens who have not had a single say in any of this whatsoever. I live on the same road as a local state representative and I will say his name because I'm very disappointed. (Smitty Bignatelli) lives on the same road as me and now he is selling his house.

Why do you think he is selling his house? Because he knows what is happening. He knows that the real estate values will be very negatively affected. He knows the quality of life for this town will be negatively affected if you have 10 years worth of truck traffic products 15 as they now say. But either way, it's just citizens who had to live with this have no say in it and that is wrong.

You call it a cleanup plan or remediation plan, but absolutely basically what it is is you're taking everything and concentrating it into one spot, 1,000 feet from the actual polluted river. So, tell me how that is a cleanup plan. How does that help the environment?

You're going to stick everything in a giant hole in the ground that's going to obviously leak after a few years back into the river. The Hudson River should be a great example of how not to do it but no one is listening, no one is able to say because no one knew it was happening.

I'm very disappointed in the way this has happened. I'm very disappointed in the way the EPA is now handling it. It seems more like it's shifted towards corporate than the citizens, corporate than the environment. It's a protection agency, not just go along and let the corporations dictate what we say.

No one in any of these towns affected have had any say whatsoever, but we are affected by it. GE doesn't even have any business interests in this county anymore. They sold everything. They made their money and they took off. And I just think that, for God's sakes, the citizens that have to live with this forever should have a say in it. People that live in Lenox Dale are going to be basically living next to a dump, a toxic dump. People – I mean, that's not how it's supposed to work. Corporations, a multinational corporation making billions in profit can afford to send the extra money and have it shipped to an approved facility. Not take everything and concentrate it in one spot.

It's not right. It's not the best way to do it. We've had no say in it. It's been forced upon us. I mean, the same week that it was announced in the paper in the real estate news was the two real estate transactions of the quarry being sold to whatever GE holding company that's going to take it is. Half of it is in Lenox Dale, half of it is in Lee.

And right there in the real estate news, in the same exact week that we found out about it, they bought the dump – they bought the quarry already. So it was already planned out with absolutely no say to anyone who lives in this area, who has kids in this area, who have children in this area, who love this area, who support this area, who pay taxes in this area. All right.

What am I supposed to do when I go to retire and I want to sell my house so I can finally, after working for 50 years, have a leisurely life. But now, my house is worth so much less because there's a PC dump in my town.

I mean, how good are real estate values around Love Canal? People need to realize this. We are people. We are not corporations. But the corporations have all the say, and that's just wrong. That's my opinion. I think we should definitely look into this more. The town people should have a say. The selectmen have really screwed us over in this. And it's horrible because we're the ones paying taxes. We're the ones that live here. We're the ones that are going to watch this truck traffic for 10 years and then my taxes and everyone else's will have to pay for the road repairs due to 10 or 15 years of heavy traffic going over these roads. Our roads aren't in great shape to begin with.

Bob Gianciarulo: I do need to move on to other speakers. We can add you onto the list if you want to continue after others have had a chance.

(Chris Perrilli): Well, I guess that's the quickest five minutes I've ever experienced.

Bob Gianciarulo: OK.

(Chris Perrilli): Thank you for my time. And I'm really hoping you'll listen to the citizens.

Don't let the EPA listen to the corporations and have it. Just give the citizens a chance to say and give us a chance to listen to us and maybe realize that it's not the right way to do this. It should be shipped out. It shouldn't be in this town. Thank you.

Bob Gianciarulo: Thank you. I think we now have (Claire Leahy) on the line. And we go to Claire next. Is your line unmuted?

(Claire Leahy): Yes, it is unmuted.

Bob Gianciarulo: OK. All right. Whenever you're ready.

(Claire Leahy): OK. Hello. My name is (Claire Leahy). I live at 110 Mill Street in Lee. It's not unmuted. I don't think it is unmuted. I thought I am unmuted.

Bob Gianciarulo: No, you're fine. You're fine.

(Claire Leahy): I am okay? OK.

Bob Gianciarulo: Yes.

(Claire Leahy): All right. Our house sits in the corner of Washington Mountain Road and Mill Street. The river is just across the road with the railroad tracks to clean the road and the river. We recognize the need for the cleanup of the Housatonic River flowing by our home. Our family has been anticipating a cleanup for the past 48 years ever since the Clean Water Act was passed in 1972.

The proposed Upland Disposal Facility is about a half mile from our home. My concern is that the site was rather hastily chosen by two members of the mediation group and accepted by that powerful group with no further background study on its feasibility.

The basis for not studying the viability of the site is beyond comprehension. The land where the upland dump will be located is a unique natural area providing a scenic buffer between the excavated stand pits of the former Lane Construction company and the winding scenic woodland road leading to one of our favorite natural areas.

It is a well-known fact that this entire area has only a few feet of soil beneath which lies hundreds of feet of fine sand. This geological phenomenon extends all the way up to the base of October Mountain State Forest, a more unstable site could never be found. Creating this dump will destroy the beautiful access to Woods Pond, along the winding woodland road from the October Mountain Campground all the way down to the pond.

It's a favorite walk for all of the neighborhood as well – it's only road access to the State Park. One young family built their family just a few years ago within a quarter mile of the scenic area, thinking of bringing up their two children in a healthy country setting. Think of what misery this decision has brought them. The value of their home, the health of their children, and the beauty of nearby natural area has become endangered by this hasty decision on the part of the mediators.

Lee neighborhoods near the dump can look forward to at least 13 years of increased toxins in the air they breathe. This is why we're fighting to protect our community's health, water, ecosystem and livelihoods.

We're hoping that everyone understands the importance of fighting for the best possible solutions to cleaning up the river. It is my hope that the rest of the river cleanup mediators can find a way to go back to the drawing table.

We waited so many years for a proper cleanup since 1977 when the manufacture of PCBs was stopped in the US when they were listed as a toxic substance. Because of evidence, they build up in the environment causing harmful effects to human beings. Over the past 53 years, GE has relentlessly pursued you, the EPA, not only in the courts but with public propaganda

denying the danger of PCB. The threat of more time in the courts put GE to finally getting their wish of a dump closest to the source saving millions in transportation cost.

There's been no environmental assessment of the dump area. How can you justify taking PCBs from one location to remediate that area and destroying another natural area without a second thought?

In addition, my husband and I have not had our property checked at all for PCBs. I believe it was a filling of the EPA that the railroad provided a dike between our house and the PCBs. But we have a dirt cellar and I'm sure that those PCBs have migrated through the water table into our cellar. And thinking about the fact that they volatilized and are coming up into our house is something that is very scary for us and disallows us from ever selling this house in good conscience or passing it on to our children.

We are stuck at 82 years old and 79 in a house that we have loved for years. And besides that, very quickly I have come down with two bladder tumors that are unheard of over 10 years after we moved in here. Another 10 years later, my mother-in-law died of lung cancer. She lived her life in this house. She was not a smoker. I was never a smoker. And my husband is suffering from COPD, which can be related to the toxic chemicals in the air.

Thank you for your time.

Bob Gianciarulo: Thank you. OK. We're going to switch the view here in a moment. Just to

put up the phone number for those online and listening from home or watching on local cable. If you do want to call in to get on a waiting list of

those once we get through this list of registered speakers.

If you are a registered speaker and need that information, that information is now on the page, 833-804-3287. And you provide the operator with

conference ID 6348-468.

The two remaining registered speakers that we have in the queue that appear to be on the phone line are Charles Cianfarini and (Joanie Thomas). I know that they both spoke at this afternoon's hearing.

Mr. Cianfarini, did you want to speak again? Is your line unmuted?

Charlie Cianfarini: I'm not going to repeat what I said this afternoon. OK, Bob?

Bob Cianciarulo: OK. Yes. So we'll pass – do you want to pass or do you want to – OK.

Charlie Cianfarini: No. I'm just going to...

Bob Cianciarulo: OK.

Charlie Cianfarini: I'm going to say just – I'll make it short.

Bob Cianciarulo: OK.

Charlie Cianfarini: My name is Charlie...

Bob Cianciarulo: OK.

Charlie Cianfarini: My name is Charlie Cianfarini. I'm interim executive director of Citizens for PCB Removal, which is a grassroots organization, started in 1997 with the residential properties in Pittsfield having PCB contamination, including the house and the yard that I grew up in.

So I've been involved in this since 1997 through the consent decree and all the meetings and everything else. And I truly believe – I would like to say, I support everybody's comments from this afternoon and tonight and the passion from the citizens of Lee and Lenox and everyone else who keeps saying that this was an improper process, was done privately and it should have been much more public process to produce any type of resolution.

One other thing I would like to mention is that General Electric statement of work actually states that they might apply to stop monitoring that dump after everything is complete. That dump should never have any monitoring stopped.

And, in fact, there should be information if in fact it goes in then it gets remediated later and gets cleaned up as the technologies become available.

The last thing I would like to say – I really believe that we should get an extension well past the November elections.

Hopefully, we could get a new administration that won't be as draconian as the one that we have now. And that could make us a better place where we actually use science and not money to make a good decision on the health and safety of our citizens.

And the last thing, in this draft permit, there is a chart about the downstream transport performance standard. Everyone should be aware of this, that even after all of the cleanup, everything is done, there will still be allowable movement of PCBs over the Woods Pond Dam and the Rising Pond dam area of almost nine pounds per year of PCBs.

That's not nine pounds of sediment. That's nine pounds of PCBs that they're going to be monitoring. So everybody should be fighting that as well to make a more substantial clean up. Anyway, I thank you for allowing me a second chance at this, Bob.

Bob Cianciarulo: OK. Thank you, Charlie.

Similarly, (Joanie Thomas), I don't know if you wanted to make remarks at this hearing. Is your line unmuted?

(Joanie Thomas): Yes. And I appreciate the opportunity as well, because I spoke this afternoon but I don't think I could articulate any better than the previous passionate, wonderful citizens of Lee who absolutely deep down appreciate what they have. What a gem they have by living in Lee.

And it appears the decisions that the local selectmen as well as the EPA are making are going to destroy that gem town of Lee. And it's just – it's absolutely tragic to think that they're going to pull PCBs out of the river and then dump them right in the town of Lee.

I am a property owner on the Housatonic River as well as I'm on a road that if there's trucking to be done, those trucks will be going past my home. And I think if you just dig into history and look at the track record of these cleanups that should be enough of indicator of future behavior is just look at the past.

And it hasn't gone well with any of these cleanups and to think that somehow magically this cleanup – cleanup as it's called is going to be any better is just a fallacy. And I just wish people would dig deep and think about if this was in their backyard, because it appears the people who are making the decisions are not living in Lee or Lenox Dale or living at the site of the dump.

And just by definition, dump should be a clear indicator that the people of Lee did not have a vote and did not have a say in this. And, again, I know I spoke this afternoon. I don't want to take up somebody else's time, but EPA stands for environmental protection, not putting a toxic dump in people's backyards.

So, again, I thank you for the opportunity. I truly hope in good faith that the people who are continuing to make decisions will think about the decisions they're making and not just for the people of Lee but for their children and grandchildren. Thank you very much.

Bob Cianciarulo: OK. Thank you.

OK, our next speaker is (Deidra Consolati). She's on the line and if the line is unmuted.

(Deidra Consolati): This is (Deidra Consolati). I am a town representative in the town of Lee for district five. And the river flows right in back in my apartment building. I want to speak to one issue, and that's the fact that GE for years has already polluted our river and taken much from us and our children.

My son, who is now 40 years old used to swim at the river behind our building. And when he was 10 or 11 years old, he would go down with his fishing rod and catch the fish there and bring them home. So imagine my pain as a mother, telling him that there were toxic waste in the river that not only were harmful to the fish but were harmful to others in our town, including himself. As he was standing there in his boots, in the water and the water was seeping into his boots and probably he would have gotten a rash or PCBs could have been absorbed into his body.

So, I'm just saying that we've already suffered much damage. Our children have had their lives changed. We can't swim in the river like others might be able to do in where rivers are cleaner. And so, I want to say we have suffered enough in the past from GE. Let us not take another hit. Thank you.

Bob Cianciarulo: OK. Thank you.

All right. Our next speaker is (Debra Kelly). (Debra), are you on the line?

(Debra Kelly) is unmuted.

(Debra Kelly): Can you hear me?

Bob Cianciarulo: Yes.

(Debra Kelly): Hi. I just want to listen tonight. Thank you. I've made a comment this

afternoon.

Bob Cianciarulo: OK. All right. Thank you.

(Debra Kelly): Thank you.

Bob Cianciarulo: Bye-bye.

So, I don't have any others that I see waiting on the phone line to make a comment. I have no one in the queue, so things are open now. If those that are watching online or watching on cable TV, you can call 833-804-3287 and give the operator your name and the conference ID 634-8468. And we add you to the queue. The same goes for those who have registered but have yet to check in.

And we will, I'm probably going to put myself on mute now until we get additional commenters. We will keep this hearing open until 10 PM. That's what we promised, this hearing would run until 10 PM, so we'll keep this line open until 10. Close the internet.

Just a reminder, for those who may have joined late, you're listening to the public hearing on the Draft 2020 Permit Modification for the GE Housatonic River Rest of River Project. My name is Bob Cianciarulo from EPA's Boston Office. And I'm the hearing officer.

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Bob Cianciarulo: OK. We do have a caller, (Nicole Kozourek), are you on the line?

(Nicole Kozourek): Yes. I am. Can you hear me?

Bob Cianciarulo: Yes. Whenever you're ready.

(Nicole Kozourek): My name is (Nicole Kozourek) and I live at 183 Washington Mountain Road in Lee. Can I start?

Bob Cianciarulo: Yes.

(Nicole Kozourek): I live on Washington Mountain Road in Lee, basically down the road from the PCB dump site. I'd like to first start off by saying that my name is probably not recognizable because I haven't been around the Berkshires my whole life like a lot of other people that have been in this town.

With that said, I feel so – my point should be heard no differently and should be valued just the same because of the fact that I wasn't born here but I chose to live here. So a lot of what I have to say has to do with choosing and having choices.

I'm certainly not a politician, a lawyer, a GE worker or a scientist and I haven't studied the river my whole life. Although, I'm very thankful for the people that have. I don't have a lot of questions to ask about this because I've been to all of the meetings. And quite honestly, the majority of the answers that have been given by both the EPA and the Select Board have been unclear, disappointing and pitiful at best.

And hearing things like we're not sure, I don't know or we haven't thought about that yet are sounding quite confused with their own answers are things exactly making me feel comfortable, confident or safe or not answering our questions at all at the meetings is actually very telling in itself.

So, I would just like to tell my personal story today to try to put a face and a name to what's being done to us in our community and in our neighborhood. The only fact I'm going to say is that PCBs are known to cause a full multitude of health risk and this dump is minutes away from my family and where we walk and hike and ride bikes.

And quite honestly that's the only fact that I need to know. My husband (Matt) and I started our life together. We chose to live specifically in Lee. We were really quick to fall in love with Lee and were excited to join the community 10 years ago.

We bought land. We built our home, which I might add is down the road and we had to go through quite a bunch of challenges and hoops having it being a possible flood zone, wetland protection. We have to get special surveys, permits just to build a house.

It cost us thousands of dollars with all these extra meetings and town votes. So, I'm confused how we had to go through endless obstacles to build our homes, how it's still very easy now to put a PCB dump in this exact same neighborhood.

Washington Mountain Road is at a dead-end street at the base of October Mountain State Forest down the road from the Campground. On our street we have 12 young children on our dead-end road alone.

Within three miles of this dump are five schools, multiple home day cares, playing field, parks, playground. Our house isn't just a house. It's a home that we've worked for our entire lives that I could never imagine wanting to leave. And now I feel like we have no choice. Not that I'll even be able to get – sell my house because it will be impossible now that the value of my property is going to plummet because of this dump.

I'm regretting every decision that I've made up to this point in choosing to live here in Lee because I chose to live here. I didn't choose a PCB dump for my family and neighbors. Everyone else has a choice in their life where they want to live.

And I feel like we are deprived of this basic right in this whole process by not getting a choice because who would choose to raise their children minutes away from a PCB dump. In fact, after the one of the meetings it should be noted that I was Mascot's and saw the whole team of the EPA and actually walked over and spoke with them and every single one of them also let me know that they wouldn't personally want a PCB dump in their town either.

So, I'm not quite sure why we're being forced to do it. I think there's a reason why all of this is done behind closed doors with no town or public knowledge. And if this was thought of such a highly wonderful great deal then we would have probably celebrated in a (wonderful) victory together.

But instead this is made like a little dirty secret of Lee and pitting everyone against each other and I find it to be shameful. I don't know what kind of place we're living in if we allow this to take place in this manner. Certainly, not a place that I want to raise my family or values I wish to instill. And I don't know what kind of mother and educator I would be if I accepted this without a fight to stop it because we're teaching our children and the younger generations that their vote matters.

But this whole process has proven that they're not even worthy enough to be given the opportunity to have a vote. So, my only hope now is that there is a chance of stopping this so my family and I can continue to live out our healthy lives in Lee.

And I hope that the images of my four and eight-year-olds breathing in the PCBs in the air in their backyard, the dirt they're playing in and the water that they're drinking is forever in everyone's mind here that's helping to make this decision.

And I hope that everyone recognizes in the town of Lee that the Select Board not only sold us out in Lee but all of Berkshire County. And they have proven that by their complete disregard for us and why? It's because of fear.

So, I'll end with fear is a very interesting and strong emotion and clearly by what they've done here by agreeing to this we can see how one reacts irrationally when faced with the sense of fear.

So for them, this fear was raised simply because we have known of whether or not they could win against a corporate GE. But for us and for the family and the community and the neighbors here, we are not going to choose fear.

We're actually going to choose fight. And the fight, flight or freeze where they fled quickly, we're moving along. So I just want them to know that there are a lot of people that could not be on these meetings and that is why I'd also like to echo some of what my fellow community members have said, that this is really not a good time, unfair and I'd like to push that to comment period because my street alone had no idea this meeting was happening or didn't have the technology or the knowledge to get on today.

And I don't think we're hearing from all of the voices, once again in Lee. Thank you.

Bob Cianciarulo: Thank you. I believe (Gail Teir) who had pre-registered has joined us.

(Gail Teir): Yes.

Bob Cianciarulo: Ms. (Teir). OK. Please begin.

(Gail Teir): Hi. Yes. My name is (Gail Teir). I live on 40 Sunshine Avenue. I was raised in Lee all of my life. I have a daughter of my own. She's pregnant now with her little baby. And I am just totally against the PCBs being dumped here.

But the previous woman talked and kids, they're going to be exposed to that. And the (selectmen), they have kids. They have grandkids. Don't they think that any of us have families of what's going to go on?

I'm right by the PCB dump too. My value of my house is going down. I wish my taxes would go down, but they keep going up. It's just very unsafe. It used to be a beautiful place. Still is, we have great people.

And I am just – I'm totally against it. It's not fair how the (selectmen) just decided, hey, we're going to put it in. Let's just not put it near our homes. We'll just put it put it up there with the people close to Lenox Dale. They really don't matter. Their kids don't matter. Their grandkids don't matter. So I am totally against this. Unfair, I mean, we can't even vote on this. So, thank you for your time.

Bob Cianciarulo: OK. Thank you.

Our next speaker is (Monica Ryan). Are you on the line?

(Monica Ryan): Yes, I am. Can you hear me?

Bob Cianciarulo: Yes. Go ahead.

(Monica Ryan): OK. Yes. I spoke earlier but I wanted to bring up what other people have mentioned. And I think it's really a requirement, especially with COVID and everything and the fact that we're not having this meeting face-to-face and we really would like to have it face-to-face.

But we absolutely must have an extension on this. It must be decided well, either in November or later because it just is not fair. This has all really been put upon us. It's been a shock to many people because none of us were expecting it.

We're all expecting to go on vote on this thing and all of a sudden it's like a fait accompli. It's just not fair to the residents of these towns and the fact that they would take other poison from other areas and just bring it all to there. It

just – I can't imagine that anyone from the EPA, that thinks that they are protecting the environment with this decision.

So, they are way across the mark of their responsibilities to the citizens and really to the environment. So, thank you very much.

Bob Cianciarulo: OK. Thank you.

So, we don't see any of those registered speakers who haven't appeared yet in the queue, so we have no one waiting to speak at the moment. So, I'll remind you again. You can dial toll free 833-804-3387, provide the operator with conference ID number 634-8468.

OK. This is Bob Cianciarulo. We're back. I think we have (Laura Murphy) on the line.

(Laura Murphy): Yes, you do.

Bob Cianciarulo: OK.

(Laura Murphy): Can I speak?

Bob Cianciarulo: Yes, please.

(Laura Murphy): I'm not sure if I – OK. Yes. My name is (Laura Murphy). I am a resident of Lee, Mass and I wanted to make sure that my voice was heard. And that you understood. I do not want the PCB dump here in Lee for a number of reasons other than not just my health, not just to save my home, but my home is also the only income that I have.

I rent two units, an apartment and a cottage on my property. I have well water. If it eventually seeps into my well, I will not have any water. I cannot afford all of the money it would cost to have it taken, the town water brought up to my house.

This is how I live. This is the only income I have. I am an older woman. I've been here for 30 years and I do not want to take the chance that I cannot have my home in my older age or that I can't have my income.

Lord knows it doesn't look like we're going to have Social Security. So I want to make sure that I have some kind of future. So I would not only be losing what my house is worth, but I'd be losing the income that I receive from my home. The only income I have to survive. I just wanted to make it very clear this is – it's a terrible thing, the town of Lee would no longer exist after a while and that's just terribly sad for a beautiful, beautiful little town.

I moved here from the city because it was so beautiful and peaceful and cultural, and all of the things that people would love to come to the Berkshires for. And I'd like to stay here and I'd like to continue to be – to have some income here to be able to survive.

I have no place else to go. Basically, that's what I wanted to let you guys know. And I will do whatever I have to do to make sure this dump does not happen. Thank you.

Bob Cianciarulo: OK. Thank you.

(Laura Murphy): Bye.

Bob Cianciarulo: Bye.

Next we have (Gary Liscombe). Are you on the line?

Bob Cianciarulo: (Gary), can you hear me? Is his line unmuted?

(Glenn Liscombe): I could hear you. Can you hear me?

Bob Cianciarulo: OK. I can hear you now. Yes.

(Glenn Liscombe): OK. Yes.

Bob Cianciarulo: Go ahead, whenever you're ready.

(Glenn Liscombe): All right. What we have here is a situation where GE has dropped the ball right from the very start. Now, they are doing a passive situation here where they benefit by saving money.

All this is done without public approval. I understand why they want to have a dump here in Lee, but the technology behind the dump, the liner and everything else is proven to be a failure everywhere it is used, this is being rushed through just because of the administration that is in control in Washington now. And backhanded deals with the big business and everything else. And Lee is just a scapegoat for all of this.

I understand all the technical problems involved with the river, but the way that this has been approached, sealed and everything else is totally illegal, totally immoral, and it won't solve a single problem in the river. That's my opinion.

Bob Cianciarulo: OK. Thank you.

(Glenn Liscombe): Yes. The PCBs are taken out of the river. They're putting a hauling station right next to the river. If that thing fails, it just goes back in the river and we have accomplished nothing except 15 years of dump trucks with their diesel fumes spewing out all over the place.

Chewing up our roads. Ruining our property values. Come on. Who benefits from this? The fish, the frogs, nobody benefits from this. This is all for GE. That's the only person who benefits from this.

That's all I have to say. Thank you for listening to me.

Bob Cianciarulo: OK. Thank you.

(Glenn Liscombe): You're welcome.

Bob Cianciarulo: All right. I don't think I have anyone else waiting at the moment. And that was (Glenn Liscombe), maybe I said his name incorrectly. I apologize.

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Bob Cianciarulo: OK. We've had someone join us on the comment line. (Brenda Brooks), are you there?

(Brenda Brooks): I'm calling because I don't want a toxic waste dump in the town where I'm living for PCBs. My father used to work at GE and they had that stuff there.

And a lot of people died young from being exposed to that stuff. So GE is just trying to find another place to dump it nearby which is wrong. They're still not getting rid of it.

Bob Cianciarulo: OK. Anything else you'd like to say for the record?

(Brenda Brooks). No. That it's just not fair to people what they're doing.

Bob Cianciarulo: OK. All right. We appreciate your input.

(Brenda Brooks): Thank you.

Bob Cianciarulo: Thank you.

(Brenda Brooks): Bye.

Bob Cianciarulo: Bye. All right. Just a reminder, you're listening to the public hearing on the Draft 2020 Permit Modification for the GE Housatonic River Rest of River Project. My name is Bob Cianciarulo from EPA's Boston office and I'm the hearing officer.

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Bob Cianciarulo: OK. I believe we have some folks who joined the line. Is (Cornelia Kesher) on the line? (Cornelia), can you hear me? Not hearing you, I don't know if you're on mute on your own phone. Why don't we pass on (Cornelia)? We'll mute her line again. (Monica Ryan), we noticed you rejoined. Is it – would you like to make another comment? (Monica Ryan), are you on mute?

> Folks who are dialing in, you need to make sure that your own phone, especially if you're calling from a cell phone, you're not muted on your end. All right. I'm not hearing (Monica Ryan). Let's go back and check (Cornelia). (Cornelia), can you hear me? Can you speak? See if you're unmuted?

All right. If either of you do want to speak, I would ask maybe press "star," "0" for the operator and we can try to work out any kind of technical difficulties. Oh, I hear someone. Someone online? I think – (Claire Leahy), are you back online? Is your – have we unmuted (Claire Leahy)? Hello? (Claire Leahy), can you – if you can hear me, maybe you can try speaking, it says your line is unmuted.

(Claire Leahy): Yes. I am here. And I did speak earlier, but I saw you were sitting here and I've been waiting to hear more comments and wondered if I could make a few more comments.

Bob Cianciarulo: Sure. Absolutely. We'll probably – we'll keep you to the five-minute limit...

(Claire Leahy): Sure.

Bob Cianciarulo: ...just in case someone else comes in and then you can just keep going. OK. Go ahead. Maybe just...

(Claire Leahy): All right.

Bob Cianciarulo: ...introduce yourself again for the record.

(Claire Leahy): Yes. It's (Claire Leahy). And I live at 110 Mill Street right across the river in Lee. And I have a concern about the Woods Pond Dam. This dam has been inspected over the years and I understand ownership was assigned to GE during the first clean-up in Pittsfield. They were directed to inspect the dam every two years.

GE contracted with different engineering companies over the years. Repairs were recommended. GE has never followed through with those repairs according to the reports from your agency. Underwater inspections were completed at the Rising Mill Dam, but never at the Woods Pond Dam.

Extensive flood plain drawings have been completed over the years showing the area below the dam where we live on the river included and quite a ways back beyond the river up the road beside our house, Washington Mountain Brook and the Washington Mountain Road and following the brook throughout and all the way up to the lowland area of (E Street).

We're at the mercy of GE for preventing a breach in this faulty dam. It seems significant, the breach would cause a serious flood dumping toxic PCBs throughout these Lee homes. I don't know if I said it earlier, but there were these inspections done – yes, and the repairs were recommended and there was no record that GE ever completed any of the repairs, and this is just a quart of a mile up from my house and I've gone there often and seen the cracks that they refer to, trees growing out of the ground, and roots going down into the dam cement area.

And I'm just questioning how safe it is and I asked our county DPW if they ever inspect that or did they know that it's owned by GE and they're supposed to be maintaining it. And they did not seem to be aware at all. This is town of Lee.

So I'm quite concerned that nobody is really on this and it makes me wonder about trusting GE to monitor and keep the upland disposal facility safe from leaking into our water table when they haven't even taken on the smaller responsibility of ensuring the Woods Pond Dam is secure.

Another concern is that there's no testing of the lands adjoining the river in Lee. GE has had plenty – GE has had plenty of time to do more research to substantiate the reach of the PCB flow contamination. There have been no blood tests to measure the relative toxicity of those living near the river compared to others. There have been no controlled studies by health departments at the state nor the local level to measure the correlation between PCBs and cancer and other ailments.

We've only recently learned that PCBs are quite volatile and can carry through the air for long distances. Without these studies, many people believe GE when they deny any responsibility for the carcinogenic effects upon people.

They have been given immunity. GE has been given immunity from lawsuits by these consent decrees, by the original consent decree. And they will want

more, they may still want more from us. I'm asking EPA, please stand up for the neighbors living along this river from Pittsfield to Long Island Sound and be sure that our properties are given the same attention the properties bordering the river in Pittsfield and Lenox had been given. I appreciate your time listening.

Bob Cianciarulo: OK.

(Claire Leahy): And...

Bob Cianciarulo: OK.

(Claire Leahy): ... I would say more if I - if nobody else is coming along.

Bob Cianciarulo: We do have someone else on the line, so maybe we'll check in with her.

(Claire Leahy): OK.

Bob Cianciarulo: And then you could continue if you like, so...

(Claire Leahy): OK. Thank you very much. I appreciate it.

Bob Cianciarulo: Let's mute – let's mute (Claire). All right. Thank you. Let's mute (Claire)

for a moment. And is (Cornelia Kelesher) on the line?

(Cornelia Kelesher): Can you hear me?

Bob Cianciarulo: I can. Sorry about the technical difficulties.

(Cornelia Kelesher): OK. I just came in, so who am I speaking with?

Bob Cianciarulo: OK. My name is Bob Cianciarulo. I'm from EPA.

(Cornelia Kelesher): What was your name? Sorry.

Bob Cianciarulo: Bob Cianciarulo. And I'm running – we're running...

(Cornelia Kelesher): OK.

Bob Cianciarulo: ...the series on the Housatonic. Just we are limiting testimony to five minutes, we're not responding now. We're really just collecting public comments, but you can...

(Cornelia Kelesher): OK.

Bob Cianciarulo: If you just state your name and sort of, you know, any affiliation where you're from and then you can make your statement.

(Cornelia Kelesher): OK. OK. My name is (Cornelia Kelesher). And I'm a resident of Lee and I'm also a district representative to the town government in Lee. And I live in South Lee.

Bob Cianciarulo: OK.

(Cornelia Kelesher): Is that what you ...

Bob Cianciarulo: You can begin a statement. Yes. So you can begin your statement any time you want.

(Cornelia Kelesher): OK. My floor – just a quick thing – more in term – well, first of all, I definitely do not want to have a PCB dump in Lee. And I know it's just an opinion, but feel very strongly about that, that GE had been putting this toxic PCBs into the river and we should not as local communities, Lee, Great Barrington, on and on, should not be having to take the consequence of that – again, you know, and I'll concentrate it in Lee.

It should definitely not be put into our soil and even though it's been presented as being safe and the lower level PCBs, it's my understanding, which I may be wrong, but is that the site where it would be put would be sand and it – and from what I've been reading and listening and talking to people, it's not been working like in Pittsfield already where it was done before as well as in other states.

So I'm very concerned. I know the water – our water source is above it, but still I'm very concerned of our water source even though it's not - it's below it

and then it may come right back into the river long-term for the younger generations to come and don't want it here.

The other thing is – there's two concerns that I have as a resident is that the – we have not had an opportunity – I mean at the local hearings that we did have – when was that? In the spring I think? No. No. Last fall before corona we did get together. There were some hearings, but we as residents did not have any voice in this. It was a closed door decision.

And for years, we put tax money towards – as a representative tax money towards hiring a lawyer to represent us to help keep this away from us and then a closed door decision was made without any input from the citizens of the – of the town or locally. And that is very concerning to me that our input was not heard as part of that decision-making process. I know closed door decisions have to be made, but we should know about that beforehand that that would be occurring and had – had our tax money that we know what we're voting for.

We did not. And then the other thing is I just attended Rest of River Committee, the five-town committee meeting I attended by Zoom. And it was again a closed door session. So, again, I did not – I spoke, I said, well, wait a minute, I'm here attending, I'd like to know what's happening. And they went – and the agenda was to go into a closed door executive legal session. So, again, in terms of that, the residents really didn't get to say much.

I also agree with the former person speaking that there really needs to be independent monitoring that's provided in the – if it goes forward that's paid for through GE so that there's independent monitoring, not GE monitoring, monitoring the whole clean-up. And I'm concerned about the air quality and how that will affect me personally as well as others.

I'm concerned about the impact of the trucks and the noise on where I live. I have a hard time now hearing noise from trucks and that would really impact my life and the neighborhood. I could go on, you know, I really value our watershed and know that it's important to clean it up and the long-term effects on our wildlife and – they're going to the ecosystem and – so I do understand

the importance of this, but I think that as citizens that to have this just put on us is ouch.

Many, many, many, many people in our area do not want this here. Do not want the dump in Lee. And I understand there is, already that GE has put a bid on – to buy the, it's Lane Construction I think it is. Is that right? Can you hear me?

Bob Cianciarulo: Yes, I'm sorry. And actually, that's five minutes, too, so maybe if you want to wrap up...

(Cornelia Kelesher): OK.

Bob Cianciarulo: ...and then we can have you continue ...

(Cornelia Kelesher): (Inaudible) question.

Bob Cianciarulo: That's – that is – that is the property, right.

(Cornelia Kelesher): Right. But has GE already put a bid on that?

Bob Cianciarulo: Oh, I can't – I don't know. And I'm not really answering questions here tonight, so.

(Cornelia Kelesher): Oh, oh, OK. I'm sorry. So it's just comments.

Bob Cianciarulo: Yes, right.

(Cornelia Kelesher): OK. Yes. So I didn't know if this is (inaudible) this, but I feel very, very passionately about this and very concerned. And hope that my concerns and others – and the – the other thing I want to say is I hope there's better, what is it, publicity so that people know to put things in writing and speak about this to you so that others will join in letting you know how serious and how many people are very concerned about this.

Bob Cianciarulo: OK. All right.

(Cornelia Kelesher): And I think that the PCBs should be shipped somewhere else. We should not suffer again in this community. We have higher cancer rates than anywhere in the state here. OK.

Bob Cianciarulo: All right. Thank you. Thank you for your comment.

(Cornelia Kelesher): Thank you so much. All right. Bye-bye.

Bob Cianciarulo: So (Claire Leahy) once again as there's no other people waiting in the queue. So if you did want to take another turn, we'll allow that. Are you off of – are

you on?

(Claire Leahy): Yes, I'm...

Bob Cianciarulo: You're on? OK.

(Claire Leahy): I'm still here.

Bob Cianciarulo: All right. Your turn again.

(Claire Leahy): OK. I was looking through the document with all the red-lining and I noticed that regardless of sediment removal technique, the sediment shall, if feasible, be conveyed hydraulically to the upland disposal facility location for processing. That's on page 26.

And I'm just wondering – you can't answer this, I understand, but it just puts a little doubt in my mind that they're actually going to be able to convey this sediment hydraulically up to the upland disposal facility. They don't even – it sounds like they don't even really know for sure yet and I have long thought that it made sense to use railroad for disposing of these PCBs and getting them out of the state.

That just seems to make so much sense as other people have pointed out and you had I think the vice-president of the railroad – Housatonic Railroad speak to you and he seemed to be ready and willing to contract to do this. So that is a big concern.

Another one is that there has been no testing – I might have mentioned this before, of properties down river from Pittsfield and Lenox. It seems like all the residential properties that were on the river in Pittsfield and the stretch along Lenox, back to Lenox, were given an option to have their soil excavated if there were PCBs discovered there, but we have not had any testing anywhere from Lee on down to – to the Long Island Sound. That seems rather strange that that isn't done.

Let's see. OK. We're being told that the amount of PCBs GE has been ordered to take out will take at least 13 years. If GE had been held to the 2014 permit, that would've taken at least 40 years to complete. I think this alone should give some idea of how much toxic material will be left behind. Most likely more will be left behind in the river and wetlands than taken away.

New methodology that is science-based has been used to figure out how much is being taken away and perhaps that convinced the stakeholders at the mediation table to accept this settlement, but it just seems like a natural question as Tim Gray of the Housatonic River Initiative suggests, and why are we cleaning the river if we're leaving all these PCBs in? There's ways to do a good clean-up instead of letting GE walk all over us. I'm just hoping that EPA can fight for us, the people and give us a fair settlement.

And there may be another thing I might be able to get in here, nobody is waiting but I see somebody, OK, I have one more minute. OK.

Bob Cianciarulo: I do have one more person waiting, but I can let you wrap up.

(Claire Leahy): Right, I will finish up, 49 seconds, how is that that we have settled upon a quote, "accelerated clean-up," unquote, that has little chance of, quote, "enhancing the river," end quote.

This is not what the EPA originally asked GE to do. They bumped this down the road for years and it just would be nice to see the EPA fight to get this waste out of here to a facility that's approved like one for a super fund site. Don't let us be another Love Canal. My husband is saying that's the background but I know we are a Love Canal right now but we hope that this

cleanup will create a better river than what we have now. Thank you and I appreciate your time.

Bob Cianciarulo: OK, thank you, thank you.

All right, I believe we have (Ellen Mendel) on the line as one of our registered speakers. I'm glad you are able to join us. Is your line un-muted?

(Ellen Mendel): Yes, I am here, (Ellen Mendel).

Bob Cianciarulo: OK. OK. And I hope you heard the ground rules as far as, again, we are not responding to comments. There's a time on the website here, five minutes but we'll turn it over to you. Just state your name and affiliation and then make your statement for the record.

(Ellen Mendel): OK, thank you. My name is (Ellen Mendel). I live on (Brown Street) in Lenox Dale so I will be pretty much directly affected by this proposed dumpsite. The river has been polluted for all these years and we've been fighting and fighting to get GE to do the right thing. The EPA gave a, what was promising in 2016 when you were limiting what they could get away with, and now it seems that under the cover of darkness, this deal has been made to scoop it up out of the river and then just put it on the banks of the river.

I don't believe that any other types of remediation has been tried and that was supposed to be part of the deal. And it seems to me everything that I've read, the liner on that site is going to eventually fail because they have everywhere else. And so, you can't promise us that it's going to be safe and you can't promise us that it's not going to give back in the river, and for that matter you are not even taking everything out of the river.

So I would hope that instead of rushing this through, especially given the current environment with the pandemic and no ability to have any in-person public meetings that you will give some more time to letting people speak since they weren't given a voice in the beginning and perhaps trying some other remediation before you proceed. Thank you.

Bob Cianciarulo: OK, thank you. So just for other folks who are listening on local cable I just want to remind you it's 9:36 PM, you are listening to the public hearing on the Draft 2020 permit modification for the GE Housatonic River Rest of River Project. My name is Bob Cianciarulo from EPA's Boston office and I am the hearing officer. We are accepting oral comments on the proposed changes to the permit released to the public in July. Please limit your oral comments to five minutes.

> EPA is also accepting written comments and comments by voicemail. See our website for details. We will be responding to comments today but we'll respond to them in writing and a response to comments documents which will be included with EPA's final permit decision. If you would like to dial in and make a comment please call toll free 833-804-3387, or ID operator with conference ID 634-8468.

OK. I think we have (Monica Ryan) who wanted to provide some additional remarks. Is your line un-muted?

(Monica Ryan): Yes, can you hear me?

Bob Cianciarulo: Yes, and again, just for the record, your name and affiliation again to start and then you can go ahead.

(Monica Ryan): Sure. It's (Monica Ryan). I live in the town of (Lee) on Route 20 and I am a district representative for District Six, and I also was on the Board of Public Works for many years until recently. So I wanted to point out that my other concern is that the location of this dump which should never be anywhere near residential is right, not too far from our water table.

> And the water (table), you were saying how it's going to be a certain number of feet from the water table, but really with the aquifers and the high water aquifers in this area of which we have we are normally water rich except for this drought. And a lot of water in the aguifers I feel like this could be a possible poisoning of our water, drinking water for our town. So I stand firmly against it for that but it could possibly spread to our water table and poison our water. So I really, we must drain it, because it's (spring) fed just

so you know the reservoir that we have is spring fed, so it draws the water from the lower area up into the reservoir through the force of springs.

So you are messing with, really, Mother Nature and try to put tenure to something that – we all need water, we can't live without water and if that's poisoned you can't un-poison it, you know what I mean.

So the fact that they are also calling this like, it's less toxic, well, it's like saying you're just a little pregnant or something. You are. It's toxic. It is toxic and there's no real control measures for fixing the liner if it breaks or this whole monitoring plan is a joke. I mean who knows if GE would be around and say in 20 years. So it's just behooves us to settle for such a rotten deal in our backyard for this pathetic, we'll throw you 25 mil and you can spend that on whatever you want, teasing us with that and forcing us into this decision. I just think it's so wrong of GE and the EPA to allow this to happen.

So, EPA, do your job please and protect our environment. We can't do it on our own and we need you to do it, so please examine the original consent decree and bring it back and make sure that this is removed and not placed anywhere, because it can't safely be done. It just can't. It's going to be bad enough they're trucking it through the area and who knows how safe that will be but just to dump it here, come on, really, would you ever want to live next to this area?

There's people's houses, right, and they are going to be completely worthless the closer you get to the dump area but, anyway, so that was my point about the water table. So please protect the water sources that we have for our town. Examine that a lot closer. I think you have not researched that enough and the fact that you made some statement earlier about that you and EPA GE are going to try to really work together to come up with, I mean, you have so many adjectives and verbs of you are going to try and research the best way to possibly work towards the future and it was a pathetic statement.

I was like, listened to it and I was like laughing because that just sounds a lot of nothing to us, a lot of nothing. And do your job, EPA, please do your jobs,

don't make us have to come out into the streets because we will, we will. Thank you.

Bob Cianciarulo: Thank you. All right. I have no else in the queue at the moment, I don't

think.

(Audio Gap)

Bob Cianciarulo: OK, I believe we have, hi, is this (Gail)?

Yes. This is her. (Gail):

Bob Cianciarulo: OK, (Gail). Would you like to make a statement, just give us your name and

affiliation, and then you can then make your statement.

My name is (Gail Soresia). I am a resident of Lee and I oppose the PCB (Gail Soresia):

dump. How do I turn off so I am not hearing your echo?

Bob Cianciarulo: If you are watching on a computer or on television you have to mute on that

end and like if it's on television, there's a mute for television.

(Gail Soresia): I don't know. All right, so I will just turn it off? OK.

Bob Cianciarulo: Are you on the television? OK.

No, I am on the computer. But I don't know. (Gail Soresia):

Bob Cianciarulo: OK, yes, you are good now.

(Gail Soresia): So anyway, OK, good, all right. All right, so there are many reasons why I

> am opposed to this dump but number one, first of all GE put all the PCBs in the river and the outer land, OK, in the flood plain and whatever. And so, I don't see the wisdom of taking contaminated land or waters, right and taking that and placing it in a pristine area that has highly permeable soil, OK. I

don't know why you would want to contaminate another area in the

Berkshires. I think GE has done a good job contaminating many places in the

Berkshires and I don't see any wisdom in contaminating more area, OK.

Number two, this is sandy soil and you are relying on a liner to protect us from the PCBs from edging into the sandy soil, OK, into the water tables system, and eventually if there is a leak in the liner, OK, this contaminant will make it to the water table and then wind up in the river again, so really, why did you even bother?

I understand that only a third of the PCBs are going to be remediated for, and so, that means there's two-thirds of the PCB left in the land everywhere. That doesn't seem like a really good solution to just pick it up from one place and dump it into another place that isn't contaminated. OK.

And then my next point is that the people in the Berkshires that are being affected by this especially in Lee didn't have a voice in it, and we've been telling you, GE, for years to come up with a remediation plan to either chemically or biologically remediate the PCBs. This is not a remediation plan. And that's been told to them over and over, and over again. And I don't know why EPA is caving in on that unless it's the current administration.

And speaking about the current administration they've been trashing any kind of environmental laws for a while now, all kinds of toxins are being left and about to go into the waterway. So my comment is that we shouldn't be trying to rush this through, wait until November and let's get some real environmental laws. We've been waiting 30, 40 years now. There's no reason to push this thing through at the last minute before hopefully the administration changes.

I also think that GE is getting away with murder, OK, because they polluted the land, the towns have taken the punishment for it. They are the ones that are being affected by all this, and GE should be paying for research on remediation. And that's what's been asked, we've been asking them to do that for years. And they drag their feet, first they are in charge, they are going to hire everybody, they are going to do in-house and they come up with a couple of different, I'm sure they tried because if they tried hard enough and they found a solution, then they could make a lot of money off of cleaning up the PCBs.

In my opinion there should be some grant money, GE should be providing money to different firms who have shown potential in cleaning up the PCBs. There should be studies being done. It should be a real solution, not a pick up and dump the PCBs somewhere else. So that's part of my complaint.

The other part is that the public really has been locked out of this whole decision. The people in Lee are, many people in Lee are so disappointed with our (Select Board) that they even voted one of the people out this year. And a lot of people want to vote the other people out too, just because of this PCB dump potential because we know that this is going to ruin our town.

A lot of people there's – is GE going to compensate all the people who lose their property value or can't drink their water? Some people are on well water. Why are we choosing this solution to pick it up and dump it somewhere else? They are saying it will be 25 parts per million, are you there? Hello?

Bob Cianciarulo: Yes, yes, we are listening. That is five minutes, so I can give you an extra minute or so.

(Gail Soresia): OK. Somebody is beeping in, I don't know why. So why is this being pushed through? GE should be paying for research, why isn't there a solution, something like five or six different environmental firms that have potential solutions that can show studies? Why aren't we funding something like that? And they have like test site areas. Why isn't that happening? I don't see that on the board at all.

Now I had talked to another environmental person then they basically said GE will not do it. Well, GE did the deed. Of course they should be doing something like that, they should be paying for something like that. And they should be paying to the town for the inconvenience of being contaminated. A lot of people are getting sick or have been sick and died. The PCBs are a bad thing.

Now 25 parts per million, now I've been on construction sites and I know what happens when people aren't looking. OK. And it's very easy to take a

highly contaminated spot and mix it in with a lower contaminated spot and then say, we got less than 50 parts per million. Now I am going to trust a company that willingly polluted the river. Are you still there or am I done?

Bob Cianciarulo: Yes. I am, yes, so we do have one more speaker and I only have seven minutes left in this hearing, so...

(Gail Soresia): OK I just – I also wanted to say that this was not brought out before the townspeople. In my town we have a representative system and it was not brought before the representatives either, so in my opinion it's illegal and you should not be pushing this through.

In any other environmental permitting, all the other legalities have to be put in place and gone through before a final decision could be made and things can go forward. And I recognize that it's the federal government but there is a dual process and that has not happened. And so, please do not allow this PCB dump to be done.

Bob Cianciarulo: OK, thank you. Thank you for calling me. All right, I think we have (Cornelia Kelesher) on the line for a follow up comment?

(Cornelia Kelesher): Yes. Can you hear me?

Bob Cianciarulo: Yes, go ahead and begin. Yes.

(Cornelia Kelesher): Am I allowed to give a, sorry, am I allowed to get a second time?

Bob Cianciarulo: Sure.

(Cornelia Kelesher): OK, thank you so much, I appreciate it. So I had a couple of things more to say. One is that we as a town, the previous person was saying, do have a representative system of government and we have had our annual town meeting this year because of COVID. There's no date set for that.

And I did not do this but I know on the (warrant article) that there is a request to have a town vote even though there's been a signed agreement by that committee of different towns, but the townspeople are wanting to have a town

vote anyway as far as I understand and we haven't had the town meeting, and we are making decisions before the townspeople had a town meeting to put their voice in, and so that is something that I want you to be aware.

And the second thing as far as my understanding and is it the Department of Environmental Protection who represent us from the district of Western Massachusetts. We are not part of that officially, making it a, this was to represent us in Western Mass in the Berkshires and they were not part of the committee that made this decision, and representing us. And as far as I understand and I would like to understand that and feel that it's very important that you hear from them and that we are represented by them in terms or wish not to have with you.

And again, just I hope you really take a serious look at the site and the request not to have it, but, yes, I know every town doesn't want it in their town but the Berkshires have suffered a lot in terms of (this as) before, the highest cancer rates, et cetera and I'm very concerned about that as well I do believe in that there should be some remediation and cleanup. But how it's done and how it's heard it's to be represented properly. Thank you so much for your time tonight.

Bob Cianciarulo: OK, thank you.

(Cornelia Kelesher): OK, thank you very much.

Bob Cianciarulo: Thanks. Take care. Thank you. And I want to thank everybody who participated this hearing. The hearing is now officially closed. There is an additional public hearing session planned for Tuesday, September 15th at 6:30 PM. Also note that the public comment for making comments closes on September 18th. Details on the hearing and how to comment are displayed here and on EPA's website, www.epa.gov/ge-housatonic. Thank you for your time and good evening.