

EPA

Moderator: Bob Cianciarulo
September 15, 2020
6:00 p.m. ET

OPERATOR: This is Conference # 9987884.

Operator: Good day. The conference is about to begin and I would like to turn it over to your speaker for today Mr. Dean Tagliaferro, please go ahead.

Dean Tagliaferro: Thank you. This is Dean Tagliaferro, I'm the Project Manager for the GE Housatonic River site. We're just getting started. I see a bunch of other, several people still signing in. So I'm just going to give it maybe one minute to add a few more people to join on Adobe Connect. And then we will get started.

We have a full list of registrants to give comments. So we're going to move on relatively quickly here. OK, I don't see any technical issues yet. So I'm going to get started with just a brief speech.

Again, this is Dean Tagliaferro, Project Manager for the GE Housatonic River site. Welcome everyone to today's public hearing, this is a public hearing for the Rest of River Draft Permit for the GE Housatonic River site. I'm going to give a brief introduction on how the hearing will proceed.

First, I just want to say and reiterate that EPA's team really wanted to have these hearings in person. However, due to the COVID-19 precluding the in-person hearings, today's session is going to be hosted through Adobe Connect. It's also shown live on Berkshire County on cable channel, television channel 1303.

While we have been successful in conducting these virtual hearings on this and other sites, there may be a few glitches that occur tonight. We really tried hard to minimize those but would appreciate your patience should they occur.

First, I just want to walk over a slide on what you're going to see and some of the controls that you have. Hopefully you have the audio right now, but there is also an audio button separate from your PC audio in the upper-left, the screen speaker that does control your audio volume. You can click the drop-down menu to control that.

Only if you're a speaker when you're connected to the audio by phone, we would like you to mute, if you have comment or excuse me, we'd like you to mute your computer speaker or your television so we don't get back feed from your audio device.

The top-left corner of your screen you should see a welcome pod over here. And that shows that Bob Cianciarulo is the official hearing officer for this call.

Next, there's a closed captioning tab down here that you will be able to see where somebody is translating this. The middle of the screen is where we will show a brief presentation shortly. It's narrated by Bob Cianciarulo. It is about 20 minutes just to give you some sense of a timeline.

And up in the right-hand corner, there's this box here that will expand your screen. However, just be careful, if you do expand it, you will lose the other pods or the other boxes you see on the screen and sometimes it's hard to get those back. I want to reiterate that this public hearing is for the draft revised 2020 permit which outlines the clean-up plan for the rest of river portion of the Housatonic River.

I'm going to briefly go over the format and then we'll go to Bob's presentation.

So this is my outline here for the five minutes, it will be over shortly. After the presentation will be the public comment or the public testimony section. So I want to remind people that this is a hearing. EPA will not be responding to comments or questions in the hearing.

EPA will provide written comments as part of a formal response to comments that will accompany EPA's final permit decision. We do have three hours set aside for the public testimony. We have 90 – excuse me, we have 60 people signed up to give comments. So we're going to limit people to three minutes per comment.

Those who pre-registered to speak at the hearing, you should also be connected via telephone per the instructions that were e-mailed to you. You'll be called upon when it's your turn to speak and your microphone will then be unmuted. Until it's time to speak you will be on the phone, but you will be muted.

There's also a queue that will show you to let you know generally where you are in line. Just be aware that sometimes what happened on the previous calls, previous hearings were some people who signed up to be a speaker either didn't show or didn't realize that you didn't need to register as a speaker just to watch on Adobe. So we may skip over one or two people who are registered in that queue. So just keep that in mind when you look where you are in the queue.

This is not the only way that you can provide comments. There are several other ways and many of you have taken advantage of that. One is through our dedicated voice-mail box. And that's 617-918-1700. You can also provide written comments to our e-mail box that's the R1 box. The fax number 617-918-0028 or via mail and the mailing address is there. All this information is on our webpage.

And I just want to reiterate, tonight is not the end of the comment period. It does run through September 18th, that's this Friday. All those mechanisms we just talked about above are available to provide comments.

Before we go to the presentation, I just want to show you what you'll be seeing when Bob Cianciarulo opens the public hearing or the public comment phase. You can see hopefully in the upper right hand corner the queue for speakers, (Laurie Cropowski) be first and as you can see in blue, that means we can see her that she is on the phone and ready to give a comment. So that

screen will come back up and you can see where you are in line for those comments.

Now I'm going to turn it over. We're going to play a presentation that's narrated by Bob and it's about 20 minutes long, just so you can set your expectations when you'll be ready to open the hearing.

We're having a little trouble with the audio for this presentation. Hopefully that'll get corrected shortly.

(PRESENTATION)

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 of the audio are available at our website www.epa.gov/ge-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 clean-up. 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 off-site 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 e-mail 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.

(END PRESENTATION)

Bob Cianriarulo: OK, thanks, everybody. We're now going to start the more formal hearing portion of the evening. My name is Bob Cianciarulo, I'm Chief of the Remediation 1 Branch in EPA Superfund 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 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, our public comment period has recently been extended and now runs until September 18th, 2020. As Dean mentioned, we will not be responding to comments today, but we'll respond to them in writing after the close of the comment period.

We just concluded a presentation regarding the contents of the proposed modifications and those that pre-registered to speak during the hearing should be connected via telephone. We've posted a queue of those who are pre-registered so you can see when you'll be called upon.

Those in blue are people who have connected via phone and those not shown in blue should dial into the phone number provided to you so you can speak when it's your turn. If you don't have that number needed, you could put a note in the technical support box on Adobe Connect.

In order to maximize the number of people being given the chance to make a statement, we've placed those who were already able to speak at prior hearings towards the end. 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 and any affiliation.

We have a full slate of people who registered to speak, thus we ask you to be brief. In order for everybody who registered to get a chance to make this statement, we'll need to strictly adhere to a time limit for each speaker. So I ask that you please limit your oral comments to three minutes.

There'll be a timer on this Adobe Connect page and I will also prompt you when one minute remains. If the extent of your comments will take longer than three minutes, I ask that you summarize your major points and then provide EPA with a copy of the full text of your comments via e-mail or U.S. mail. The text in its entirety will become part of the record.

This hearing is scheduled to end at 10 PM. At the end of the session, I'll close the formal hearing. If you wish to submit written comments, you may mail, fax or e-mail them and you may also provide oral comments via a dedicated voice-mail box, 617-918-1700. All oral and written comments that we receive during the comment period will be addressed in our response to comments document and become part of the administrative record for the site. This document will be included in 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. Our first speaker is (Laurie Cropowski). We ask the operator to unmute (Laurie's) phone. Are you on?

(Laurie Cropowski): I am.

Bob Cianciarulo: OK. Whenever you're ready.

(Laurie Cropowski): OK, great. Thank you. So my name is (Laurie Cropowski). I live at 60 Prospect Street in Lee, and I am glad to see some enhancements to the original proposal.

Part of my comments, though, have to do with the continued dumping of the PCP laden material into the landfill. I am a very strong proponent, sorry, that if the majority or if product is being removed to a landfill off site, all of it should be. And I realize that that is an inconvenience as far as we're concerned. I mean, you'll be going right through Lee.

However, there's a railroad track that runs very, very close to the site and I have not heard why that is not being utilized. And if it is, I haven't heard that either. So it's kind of stricken by the 13-year timeframe that this clean-up is going to take. And it just seems to me that it would be much easier and more efficient to use the railroad.

And I just want to reiterate that GE was the cause of this problem and the residents of the Berkshires, especially South County, shouldn't bear the responsibility for their clean-up and their errors. They should be responsible for the whole thing and not impact our lives here. And that's about the end of my comments. Thank you for the opportunity.

Bob Cianciarulo: OK, thank you. Next on the queue was (Christopher Clark). We don't see (Christopher Clark) dialed in, so please do so. So we'll go next to (Valerie Anderson). (Valerie), are you on the line?

(Valerie Anderson): Yes, I am. Can you hear me?

Bob Cianciarulo: I can. Go ahead whenever you're ready.

(Valerie Anderson): All right. Thank you. Thank you for having me. I'm (Valerie Anderson) and I live in Pittsfield Massachusetts. I'm a member of the Citizens Coordinating Committee.

I would like to comment on the enforcement mechanisms of this settlement agreement. One of the terms of the enforcement mechanism is that the parties agreed to forego litigation if the clean-up plan is consistent with the settlement agreement. So foregoing litigation, if it's consistent, there's really not enough meat in this agreement about how that's going to happen to forego litigation. And if the clean-up plan is not consistent with the settlement agreement, what happens? So I guess, litigation can occur, but it's not spelled out how or where the forum would be, or who could be a party.

So I would like to suggest strongly that this agreement be incorporated into the consent decree as a provision of the consent decree so that it can be assured that the U.S. District Court has jurisdiction over it if it is found that the clean-up plan is inconsistent with the terms of the settlement.

So I strongly think that there should be an amendment to the consent decree incorporating all of these provisions.

In addition, I'm concerned that some of the material will be left in a landfill, if so much – if 100,000 cubic yards is being trucked off site, take it all. It just doesn't make sense, nor does it make sense how you're going to parse out the less supposedly contaminated soil from the more contaminated soil. So I am against the landfill and think it all should be trucked out. Thank you very much.

Bob Cianciarulo: OK. Thank you. Next we have (Jay Herkamark) or is it (Judy Herkamark) are you on the line?

(Judy Herkamark): I am. I'd like to be put somewhat lower. I'm helping (Tim) get on. He's having trouble getting on and I guess there's no technical support person to assist.

Bob Cianciarulo: OK. We'll follow up on that as well. OK. So let's move on to...

(Judy Hermamark): Put me lower down.

Bob Cianciarulo: I'll do that, will do. Thanks (Judy). (Jim Castiniero), can we unmute his line?
Are you on?

(Jim Castiniero): Hello?

Bob Cianciarulo: Hello.

(Jim Castiniero): Hi, can you hear me now?

Bob Cianciarulo: Yes, go for it. You're on.

(Jim Castiniero): OK. (Jim Castiniero), I live at 101 William Road, Lee. My family lived in Lee for over 100 years and this landfill will be 2,000 feet from my backyard. My first question is what's your Plan B? You don't have a Plan A. That stuff I just listened to for 20 minutes is not a plan. You should clean this biologically to start with.

What you're going to do is go in there and mix up stuff and you're going to move it across the street and put in a plastic bag right on the bottom of October Mountain, right in the entrance of October Mountain), the biggest state forest and then you're going to float wetlands and contaminate 100 more acres of land for a dump. Does that makes sense?

The EPA that – you're going to contaminate more land just to try to save land, and you're going to put two neighborhoods in trouble here. You have no way to control the airborne PCBs. The wind blows from that direction towards our neighbourhood, two thirds of the year. And you don't have no way to control the smell, the noise and it just doesn't make sense.

You want to drive through – you're not going to drive toxic waste trucks through our neighborhoods, either. The EPA and GE have been dragging their feet for over 40 years and you're going to reward them with a dump. The whole process was done in the dark of night with no open public participation.

These selectmen had no right to sign anything without a vote from the people of the town. This should be really investigated. This is nonsense.

This nonsense started when Governor Baker let GE move to Boston two years ago. Then they started to hand the tariffs out for the town of Lee Atlantic's, league after 4.5 million waterline (inaudible) got their big, big Walker Street project. Those were just carrots.

Now here comes the bribery. Each town gets \$25 million. Lee gets \$25 million. Pittsfield gets \$8 million, Barrington gets lands and other payouts. The people are left in the dark of this. This is really bad. When I found out, it was in February of this year at that pep rally they had up on Lenox Train Station, it was disgusting. And our representatives, Heinz, Pignatelli, Markey, they all sold us out for this.

There's so many conflicts of interest in this deal and it's not right. Now my second question, who's responsible for my future, my family's health, my children's health and my future family's health? Who do I file a lawsuit against, GE the EPA, the 19 selectmen or all them?

And there's going to be many lawsuits if you put a dump there. And if you force this down our throat, we the people are not going to let you do it. We're going to use all necessary means to stop it. We're working with outside environmental groups, clubs and militias to put an end to this nonsense. This is supposed to be the gateway to the Berkshires.

Bob Cianciarulo: Can we ask you to wrap up? You can conclude your remarks if you would, and then we're going to move on to the next person. OK.

All right. Next speaker was (Laura Gaple) who does not appear to be on. Pardon me. Is (Dylan London) on the line? Again we can see the queue for those of you watching online, I believe the next – we have two speakers, I don't know if they're on the same line or different lines, (Jamie or Bob Nathanson), (Jamie Nathanson), are you on the line?

We're work with our operator make sure that – or (Bob Nathanson). All right, I apologize we're maybe having some technical difficulty getting them

connected. Is (Bob Nathanson) on the line? Operator, could we unmute either (Jamie or Bob Nathanson) or if neither are available, (Matt Kelly)?

(Bob Nathanson): Hi, this is (Bob Nathanson).

Bob Cianciarulo: (Bob), thank you. You're on the line, go for it.

(Bob Nathanson): OK, so thank you. My wife and I live on East Street, about two miles away from the proposed dump site. I do a lot of walking, exercise walking five or six miles a day. I walk around town, and I see signs in front of almost every home indicating opposition to the current dumping plan.

It just seems to me the signage is everywhere. And there's a very strong message here that the town's people do not want whatever has been proposed. And more importantly, they haven't had a voice in what's been passed to date. We're all very concerned about the various, the serious impact that the plan would have on the health and wellbeing of current and future residents of the beautiful Berkshires.

The previous speaker mentioned that this is the entrance to the Berkshires. And it's going to become an eyesore and a serious health concern. I can't imagine that the state of Massachusetts would view this as something to be proud of.

We're particularly concerned about our children and our grandchildren. It's unconscionable. It's outrageous, really that the plan is moving forward with no direct input of local residents. How can the votes of a few select persons, I'd say select persons including men and women determine the future health of thousands of local residents? This feels like we're being railroaded into something, into just following GE's plan without adequate consultation with scientific experts about the state of the art alternative remediation options.

I'm not a scientist. I'm a former university professor, not in science, it's in special education. And I'm very concerned about the impact on the welfare of our future children and grandchildren.

It would seem to us that the EPA would want to do its due diligence rather than push this through without a say from the townspeople. So we would urge that, this has taken many, many years and we understand that you guys want to get it through, but it's not the way to do it. It's got to be put to a vote of the townspeople and then determine what's fair. Thank you for our time.

Bob Cianciarulo: Thank you. OK, next we're going to go to (Mary Teresa Valarie), is your line open?

(Mary Teresa Valarie): Hello. This is (Mary Teresa Valarie). I live on East Street in Lee. I feel that the town did not give us an opportunity to vote on this project. And if there would have been a vote, the answer would have been no to this dump site.

I feel that the EPA needs to protect us and support the removal completely. After 33 years living here on East Street, that's going to come to an end, because I do not trust GE to complete this safely or to maintain it safely. I believe that GE is cutting their costs at the cost of the people of Lee. Please help us to stop this dump site. Thank you very much.

Bob Cianciarulo: OK, thank you. I think we have (Tim Gray) up next. (Tim), is your phone line working now?

(Tim Gray): I'm here if you can hear me.

Bob Cianciarulo: Yes, you can go ahead.

(Tim Gray): OK, the first thing I want to say is this whole system tonight is very messed up and it's taken me close to an hour to get on here. Anyway, on with my five minutes. I want to echo that there's been no public meeting on this, that the selectmen have hid this from us, they signed it behind our back.

And I have to say that EPA stands by and watches the towns do that. So you're really complicit in this assault on the town of Lee and the other towns. So you really by not saying anything, it rings true.

I want to go back to the characterization of the PCBs on the river. The sample data is very, very old, number one. We're basing this whole clean-up on very old data. And the EPA really doesn't know how many PCBs are in the river. There's no way to calculate midnight dumping as we know they midnight dumped for 30 or 40 years at the GE plant and you're basing your figures on figures that are really unknown.

If you remember, back in 1993, you told us that there was 46,000 pounds in the river. EPA in the Master EP told us that, that that was definitive. And guess what we were able to prove that there's more than a million and a half pounds, just from 3 percent losses at the plant. And if you consider that midnight dumping again, there's a heck of a lot more. So your numbers are way, way off. And you should be taking a lot more PCBs out of the river.

I want to talk a little bit about alternative technology. Back at the Environmental Appeals Board, you came after HRI by saying that we haven't done our homework on alternative technology. Well, we've been holding meetings, we've been holding conferences, we've been holding single nights with technology companies coming in for over 20 years. And then we had two companies that back around 2004, 2005, two companies were offering a free testing trying that they were sure their product could clean up the PCBs and you people ignored us.

They offered free testing to come here and use their own company's money to test for us. This was brought to the CCC. You knew all about it and you did nothing. You ignored it.

So we never got to do those tests. Well, guess what? I talked to the CEO again yesterday and he is still willing to do that test. So, why don't you get off your duffs and do what you're supposed to do under Superfund, which is look at new technologies.

I also want to point out that the EPA wants to decommission people's wells around this dumpsite. Why do they want that? I've even never heard of that happening before on a toxic site before. But the only reason they could be

wanting that is they must be worried about those wells could eventually be decontaminated, otherwise there'd be no reason to be decommission them.

So this is totally ridiculous. And I'm going to end with the toxic dump...

Bob Cianciarulo: And if you can wrap up. Yes. OK.

(Tim Gray): Yes. OK. I'm just going to end with the toxic dump.

Bob Cianciarulo: Yes.

(Tim Gray): This dump located in a sand pit, that whole mountain side is a sand pit with water flowing through it. You're putting the dump up to a thousand feet up the hill from the river, which is absolutely absurd.

So if this thing ever does leak, it's going to go right back into the river that we're trying to clean up. This toxic dump is near hundreds of homes, small schools and the – and the Lee water supply.

The PCBs plan does not take enough out of the river. And by the way, this thing is not working too good when you call up and you say your movie theater isn't working too good when it comes up and it says that the event is sold out. That means that you can't even handle the people tonight of people that would like to comment. And you're going to force them into some other way to try to comment.

Bob Cianciarulo: OK.

(Tim Gray): Making it as hard as you can for people to make comments.

Bob Cianciarulo: (Thanks). Thanks, Tim. Sorry. I do need to cut you out just to make sure that everyone gets a chance here tonight. And again, we've got other ways to comment, voice mail and e-mail and letters. I hope people do take advantage of that as well.

I think we have (Matt Kelly) up next.

(Matthew Kelly): Yes, hello.

Bob Cianciarulo: Is your line open? Hi. Go ahead.

(Matthew Kelly): Hi. Can you hear me?

Bob Cianciarulo: Yes.

(Matthew Kelly): Great. Great. Thank you so much. I guess, first of all, I'd like to thank folks like Tim Gray and (Ed Bates) and everyone who's given so much in this process over the years and hopefully, Tim, you can find some – you're finding some time to take good care of yourself.

And I appreciate your passion and nonetheless. My name (Matthew Kelly). I live in Lee and good evening, everyone, ladies and gentlemen. I want to say thank you to everyone for the opportunity to speak and for your attention.

I am not a proponent of a toxic river. I just happen to live near one. And I'd also like to acknowledge the tremendous suffering caused by the toxicity of PCBs over the years. I respect everyone. I know that nobody listening today had their hand on the proverbial PCB valves.

And I can certainly respect the history of why PCBs were produced in some of the products that were made that supported our growth, who we are today, our evolution in such a profound way. So – but there's a lot of information readily available online, which I didn't start until a couple of days ago.

And there's just so much of it that just demonstrates the gross negligence on in the past on behalf of these companies. And so, my point is if the objective is to clean the river, we have an existing track record with the Hudson to suggest that it didn't work. It's not working.

New York is suing as a result. And just like it was just mentioned, how do we possibly expect to clean something up if we don't know how much stuff it is that we're trying to clean up. So, there's a track record that does exist. So, the...

Bob Cianciarulo: One minute.

(Matthew Kelly): The gross negligence could be remedied by GE and tax money should not be used. I just offered two alternatives. One of the – to just pay the sum of the money to be placed in our own trust and allow us to develop our own committee process, whatever to better understand the scope and nature of environmental healing and define PCB exposure, health considerations for us Berkshire residents who are mostly kind of in the dark of all this stuff.

And it's somewhat difficult to understand. That's my first choice. GE needs to right this most unfortunate history, not the EPA, not taxpayers or my second choice is let the towns vote. If every town voted in agreement to this, I would have no problem.

I would have figured out what would be next, but I would have no problem with that. And...

Bob Cianciarulo: Time is up.

(Matthew Kelly): Yes, absolutely. The outpouring of passion and dissent by our residents and from folks like Tim who were pretty much blindsided by this executive decision should have come as no surprise.

So, please consider retrofitting the dams in Lee and send that energy back into the town instead of taking those dams down, that can easily be done and there be no super adverse environmental effect to my knowledge.

Bob Cianciarulo: OK.

(Matthew Kelly): And...

Bob Cianciarulo: Right. Thank – we're going to have to just stop you right there, just again to accommodate to a lot of people on the list. And I do appreciate your input.

Do we have Judy Herkimer on the line now?

Judy Herkimer: Yes.

Bob Cianciarulo: We appreciate your help getting Tim connected. Whenever you're ready.

Judy Herkimer: My name Judy Herkimer and I'm co-founder and executive director of the Housatonic Environmental Action League. We are a tri-state conversation and advocacy 501(c)3 NGO, working for almost 30 years towards a real protective removal action of GE's PCBs and other toxic contaminants of concern in the river and beyond.

The current iteration of the draft revised 2020 reissued riprap permit for rest of river does not meet the EPA's own criteria for a protective river and watershed. There is no cleanup at this site, only containment of toxic substances.

With rugs on the river capping galore, dumps in the watershed, dumps out of state, riprap along contaminated riverbanks, sheet piling to hold massive amounts of PCBs from reaching the river, those are all containments, tucking PCBs in all available areas, sweeping bits under plastic rugs, capping them in the river and floodplain.

Cleanup indicates absolute removal of the PCBs and other COCs. One EPA definition says, "Cleanup is an act of removing and putting an end to the offending toxic substance." EPA should follow their own glossary and choose the word containment instead of cleanup at the Housatonic River Superfund Megasite. The proposed Upland Disposal Facility on the Lee and Lenox Dale border is one of the most outrageous, tragic and reckless actions ever proposed at this site.

The dumpsite is immediately up gradient from the river to an elevation of 1,050 feet. The site substrate and bedrock are thoroughly altered from years of sand and gravel mining, including multiple borings and along with bedrock and marble layer cracks.

The site has a high pervious substrate and now with altered hydraulics due to the extensive disturbances. The substrate is at the very least compromised if not incompetent...

Bob Cianciarulo: One minute.

Judy Herkimer: ... in the presence of what will be inevitable leachate leaks from the dump's contaminated sediments and soils. Two layers of thick black saran wrap placed under 1.3 million cubic yards of contaminated sediment and soils is a perfect storm in the making for failures to occur with leaks entering the substrate's surrounding surface areas perhaps leaves lower reservoir, groundwater and into the river, Woods Pond, domestic wells, residences, any aquifers and any number of other migration endpoints.

In addition to the geologic anomalies and in combination with climate uncertainty and increasing 100 plus years storms and flooding events, the potential is real for the integrity of this toxic dump to be breached.

Here is what an EPA scientist had said about landfills similar to what is being proposed for Lee and Lenox Dale, quote...

Bob Cianciarulo: I need you to wrap up.

Judy Herkimer: I will. There is good theoretical and empirical evidence that the hazardous constituents that are placed in land disposal facilities very likely will migrate from the facility into the broader environment.

This may occur several years even many decades after placement of the waste in the facility, but data and scientific prediction indicate that in most cases even with the application of the best available land disposal technology, it will occur eventually.

My last paragraph, as for volatilization of PCBs, landfilling then will not stop the process of volatilization. Volatilized chemicals and compounds will indeed be released into the local area. Volatilized PCBs become airborne reach high occurrence and are transported throughout the globe with an emphasis to settling in the Arctic areas.

Some of the highest levels ever discovered of PCBs in women, children, and whales, seals, walrus, and polar bear have been found in the arctic where no PCB industrial application was ever present. This PCB...

Bob Cianciarulo: OK. We're going to have to move on Judy, I apologize.

All right. Our next speaker is (Michelle Berger).

(Michelle), are you on the line?

(Michelle Berger): Yes, hi. I'll be very brief. And I give the remainder of my time to Judy to finish her statement.

Bob Cianciarulo: Right. OK.

(Michelle Berger): I live at 880 East Street. I'm there part-time but have been coming up to the Berkshire since I was a kid. It is a pristine destination. It's outrageous that the EPA is doing this in the time when we're all aware of climate change and climate disasters.

And your decision is contributing to this. I support what everybody has said prior to me and would like to give the rest of my time to Judy to finish her statement.

Bob Cianciarulo: OK. We're going to move on down the list, (Suzanne Salinetti), are you on the line?

(Suzanne Salinetti): Hi. Can you hear me?

Bob Cianciarulo: Yes.

(Suzanne Salinetti): Can you hear me?

Bob Cianciarulo: Yes.

(Suzanne Salinetti): OK.

Bob Cianciarulo: Go ahead.

(Suzanne Salinetti): Thank you. Judy Herkimer, you're amazing. Thank you for that information.

My name is (Suzanne Salinetti). I live in Lee. I've lived in Lee my whole life. I want to say good evening and thank you for everyone who is

continuing with this fight. I want to start by mentioning that I looked up the mission of the EPA and that is to protect human health and the environment.

I took that off your website. I want to ask five questions, but I'm limited to three because I only have three minutes. My first question is what makes it OK for the Environmental Protection Agency to settle for less than what we could have asked for and demanded from GE.

My second question is who wins here? That's a question everyone is asking. Nobody wins here. Nobody wins here. We lose big. My third, would anyone person involved in brokering this deal care to have this dump in their own backyard. That's a big question.

The EPA have to concede again that liners fail, that PCBs are airborne that any level of PCB is toxic and we're willing to let the fox run loose in the henhouse to clean this up. And now we know that's containment according to Judy, thank you.

Would anyone person involved in brokering this deal care to have this dump in their own yard? Near their babies, near their schools, near their water supply, when asked directly at this Pittsfield meeting, your own (Brian Olsen) whimped.

It's clear to me it's OK to be out here in the country and away from anywhere you live but not OK if it impacts your own livelihood. Would this be OK in your backyard? That should be the way we make these decisions. Not like it's the last deal you can make at the 11th hour and GE is pushing you for it.

I need to remind you the mission of the EPA is to protect human health and the environment. One of the most important items on my list of questions is has the EPA given thought to the impact of these airborne and leaching PCBs on a community and a population that has been affected by COVID.

All people who may have been or are or were previously ill with COVID are now at a precarious point in their lives. The lung capacities are now comprised. I don't believe anyone can say that moving PCBs around now...

Bob Cianciarulo: One minute.

(Suzanne Salinetti): ... is ever a safe thing to do, not now, not anywhere, not any time and especially not anymore. I urge all my neighbors in Berkshire County to think about this, these are trucks and backhoes, and dirt and mud being driven along your roads for miles and miles for years and years.

Let's put aside the fact that the EPA and GE want to start this now while we are all just trying to make it through our day with less work available and more stress on our table. I want to know what the response is to this concern.

I am one voice here, but my recommendation and question would be this, there's \$576 million on the table. Ask GE to hand it over. We build a fund with a nonprofit-based organization in the Berkshire towns. We will confidently and carefully chose how this is cleaned up, how the money is spent and make sure there are no dumps anywhere. This includes the same clean up in areas that are presently designated.

There are more remediation techniques that will become available in years to come. Let's be sure we set this nest egg up for our future generations to ensure that we will be safe and not at the will or whim of GE or any of their controlling interests.

We chose, we...

Bob Cianciarulo: Can I ask you to wrap up?

(Suzanne Salinetti): ... we can do this with the help of our EPA, keep our babies, our parents, our grandparents, our water, our schools, our peacefulness, our lives, safe. We want a better solution. And we know you can get it for us. Thank you.

Bob Cianciarulo: Thank you. Thank you.

And again, just to note to those – I've cut a few people short and I apologize. Obviously, we've got a long list of people we are trying to get through. If there is time at the end then maybe an opportunity for you to extend your remarks.

If you're interested in that you could put a quick note in the technical support box. But I do want to make sure that everyone who registered does get a chance to speak.

(Robert Shenkle), are you on the line?

(Robert Shenkle): Yes, I am. Yes, I am.

Bob Cianciarulo: OK. You're up next whenever you're ready.

(Edna Shenkle): Oh, OK. This is (Edna Shenkle). I registered as well. (Rob) and I are husband and wife. He's asked me to speak.

Bob Cianciarulo: OK.

(Edna Shenkle): I did have a prepared statement but I have to say it's not as good as all the ones I heard before me. I would agree with almost all the statements that were made, we live at 880 East Street at the foot of October Mountain.

It's an area we love, feel safe in and I can't feel that any longer if the EPA and GE is planning to continue with this dumpsite. This is not a place that I would want to live that I would want to bring my children and my grandchildren.

I think the – as someone said, the EPA is the Environmental Protection Agency. It's not the Environmental Destruction Agency. And I think that you all should be looking out for, our health is our best interest.

The Berkshire is perhaps the people in the Cape Cod would disagree that I think it is the jewel of Massachusetts and New England. And people come here to enjoy the pristine woods and the walks and the rivers and the lakes.

To have a dump in the middle of this is totally unacceptable. And if I have any time left I would add it to Judy Herkimer. Thank you.

I'm done.

Bob Cianciarulo: Did (Robert) want to make a statement? No. OK.

Next speaker, (Linda Paradiso). Are you online? (Linda)? Apparently not.

(Michael Traponi), are you online? (Michael)?

Pardon us while we work through some – and just a note again, others who have registered who are further up in the list that have not dialed in yet, we invite you to do so. Can you drop a note on the Adobe Connect? If you're having trouble, you can also send in an e-mail to Zanetta Purnell who is the one who sent you the instructions on the e-mail.

(Michael Traponi), are you on? Bear with me while my operator is getting me someone.

(Kemra Shulman)?

(Kemra Shulman):Here. Can you hear me?

Bob Cianciarulo: OK. I can. Go ahead.

(Kemra Shulman):Great. Thank you for having us participate in this meeting. I am really hoping that as the Environmental Protection Agency were taking to protect the wellbeing of the people of our town.

I live in East Street. I have been a homeowner here for over 35 years and raised young children in this area and not yet a grandma but speaking as anyone who drinks water and breathes the air and enjoys the rivers and lakes and the Berkshires that it is appalling to me that they are considering putting a dangerous substance like PCBs, something that into what someone referred to earlier as a plastic bag adjacent to many homes and towns.

We've seen so many examples where other things like this then becomes Superfund sites that leaks into the surrounding ground and groundwater and affects the entire community. I would never suggest moving this to anyone else's backyard either.

I like the ideas that I've heard about developing other technology and alternative methods of handling it. I also think it may be appropriate to look

for a site far from anyone's home if that still exists in the State of Massachusetts.

But I think that selecting Lenox Dale and Lee which are really right on the river in the middle of a state forest area as well as an area of many lakes. But most important, people. I value the nature. I value the culture. I love the Brookshire for a lot of reasons. But I don't think any person for any reason should be subjected to being near a PCB dump, and by near I mean within many, many miles of something that can leach dangerous materials that have been shown to cause cancer and other illnesses.

I don't – I'm not a scientist but I know they're associated with birth defects effect.

Bob Cianciarulo: One minute.

(Kemra Shulman): In young children, so I feel very strongly that this should not be a plan to go ahead with in any way, I do not trust the lining or safety of what have been suggested and I don't think that it should be near anyone's home, for our health, which I'm hoping the EPA is going to focus on and protect. Thank you.

Bob Cianciarulo: Thank you.

Next, we have (Robert Kurtz). Are you on the line?

(Robert Kurtz)? (Robert Kurtz)? All right. Please bear with us, make sure we take care of our technical issues here.

Is (Debra Kellogg) on the line? (Debra), can you hear me?

(Debra Kellogg): This is (Debra Kellogg).

Bob Cianciarulo: Hi, (Debra Kellogg). Thank you. Go ahead whenever you're ready.

(Debra Kellogg): OK. Thank you. I've been hearing from several of my neighbors, a lot of us from 880 East Street are here on the line. And we're all at October Mountain Village, which is within two miles of this proposed dump site, which is just –

and to my mind completely insane to put a toxic dump upland from the river that you're trying to clean up. It makes absolutely no sense to me.

In addition, it's very, very close to the Lee reservoir. So, you're looking at contaminating the river again when this plastic bag that you're putting the PCBs in fails. And you're also looking at contaminating the Lee water supply.

Not to mention the people with wells. And I know the plan has a monitoring process for the groundwater. Well, once something is found in the monitoring it's already too late. And then we have PCBs in our groundwater as well.

So, I really, really would like the EPA, GE, the town, to step back, look at this again. This process, this dredging the river, was developed 20 years ago, I believe or at least and it's been talked about for 20 years at least.

I grew up in Schenectady. I know what happened in the Hudson. And now I live in Lee. And I don't want to see the same thing happening to the Housatonic. Beyond that, I would also like to say the Berkshires are a tourist destination, world renowned.

You're going to take our lovely little towns starting in Sheffield and working up through the Berkshires and have these trucks going back and forth through the towns with this sediment and landfill on Route 7. Teeny-tiny little road.

We're not talking about any highways here. So, I know that the plan says, well, it won't go through residential streets. Quite frankly, every road in the Berkshires is a residential street as far as I'm concerned because they're all small. There is nothing big. I don't think the Berkshires can handle more economic impact than it's already had given what we're going through right now, the loss of all of our culture for the past several months.

We can't take additional economic hits because we're not ruining our pristine rivers and lakes and digging things up and taking things away and moving things around with trucks. It's insane to do this. I really, really, really hope that the EPA will think again about their mission of protecting the environment.

Bob Cianciarulo: One minute.

(Debra Kellogg): Protecting the environment and step back from this plan and looking for something else. Thank you.

Bob Cianciarulo: Thank you. OK. I believe we have (Linda Paradiso) on the line, was scheduled to go earlier. Are you on the line now?

(Linda Paradiso): Yes. I am. Can you hear me?

Bob Cianciarulo: OK. I can hear you. Yes. Whenever you're ready.

(Linda Paradiso): OK. OK. Thank you. My name is (Linda Paradiso). I'm a resident of Lee. I am also a nurse. So my comments focus a lot on the medical aspects of what's going on with the PCB containment.

So, we do know that studies in PCBs in humans have found increased rates of melanomas, liver cancer, gallbladder cancer, biliary tract cancer, gastrointestinal tract cancer and brain cancer. It also may be linked to breast cancer.

I personally am a breast cancer survivor. The PCBs have been released into the environment through spills, leaks from electrical and other equipment, and improper disposal and storage. No storage is reliable. And no storage is without unintended consequence.

Controlled and independent efficacy demonstrates – demonstrations and trials for a variety of chemical degradation and extraction procedures as well as encapsulation methods have not been studied and are ineffective. Before storing PCBs in land that is adjacent to the river and used for drinking and farming, intensive studies should be completed again that are current. Storage is not the answer. Single technology is not the answer.

Phytoremediation, bioremediation, and ultrasonic radiation should be studied in conjunction with the removal process. Thank you.

The other speaker, (Michael Traponi), who was registered with me and we were both disconnected is also available to speak. May he use this time as well to make his comments?

Bob Cianciarulo: OK. Yes. Yes, absolutely.

(Linda Paradiso): OK. Thank you.

Bob Cianciarulo: So we're going to move over to (Michael) now whenever he's ready.

(Michael Traponi): I am ready.

Bob Cianciarulo: OK.

(Michael Traponi): My name is (Michael Traponi) I am a resident at 880 East Street as well, a recent resident with the anticipation of enjoying the beautiful Berkshires. I am also an engineer. I've been an engineer for 35 years. And PCBs have been not only in the news but a part of study years ago when I was in school and the effects on the environment as well as on economics within an area.

My three main concerns are primarily health. Health of my family, myself, the surrounding population and its short and long-term effects that was stated earlier in (Linda's) presentation.

Number two, economically, in property values. Even with the thought of this landfill, which I'm going to comment on the third point, is going to affect property values throughout the area. It's going to take a vibrant area and just ruin it.

The third point is the reliability of the landfill techniques. It's likened to a roof and being a facilities engineer at one point in my career roofs wear out. And they could cause more problems than what they – and they cause more problems than can imagined.

The monitoring seems to be a little sketchy as well with GE monitoring it. Is the EPA monitoring GE at this point? The P in EPA is protection, we need protection from this plan. Thank you.

Bob Cianciarulo: OK. Thank you. Hopefully we are going to go to (Robert Kurtz), are you on the line?

(Robert Kurtz): Can you hear me?

Bob Cianciarulo: I can, yes.

(Robert Kurtz): OK. I missed earlier. My wife (Susan) and I...

Bob Cianciarulo: Can I get you to mute your TV or computer or whatever else you are listening to this?

(Robert Kurtz): Let me turn this...

Bob Cianciarulo: OK. So repeat that. OK.

(Robert Kurtz): I'm sorry. My wife and I live on East Street at 880 East Street and have done for quite a few years and we join with the other objectors to the local dumping of the PCBs in Lee at the Lee-Lenox line. And we adopt their reasons. I want to just make a couple of additional remarks.

The municipalities that accepted the \$62.5 million to agree to this proposal without prior knowledge an agreement of the local residents it looked like they were really enticed to agree regardless of the merits. Someone earlier used the word "bribe," I won't use the word "bribe" but I can understand its use.

If the PCBs are as dangerous as they appear to be to health and environment the costs to the municipalities from the fallout will undoubtedly exceed \$62.5 million by a very substantial sum. Moving on from that point, I want to address the methodology by which the parts per million of PCBs between the 900,000 cubic yards that are said to be low (PPMs), 20 to 25 and the higher ones, 50 (PPM) or more, how that was done?

We've heard, the estimates that what would remain in the local area would be between 20 and 25 parts per million. And that that's OK. I don't know how that was established. I do know from looking at the EPA's...

Bob Cianciarulo: One minute....

(Robert Kurtz): ...own manual, the PCB inspection manual, chapter six that there are very substantial sampling requirements but they are not spelled out in detail. I want to know for instance whether each sample that was taken was the half-pound that is mentioned in the book. I would like to know how many samples were taken, whether they were taken every quarter of a mile, every 10 feet, whatever it was. And how those samples were evaluated, because to me it seems impossible to say that 900,000 cubic yards, very low and it's safe to put here and 100,000 or so cubic yards is high.

And I don't know how that was arrived at. I know that I've heard the estimates, I've looked for the methodology. I've looked for how this was done. I understand from the EPA's own manual that reports have to be made and records to be kept. And I know that in litigation, just estimating 20 to 25 parts per million will not fly and you are going to have to defend those numbers. And especially if they were taken 20 years ago, I don't think that they will be relevant anymore. I don't know what happens over 30 years...

Bob Cianciarulo: I'm going to have to ask you to wrap up.

(Robert Kurtz): OK. That's basically the substance of what I had to say. Thank you. Bye.

Bob Cianciarulo: OK. All right. Thank you. Next I think we have (Daniel Abotale) on the line? (Daniel), are you on the line?

(Lucy): Yes. Yes.

Bob Cianciarulo: OK. Go ahead whenever you...

(Lucy): My name is (Lucy). My name is (Lucy) and I am also speaking for my husband (Daniel Abotale).

Bob Cianciarulo: OK.

(Lucy): And we live in October Mountain in Lee. This is why we are against the GE and EPA plan to build a toxic PCB dump near our homes. The water table near our complex is very close to the surface. In fact, some of our area

remains damp and swampy even when there has been no rain and we live on the mountain. Heavens forbid when these toxic substances begin to leak and leach into the ground water in the future. Can you guarantee the health and safety for the next generation and the generation after that?

Remember Love Canal. And more recently Flint, Michigan where officials shortchanged that city there is no way we could know if shortcuts and cost cutting are being implemented in this particular project. If the EPA goes through with this, they should be renamed the Environmental Pollution Agency. Thank you.

Bob Cianciarulo: OK, thank you. Next on the line is (Andrew Proto). (Andrew), are you on there, on?

(Andrew Proto): Yes. I'm here.

Bob Cianciarulo: OK. Whenever you are ready?

(Andrew Proto): I am ready. My wife and I are residents of Lee. We live on East Street and we are new residents to Lee. And I have to tell you that this in, everything I've read and I've heard is shocking to us. This is a plan that only benefits GE. It doesn't benefit the community. It doesn't benefit the environment, it only benefits GE and their cost cutting measures to try to throw money at problems that's only going to create more problems down the road.

I can't imagine how anyone with any sort of common sense that's not getting thrown millions of dollars at them would ever agree to this. Their plan is laughable on liner and they are going to put millions of cubic feet of contaminated soil on top of a liner that's one mile from the water supply, 1,000 feet from the river they are trying to protect and 15 feet above the water table. This liner, this containment system will fail. It will be maybe five years, maybe ten years, maybe you've got a good 20 or 30 years out of it but it will fail. The runoff water alone will contaminate the Lee water supply, will contaminate the river and will make Lee uninhabitable.

This is something that needs to be stopped immediately and GE needs to take serious measures to take full responsibility to safely remove this contaminated

soil. Otherwise in 5, 10, 15 years we are going to be back here with another three hour comment meeting discussing why no one can drink water in Lee, why nobody can live in Lee and why everyone has to remove themselves from a 5, 10, 15, 20 mile radius from this dumpsite.

Once GE takes full responsibility and reasonably removes the contamination, then there could be a conversation. The citizen of the Berkshires have not been heard. The citizens of Lee, Great Barrington, Lenox, Lenox Dale no one has been heard. These are people that are making decisions that are lifelong decisions for this generation, the next generation and the generation beyond and without having fully been heard, it's irresponsible in its negligence.

I think that ends my comment. Thank you.

Bob Cianciarulo: OK. Thank you. Next on the line I think we have (Danielle Stern). (Danielle), are you on? (Danielle Stern)?

Female: Yes, (Danielle Stern) is on the line. Can you hear me?

Bob Cianciarulo: OK, go ahead. Yes I can.

(Danielle Stern): Yes, I'm here with my husband (Dan Stern) and we are residents of Lenox.

(Dan Stern): Hi, we live 70 (Birch Woodland) in Lenox, Mass and 120 East (Doug Way), Lenox, Mass. And we completely agree with all the comments everyone else has made. And are, I mean, frankly, overwhelmed by this reality coming our way. I'd like to imagine that the people will take measures as needed if and when this construction begins and this project beings, to physically block this from happening because it is evident that the policy makers and the lawmakers who are supposed to represent us and our best interests have not done so. This simply will not be permitted. Again, it would be an economic and health crisis, the highest order to let this happen.

(Danielle Stern): And we'd like to yield the rest of our time to (Tim Gray), if that's possible.

Bob Cianciarulo: Again, we are going to continue down on our list and then we'll go back to others who want to speak further to the end at this time. I think have (Janice Brame) on the line next? (Janice), are you on?

(Janice Brame): Can you hear me?

Bob Cianciarulo: I can now, yes.

(Janice Brame): OK.

Bob Cianciarulo: Go ahead whenever you are ready.

(Janice Brame): OK. OK. My name is (Janice Brame). I live in Lee, Mass, lived here all my life. First of all, I am requesting again the extension on the comment until the election. You are all hiding behind your computers, you are using COVID-19 as an excuse, well, I am sick of excuses from you. You just say certain person, there are a lot of people that not have the knowledge or even have a computer to get to these meetings.

The EPA stands for Environmental Protection Agency. Why are you not protecting us and our children? Why are you trying to push this through so fast, Are you working on our behalf, it looks to me like you are working for GE instead of the people. We do not want this stuff in our town, we do not want other towns' PCBs transported to our town. For the next 15 years it will be trucks through our town with PCBs on them. Once you start dredging the river it will be in the air. Who is going to be paying for the people that get really sick? Are you going to be paying their doctor bills? Who is going to be paying for the homes that are really affected by this nonsense? Who is going to pay when the dump liner leaks?

You just want to rush this through and you should be looking at other ways to clean up the river, as an alternative to dredging the river and putting the PCBs in the dump that are technologies to treat the PCBs in place. You need to take that blood money from General Electric, give it to the towns to put into an account and invest in it. When the money grows and in the future with even newer technology coming out every day we can then clean up the river the right way and not by dredging it or having a dump. The river will be never be

totally clean no matter what you do. We never will be able to swim or eat the fish out of it. When was the last time you tested the river? What are you doing is making it worse and not better. This is common sense. I do not trust any of you, who is going to keep a watch out to see what you are doing.

General Electric I guess and you seem to be working for them and not us. We the people should have had a vote on this. We did not. It was done behind closed doors. These meetings are useless. You really do not care. You just wanted to push this through. Well I will tell you one thing. I know they keep fighting you along with all these people that are going to be fighting you. You all need to do the right thing and stop all this nonsense. You would stop that if the dump was on your backyard or town. Believe me there would be no dump. That is the truth. You need to do your job and start protecting the people. You are supposed to be the EPA. Thank you.

Bob Cianciarulo: Well thank you. I think our next, (Cornelia Calisher)? Are you on the line? (Cornelia), can you hear me?

(Cornelia Calisher): Hold on one second.

Bob Cianciarulo: OK. I can hear you now.

(Cornelia Calisher): Hello. Good evening. Thank you for holding this hearing. I appreciate it. One thing I do want to say is that someone in Lenox called and said the sign-up was full as of yesterday so they wanted to sign up a Lenox resident, and so, I won't take as long and hope that they – can I give part of my time to (Elaine Kelagerre). Is that possible?

Bob Cianciarulo: She's with you?

(Cornelia Calisher): No.

Bob Cianciarulo: OK.

(Cornelia Calisher): If she could call in, she's listening but she tried in, in a proper way ahead of time and that this said...

Bob Cianciarulo: OK. We are going to see how much time we have time left after the speaker's we have, who are able to sign up...

(Cornelia Calisher): OK. But I am going take less time so that she can....

Bob Cianciarulo: OK. OK. OK...

(Cornelia Calisher): OK?

Bob Cianciarulo: And then we can reach out to her. I will have someone look her up right now.

(Cornelia Calisher): OK. Thank you. So the things that I want to say tonight that I spoke in the last hearing and I will be also sending in my written comments. The main thing I would request is that you allow for an independent monitoring if this goes through as in the draft permit that's been proposed, that there is an independent monitoring, as well as GE who is (slated) to monitor as well as EPA, the second (inaudible) satisfied for that.

The second point I would like to say is that the draft, no, the statement of work which now the comment period on that, issued by GE was issued prior to the public comment period and, no, it was not issued prior to the comment period, I apologize. The statement were, yes, it was issued before the end of this public comment period is going to be completed. And I really request that you look at the comments that were sent for that and incorporate them into your final review and decision. I think that's going to be very important because there were a lot of discrepancies and the permit, draft permit and the statement of work from GE.

And then the third thing I wanted to say is that I understand in large corporations such as GE that or I've been through with different things, not this magnitude but that there's always like an effort to negotiate and instead of having three dumps now we'll have one, et cetera, et cetera.

Bob Cianciarulo: One minute.

(Cornelia Calisher): And it usually sets the, sorry? Hello?

Bob Cianciarulo: You have one minute to go.

(Cornelia Calisher): OK. And so, I know that's usually how things are negotiated but in this case I really urge you that your original at least that part of it, of not having any dumpsites in Berkshire County is pertinent, so that this project can go forward and that dredging and cleaning up the Housatonic River can work, otherwise it will be stuck for years and different, not myself but others litigating, et cetera. And the original plan was not to have any dump site and EPA had recommended not to originally, so that's what I urge you to do. Thank you so much.

Bob Cianciarulo: Thank you. OK. Next we are going to go to (Matthew Cusack). Are you on the line?

(Matthew Cusack): Hello. How are you?

Bob Cianciarulo: Good thanks, whenever you are ready.

(Matthew Cusack): Great. Thanks for having me speak at this hearing. My name is (Matthew Cusack), I live in Lenox, Massachusetts. I've actually been here a year but I have a lot of experience with living in places next to toxic dumps, having come from Jersey City, New Jersey and other parts of New Jersey where we have similar problems of massive pollution of our land and our watersheds. And reading up on the history of this project after moving here it's clear to me that this is a problem created by GE that should be cleaned by GE in a complete manner. And all I've heard in the documentation and from a lot of speakers tonight is that this is a containment project. This has already been a containment project for the last 10 years.

There's a lot of contaminated sediment already trapped in our backyard. Growing up in the '80s the whole NIMBY, not in my backyard was a rally cry, and the reason for that was people were getting poisoned and killed and kids were growing up with mal effects because of the pollution of our corporations that operate with money really as the only driving force.

So looking at all the data here, number one, the dump makes no sense. To dump things on top of a swimming pool layer and sand sediments, even coming from a non-scientist like myself just has no merit. But what hit me is

one of the speakers talking about privatizing this whole process, and I really think the move here is to take this out of the hands of the government and the EPA and move this into the private sector. Make it a Space X project. I mean rockets are launched into space by private companies because there's an incentive, some incentives to do the job properly.

There's no incentive here. The government has no incentive to clean this up. The towns obviously are turning a blind eye...

Bob Cianciarulo: One minute.

(Matthew Cusack): And people are supposedly representing the people of the towns, the townspeople here are not taking a blind eye to this and are rightfully upset, myself included. So I would highly suggest moving this process to the private sector with new technology and if GE wants to be an innovative company moving forward and trying to pivot from their past, why don't they figure out how to clean up PCBs? That could be their next big investment. And clean up the mess they've made. That's all I'd like to say tonight and thank you for having me speak.

Bob Cianciarulo: OK, thank you. Next speaker (Catherine McCabe), are you on the line?

(Catherine McCabe): I am. Can you hear me?

Bob Cianciarulo: I can, yes. Whenever you are ready.

(Catherine McCabe): OK. I agree with so many of the speakers that know a lot more about this than I do. But one thing is really obvious that's what's presented to the public as a done deal and the people that will be impacted by it didn't have a voice in it. And that just seems blatantly wrong.

I have a couple of other comments I wanted to make. One is that we really are an unprecedented times. We are going to be dealing with so much climate change it's unpredictable. And on top of that we have, the country is heading into a depression. And I just think having a situation where you are relying on interest of private parties to or even the EPA to monitor this thing it doesn't

instill very much confidence at all. And that's really all I have to say. Thank you.

Bob Cianciarulo: OK, thank you. Next speaker I have on the list is (Sue Massias). Are you on the line?

(Sue Massias): Yes. Yes.

Bob Cianciarulo: OK. Whenever you are ready.

(Sue Massias): OK. Please don't interrupt me. I time myself. I'm in the three minutes. I would like my comments to go into the official record.

Under the current administration there have been at least 90 EPA Clean Air and Water Act regulations overturned. That is not acceptable. And that is why we must wait for a new administration with a new head of the EPA, one that is not on the side of corporate polluters. The EPA is notorious for being a revolving door for corporate lobbyists so the corporation in question for polluting always has a leg up.

The EPA has numerous failures in clean-ups, unsatisfactory stalling plants that can't be executed properly and litigation lawsuits leaving a bigger mess than when they started. Example is, one, of the Hudson.

The comment period and open hearings have been rushed through during an unprecedented COVID-19 pandemic. The citizens wanted in-person hearings so that we can face you. We asked for an extension in order to do so. We already waited (seven years), what's another few months?

Governor Baker (caused) GE to move their headquarters to Boston from Connecticut after they polluted the entire Housatonic River and have over 90 super-fund sites across the United States. GE is not a welcome neighbor. The governor used our taxpayer dollars to subsidize GE so they don't have to pay any federal or state taxes. The EPA, GE and town select-men have conducted secretive backroom negotiations over a two-year period. The EPA is in cahoots with GE and their lawyers, pitted the select-men of each town against each other using scare tactics.

The least educated select-men from Lee got the short end of the stick, the toxic PCB dump after you dangled the golden carrot of dollar signs in front of them. Great Barrington no longer gets a dump but instead a 140 million acre park on top of polluted land. Pittsfield gets land donated to them at a takedown of buildings plus \$8 million. The citizens that live in these towns did not get to vote on putting a dump in the Berkshires and in their backyards. The EPA estimated the clean-up costs in 2016 to be \$600 million. That would now be \$700 million but GE is now getting a bargain for only \$200 million, a \$200 million discount.

They only have to clean up a portion of the Housatonic, between 20 and 30 percent and dump the PCBs in a beautiful town and gateway to the Berkshires scouring the landscape forever. GE must be held fully accountable. We demand a vote. Why I don't understand is that if we are first having a virtual hearing and comment period, now how could the five Berkshire town that already have accepted and received the \$63 million payout. That seems to be blatant corruption, for we the people did not a say. This comment period is just a dog and pony show for the record and is meaningless held there for the towns who already put the money in the bank, instead the people would like the money to be pooled and to go into a fund that we can then use to treat the PCBs properly with new technologies not dredge and dump.

The Housatonic River initiative and river keepers were the only educated group that have been involved with this cleanup of the Housatonic River for decades. They were pushed aside because they know this is not the proper way to clean the river. The EPA knows...

Bob Cianciarulo: You need to wrap up.

(Sue Massias): ...this and the town select-men certainly knew it until they were bought off. The proposed dump will be 20 football fields high at the base of October Mountain which is the largest state forest in Massachusetts, placed just 15 feet above the river that is enough reason to not put a dump there. You have not even taken account the storm surge, floods, weather, hurricanes and possible tornadoes that will be detrimental. The line that you proposed to use must be

compatible with toxic PCBs. But yet there's no manufacturer that will give a warranty for such use...

Bob Cianciarulo: OK, thank you. I'm going to have to stop you right there. Thank you.

(Sue Massias): Hold there a second. There is no reassurance for the safety of the dump...

Bob Cianciarulo: Thank you. And again, if you'd like to extend your remarks you can leave a note in the technical support box or we can come back. You told me you had timed it at three minutes. We are going to move to (Monica Ryan) next. (Monica), are you on the line?

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

Bob Cianciarulo: Yes. Go ahead.

(Monica Ryan): OK. You know what she was probably, if you had given her the time to wrap up I'm sure she would have done it. Anyway I will time myself and stick to three minutes.

I wanted to say my name is (Monica Ryan). I live in Lee and I am a town representative in District Six and I can assure you that I go to all the annual town meetings and I can say that the town representatives were lied to, they were told that they would be able to vote on this. And we were never given the opportunity to vote on it. End of story.

So right there I feel like it's completely fraudulent action that's taking place. They rushing the money through so they can just feel like they just push this along and force this down our throats and I think it's unfair. I want everyone in Lee to know that we have been treated unfairly. It's bad enough that all of this toxic waste is going to go through Lee no matter how you cut it because if they are planning on trucking it let's say they have to get it to the pike.

So everything comes through Lee whether it's getting dug up in (Stock Ridge) or Great Barrington or what have you, chances are it will still be going through Lee so we are getting the short end of the stick on that already. And Berkshire County has gotten the short end of the stick from GE all along.

I feel like why would we let GE just dump Berkshire County literally and just done a terrible job and has an untrustworthy history in our county and in other areas too. Look at the Hudson. Why would we let them do this and feel like we could even trust them to monitor it or have any kind of third party monitoring. It just doesn't seem right and even believable or realistic. I can't think that anyone could even trust them and I feel like and until when?

They say that they'll monitor it until July, what year and, I mean, GE might not be around in 10 years. So I say let them fix it completely by removing it completely and removing it from this area and putting it in an area that's not in the residents or treating it but not putting a dump in our area.

The meetings that were done were done in secret. And we were really shocked in February. And listen to everybody who is calling in and who has been coming to the meetings. I haven't heard anybody in favor of it so EPA if these hearings are for the purpose of you to get feedback from the public listen up. We are all telling you to a single one of us that we don't want it, so don't allow it. Please don't allow it a dump in Lee. Please don't.

It is also something that is just...

Bob Cianciarulo: Wrap up, please.

(Monica Ryan): Thank you. I just want to – thank you. Thank you very much. Bye-bye.

Bob Cianciarulo: OK. And again, we'll let you extend at the end assuming there's time. And there may well be time so if others on the Adobe Connect do want to potentially make a statement, you can leave a note in the technical support box and you'll get some instructions if we have the time. (Charles Chancillini) is the next speaker.

Before we want to go to (Charlie), I did want to mention that announced today that we're awarding an environmental merit award. It's one of our – it is our region's highest honor for citizens and we'll be giving that award to (Barbara Chancillini). Unfortunately, obviously that award is posthumous but we appreciate all of (Barbara's) advocacy over the years and obviously, she

would've been a strong voice as part of this process. Did want to announce to the public as well. (Charlie), are you online?

(Charles Chancillini): Yes, (Bob). Thank you for the kind words. You make it difficult for me to now say what I had to say. CP...

Bob Cianciarulo: OK.

(Charles Chancillini): CPR is, again, respectfully requesting the Environmental Protection Agency, extend the deadline of the formal comment period from Friday, September 18th to no earlier than Friday, November 20th. And more appropriately to a time when there can be in-person public comment sessions.

We disagree with the current decision on September 3rd to not extend and present these reasons to reconsider. The current comment periods of online sessions did – do not provide the majority of the affected residents to actively participate in the comment process. Many citizens do not have the technical experience or ability to participate in these sessions. There should be a delay to a time when those residents can attend in-person sessions.

Yet, the limited number of comments during the sessions on August 26th afternoon and evening were opposed to having a landfill in the Lee-Lenox property adjacent to Woods Pond. There were pleas and statements that were passionate, personal, and presented both logical and scientific reasons to oppose the upland disposal facility. Their words should be heeded.

This decision is being made by Regional EPA Director Dennis Deziel, who's only been in this position since September, 2019. It is important to note that Mr. Deziel has not met with the membership of the Citizens Coordinating Council and has not met with the citizen stakeholders who have been involved with the Housatonic River contamination for over 30 years.

As with many appointees in government agencies under the present federal administration, we question that the current director is being willfully blind in evaluating the science versus the cost of the project. Human health should be priority with any of these decisions.

(CPR) urges the – (CPR) urges the EPA to alter this permit, make it more fully complete, clean up the river and its ponds and watershed areas. We do this so that the citizens of the communities in Massachusetts and Connecticut will have a healthy and usable river. The standards following the current permit will still allow significant amounts of PCBs to flow over dams and waterways even after completion of this project.

The cost to General Electric should have no bearing on this clean-up and permit. For those of us who have been involved in fighting for a clean river for the past 20 to 30 years, remember that General Electric lied to everyone about how PCBs entered into the river from their plant. They originally stated that there was an accidental spill from one of their plant buildings along the river.

There's no way that the amounts of contamination on the river came from one accidental spill. There's also no way that the result of this accident caused PCBs to be so prevalent in the aquifer under the City of Pittsfield and upriver by the former GE plastics plant in the (Oncomet Brook) area adjacent to that facility. These lies alone should send this permit ...

Bob Cianciarulo: Actually your time is expired.

(Charles Chancillini): OK. These lies alone should send this permit back for additional review and make the General Electric Company responsible for all contamination. Revisit the entire agreement and make no final decision until after the presidential election in November. This project changed for the worse based on the last election and will change again when a different administration takes over the government. Thank you, (Bob).

Bob Cianciarulo: Thanks. OK. Next, I think we have (Henry Feldman) who was registered to speak earlier. (Henry), are you on the line? (Henry Feldman)? (Henry Feldman), are you on the line? You should be unmuted. We're not hearing you. All right. We'll have to come back to you.

Who else do we – we have next is (Paula Dowling) on the line? (Paula)?

(Paula Dowling): Hello?

Bob Cianciarulo: Hello. Go ahead.

(Paula Dowling): Hello. Can you hear – you can hear me?

Bob Cianciarulo: Yes. Yes.

(Paula Dowling): All right. I'll just keep it brief because I did call in on August 26th. My name is (Paula Dowling). I grew up in Lenox Dale and my family has owned property here since 1955. I'm now a seasonal resident and was kind of caught off guard by all of this back in February when the story broke.

My – every – all the comment, I agree with just about all of the comments, I don't want the dump in the Lee-Lenox Dale area. I think the whole process is just a sham. It was – the people didn't get a chance to have any say in any of it. I think the only way to make it a hundred percent fair is to put it up to a vote because yes, there's a lot of people that can't – that don't have the technology to call in and make comments or even attend Zoom meetings or any of those things. So I think a vote is necessary. I don't think it would get passed.

Also, the data. The data's old. I don't – I can't imagine why the EPA would issue a permit without current data about the PCB levels in the river. I think that should be mandatory that the data is current before the permit is issued and the people should have – be able to meet and speak with the representatives in person. I don't think any of the towns should have taken the money. I think the money should be invested by – and I strongly agree with the gentleman that talked about privatization of the process and cleaning it up ourselves. I don't think GE can be trusted and I don't think that will ever do a good job at it. That's all I have to say.

Bob Cianciarulo: OK. Thank you. We are going to try (Henry Feldman) again. Are you on the line? (Henry), you may – I don't know if your phone might be muted on your end. OK. Still not – still not hearing him.

(Anne Langlus), are you on the line? (Anne Langlus), is your phone unmuted? All right. Apologies.

We're going to go up – is it (Brandon Bray)? Or (Brandon Bray), are you online?

(Brandon Bray): I am. Thank you very much.

Bob Cianciarulo: OK. Thank you. Go ahead. Whenever you're ready.

(Brandon Bray): Yes, thank you. Well, I've been a Lee resident for the past six years, also a school teacher here. I definitely have fallen in love with the Berkshires. And just to keep it simple, it feels like if GE put the PCBs here, it is their responsibility to take them away and they should take all of them away.

You know, if they're only willing to take away the worst of it, they should be willing to take away all of it. And I know there's no easy solution of where to take it away to, but at least not near rivers, not near lakes, not near residential areas. And so I really just – I'm hoping for the best that GE will kind of do what's right and if they put – you know, they put it in our river, please it take it away and find a nice, safe spot for it. Thank you very much.

Bob Cianciarulo: OK. Thank you. I'm going to (Anne Langlus). Is your phone unmuted?

(Anne Langlus): Can you hear me? Can you hear me?

Bob Cianciarulo: I can – yes. Could you just turn the volume on your computer or TV off whatever you're watching on.

(Anne Langlus): Yes, I'm all set.

Bob Cianciarulo: OK. OK. Whenever you're ready.

(Anne Langlus): Are you going to start my three minutes?

Bob Cianciarulo: Yes. There you go.

(Anne Langlus): Thank you. Hi. My name is (Anne Langlus) and I've lived here in Lee most of my life. My husband and I, we have five children, 11 grandchildren, which most reside here in Lee and nearby towns.

First, I just wanted to say that I think it's a disgrace that EPA's trying to call this a third public hearing. We were only given six weeks to actually reply, then we got an extension of a whopping two weeks. The material that was to be reviewed in the Rest of River Clean-up is just astronomical and very technical. In fact, I think it was seven years that GE and EPA took with our selectmen to rewrite the original work order. Why were we, the people, only given six weeks to even review it?

There's hundreds of people who are not able to participate in this type of virtual hearing due to the lack of technical abilities and there's no Internet service in vast rural areas here in the Berkshires. I don't accept EPA allowing General Electric to collect approximate one-half of the amount of all the chemical PCBs that General Electric dumped on the Berkshire County residents over decades and then chuck them here to Lee and Lenox Dale for a permanent solution.

There's so many new remediation technical proven ways which should be well over 800 million probably cost for GE to absorb at this point. Our local officials did not – do not have the educational capacity to have made this horrible choice for toxic chemicals to be placed in a residential area.

The proposed site is less than two miles from several of our schools. Our water source is close by. It's upland from the Housatonic River. It's crazy. I'd like to ask where was the impact study for the residents. Our current Lee officials have made the most devastating, reckless, uneducated choice for the history of the town of Lee, Mass. We the people did not get a choice. We the people did not get a vote. We the people have had our constitutional rights trampled upon by the Lee Select Board help and guidance of EPA and General Electric.

We have been lied to, a body of representatives representing the townspeople, our Select Board member, Patty Carlino stated at the Representatives' Annual Town Meeting, no action would even be taken until they came before the body of reps for the actual vote on this chemical dump issue. These continual executive sessions being held...

Bob Cianciarulo: One minute.

(Anne Langlus): ...by Berkshire Regional Planning Commission and the town officials are being used to silence the people and the residents. Our selectmen are even considering not allowing our petitioned article by the people on our town board to discuss the proposed chemical dump. Again, challenging us by trampling on our rights.

We the people have voted out the first of the selectmen so far, the other two (Select Men), you guys need to resign. You unilaterally removed all the residents' constitutional rights. It's totally wrong. You guys need to resign. Specific reference to the change of the river agreement Section 5B under 1, it says the EPA will solicit input in working with all the stakeholders. Again, I ask. Where's the notices to rebutters? Why were these residents, these stakeholders, disregarded? Thank you.

Bob Cianciarulo: Thank you. All right. (Gail Sorecea), are you on the line? (Gail), are you on?

(Gail Sorecea): Yes, I am. Yes, I am.

Bob Cianciarulo: OK. Again, if you could mute your computer or TV.

(Gail Sorecea): I'm not sure if I can do that and I'll turn – I'm just going to close it up. OK. So – all right. I agree with everything everybody else had to say. I especially liked the expertise the (Hokemer) woman mentioned and (Tim Gray). OK. So there's a few different things that I have to talk about.

First of all, you have – there's this plan ahead of us and I'm being told by people who know that Silver Lake is still leaking into the river drain system. So – and there's other sites upgrading – from the new proposal areas that are still leaking leachate into the riverine system and they know about it. So why is that not being addressed? That's crazy.

Number two, they're talking about hydraulic pumping up to these cells. Hydraulics are great for beach nourishment, but I do not have faith in the ability of this chemical being pumped through lines up to a line – a cell and – without the threat of over-pumping, without the concern that the lines could

get clogged, without them picking up so-called hotspots and whatever else you have to pump up there. There's problems just with that method.

Secondly, you know, it is – it is a very bad spot. It's extremely permeable. Everybody else has already mentioned those kinds of things. OK. And then there's this theory about bioaccumulation. Now, if these PCBs start going back into the river, which they already are, they bioaccumulate and when it's being transported through the towns and it's blowing through the air, it's getting into our system and it's just being brought to the surface again. So this is a really bad idea.

And then there's the fact that we really should be looking into bioremediation and chemical remediation. There's – there are different research – in Europe, apparently, there's bioremediation going on. What I'm trying to say is that this is not being put up front. There's no money put aside for it. There's nothing that I can see in this proposal that even really, really supports the bioremediation.

Here's my proposal. We should – GE – first of all, GE shouldn't be calling the shots. It's the people who should be calling the shots. We should be hiring scientists and professionals, chemical engineers that are capable of dealing with this kind of information and they should be in charge. And the people should be in charge of them. GE should not be calling these shots. When does the – when does the villain get to call what his sentence is going to be? OK? So let's call it the way it is.

Bob Cianciarulo: Could you wrap it up? Sorry.

(Gail Sorecea): OK.

Bob Cianciarulo: OK.

(Gail Sorecea): Now, my proposal is that the towns each get \$6 million just because...

Bob Cianciarulo: I'm going to ask you...

(Gail Sorecea): ...they contaminated our area. I have a lot more to say and I really wanted five minutes.

Bob Cianciarulo: We did give – we are going to give a chance – yes.

(inaudible)

Bob Cianciarulo: So I will put you – why don't you hang on the line? We're going to put you back on the list because I think we will have some time on the end and you can extend your remarks. So we'll add you to the...

(Gail Sorecea): OK.

Bob Cianciarulo: ...list for secondary comments. Thanks. Sorry about that.

That said, I think we'll move (Judy Herkimer), the second round of comments. We do have a number of commenters that registered that did not appear to join us. Can you make sure that last caller was – is muted and we can move on to, (Judy), are you on the line now?

How about (Tim Gray)? (Tim), are you – are you still here?

(Judy Herkimer): (Judy) is here.

Bob Cianciarulo: Oh, (Judy) is here. I apologize. I'm sorry. (Judy), you're next. And we're going to stick to the three minutes here on the second round. We do have few people who...

(Judy Herkimer): Whatever.

Bob Cianciarulo: OK. All right.

(Judy Herkimer): Whatever. This is (Judy Herkimer) from (Hill) continuing my comments at the formal public hearing. Some of the highest levels ever discovered of PCBs in women, children, and whales, seals, walrus, and polar bear have been found in the Arctic where no PCB industrial application was ever present.

PCB conjoiners in samples from Arctic residents can be directly traced back to GE's Pittsfield plant. A study conducted by (Dr. David Carpenter) showed adverse human health effects for those living with a two-mile distance to a toxic waste dump. It is beyond time for EPA to change the narrative and to shift the paradigm. Treat and destroy these toxins so as to render them harmless. Do it either within the watershed or at an out-of-state TSCA landfill.

EPA continues to repeat these unfortunate decisions at these Superfund sites to the detriment of humans and the environment even when viable PCB destruction technologies are available and being used at other sites by the U.S. and others with excellent results.

EPA's creation of yet another sacrifice zone in a lower socioeconomic residential community close to schools, home schoolers, daycares, young families, domestic wells, people living their lives, recreating will not be tolerated by many of the NGO advocacy groups.

This proposed dump is an exploitation of people in neighborhoods who have little ability to flee. The Hudson River EPA GE Superfund Mega-site is a warning to the Housatonic River stakeholders. A partial dredging removal action was completed some years ago, a large volume of the PCBs were allowed by EPA to be left in the river not unlike our site.

After their second five-year review of the site, fish tissue sampling shows no downward trend in PCBs levels in the fish. The New York Attorney General has filed a suit against EPA to revoke the certificate of completion EPA provided to GE at the end of the partial dredging. Unless we're able to change the EPA norm, the Housatonic River site is destined for the same outcome. At least at the Housatonic River site, their municipalities joined together early in the process and all passed resolutions for no toxic dumps in their towns.

All Hudson River contaminated spoils were transported to TSCA landfills. As for Connecticut, the Army Corps of Engineers estimates that 40 percent of the GE PCBs dumped into the river remain in the sediments behind Connecticut's dams. EPA needs to build in provisions to the permit for, one, a surety bond

from GE for future remediation behind Connecticut dams when in situ, PCBs destruction technology becomes available. Two, include in the permit annual testing of sediment, a variety of biota, and air monitors in Connecticut's section in order to reestablish a new baseline.

Unfortunately, the only remedy scheduled for Connecticut is monitored natural recovery which is a euphemism for do nothing, and institutional controls such fish consumption advisory signs. The (EAB) remanded back to EPA for further consideration – excuse me, from – for further reconsideration.

Bob Cianciarulo: I ask you to wrap it up again, (Judy), you're at your three minutes.

(Judy Herkimer): Thank you for the opportunity to present three minutes of public hearing comments while for a month the EPA remained cloistered.

Bob Cianciarulo: Thank you. Thank you. Again, I guess I'll just add, you know, there's multiple ways to comment. All comments are created equal. So if you're reading a written comment, you can send in that written comment and it will receive the same treatment as the rest of the comments.

(Tim Gray), are you back on the line? I think we have maybe lost (Tim).

(Cindy Mathias), I think we'd give you an opportunity to extend your remarks. We have a few other people who want to extend and then we do have a few people who asked to get added to the waiting list.

So, (Cindy), are you on – (Tim), are you online? (Tim Gray), we can't hear you. (Tim), maybe you're on mute on your own end.

(Cindy Mathias): No, I'm not. I'm here. I'm here.

Bob Cianciarulo: Oh, who's that? Who's that, (Cindy)?

(Cindy Mathias): Yes, I'm here. Can you hear me?

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

(Cindy Mathias): Listen, you know...

Bob Cianciarulo: Please give me your name – just give us your name again just for the record and then we can ...

(Cindy Mathias): This is (Cindy Mathias). I'm from Lee. You've taken more time than most people to speak and you're not going to go to 10:00. We don't have enough people to speak to 10:00. Originally, everyone was supposed to have five minutes and tonight you decided to change it to three minutes, so everybody prepared five-minute statements. I've been practicing all week for five minutes and you cut me off. So I'm going to begin here where I left off. I don't know where you cut me off.

The Housatonic River Initiative and Riverkeepers were the only educated group that have been involved with the clean-up of the Housatonic River for decades. They were pushed aside because they know this is not the proper way to clean the river. The EPA knows this. GE knows this and the town selectmen certainly knew it until they were bought off.

The proposed dump will be 20 football fields high at the base of October Mountain which is the largest state forest in Massachusetts, placed just 15 feet above the river, that's enough of a reason not to put a dump there. You have not even taken in account storm surge, floods, weather, hurricanes, and possible tornadoes that would be detrimental.

The liner that you propose to use must be compatible with toxic PCBs. Yet, there is no manufacturer that will give a warranty for such use. The PCBs will end up leaking right back into the river. That is guaranteed. There is no reassurance for the safety of the dump trucks traveling throughout the Berkshires past our homes, our schools, and our – and our schools that PCBs will not go airborne.

Those trucks will be passing through our towns for at least 10 years. What happens when the inevitable accident happens? The truck overturns. Where exactly is the other dumpsite out of state going to be? Who are those poor people?

These are all reasons why we need to stop the dump and treat the PCBs instead. There are numerous books and documentaries made over the years about the corruption of GE and their horrendous track record of any cleaning up, their horrendous track record of poisoning land, waterways, humans, and animals. Why should we trust that GE will do the right thing now? And I want a personal answer. I don't want you grouping me in a group. I want you to personally answer my letter and my comments.

Bob Cianciarulo: OK. Thank you.

We're going to go – (Tim). We're going to make sure we get (Tim Gray) again. (Tim Gray), can you hear us? Can we hear you? I can't hear you right now. Give it another second. And I appreciate everybody's patience.

Again, we have – we limited this to 60 people and 60 people times 3 minutes is 3 hours, so that's how we did it. We obviously had a lot of people who registered, but did not dial in.

(Tim Gray), are you on? OK. We're going to have to move along. We'll try to contact you on the side, (Tim).

(Gail Teresea), are you on the line? (Gail), can you hear me?

(Gail Teresea): Hello? Hello?

Bob Cianciarulo: Hello. Is this (Gail)? Hello, I can hear you.

(Gail Teresea): Yes. Can you hear me? OK. Hi. This is (Gail Teresea). All right. So I kind of lost track of where I was, but what I do want to say is that – so my proposal, you know, there's going to be a lot of people who would have proposals to – and better solutions to this problem, but what I want to say is that the people should be in charge of this, not GE, and the towns – the towns should be in charge of overseeing this procedure.

There's many technologies out there. What could happen is if there isn't enough research out there, GE should be paying at least three universities to research the breakdown of PCBs in situ or even in a lab which later would be

turned into in situ? Can you hang on one second? I want to just read something here? I really wasn't prepared (because).

OK. GE should be required to pay for a minimum of six different research source facilities to come up with biological and/or chemical remediation in situ or in lab. Solutions to PCB remediation should be looked at from several sources around the world, at least three universities in the United States should be funded yearly to do studies on PCB remediation, at least three outside non-profit or for-profit research companies should be funded on the site research.

The credential of these elected university research companies should go under review by qualified citizen scientists, chemists, biological background, et cetera, of Berkshire County and Massachusetts personnel with no ties to GE or Monsanto. GE should not be involved in the selection of scientists or universities or overseeing the contracts, the work being done.

Bob Cianciarulo: One minute.

(Gail Sorecea): GE shall not be involved in the approval of the remediation process selected and the enzyme treatment studies (HRI) has promoted must be included within the scope of this research. (HRI) should not be excluded because they kept blowing the whistle. This type of treatment happens all too often in our society. The institution that finds an acceptable solution shall be rewarded with an acceptable amount of money for discovery. More than one type of remediation may be implemented for remediation.

These are some of my ideas. I know other people have great ideas. I've heard them tonight. Why are we settling for dredge and dump in Lee? Or dump somewhere else? We should be putting money towards our future. This is ridiculous. This whole thing's been a sham. We've been chasing GE for years. They have been running the show and we just wander around following the show, hoping that there'll be change. EPA and – needs to take note and get on the stick and do their job, what you have been hired to do.

I know the current administration isn't the best, but hopefully it will change soon. You have to listen to the people. This is wrong, what you're doing.

Bob Cianciarulo: Thank you.

(Gail Sorecea): Thank you very much.

Bob Cianciarulo: Thank you. OK. Next, (Janice Brame) wanted to extend her remarks from earlier? (Janice), are you back on the line?

(Janice Brame): Can you hear me?

Bob Cianciarulo: I can. Yes. OK, go ahead.

(Janice Brame): Can you hear me? Can you hear me now? OK. I just want everyone out there to know – this is (Janice Brame) from Lee, Mass again, I just want everybody out there to know that tonight, (Gray Barrington) residence added a petitioned article to their warrant at their annual town meeting resolution to prohibit hazardous and toxic waste storage disposal or dumping in (Gray Barrington).

So they're smart, OK? Our selectmen – everybody did this behind closed doors, we do not want to dump, we are going to fight to not have a dump, you need to listen to (Tim Gray) and (Judy) about – they have great ideas how to clean up this river. You're not going to put a dump up there because I'm going to be a – I'm going to be a living nightmare to you guys. This is wrong, you're going to make people sick, there's going to be lawsuits galore, all the money these towns got – and all this – all this money that GE gave to these town should be put into one account, get it invested, let's figure this out without having a dump. It's the right way to do it.

You guys are doing this all wrong, and we're going to have problems down the road. I'm a real estate broker, I've been doing it for 43 years. I've already lost two clients that wanted to move here to Lee but I honestly told them there might be a dump here. They decided not to live here. All these real estate houses are going to – the market's going to crash here in Lee. No one's going to want to live next to a toxic dump. We are the gateway to the Berkshires, not the gateway to a toxic dump. So I say please stop now and listen to these

people. (Tim Gray) has been following this for years, he's smart. There's other ways to clean up this river.

I want the river cleaned up but I don't want it in the air instead of poisoning all our families, our kids, who's going to pay all the doctor bills? That's what I want to know. Who's going to pay it because if people lose other money on their investments on their home? Who's going to pay for all that? There's going to be more lawsuits than you guys can handle. So smarten up and please do the right thing and look out for us. It's all I'm asking for. I usually don't get involved with things but when it comes to hurting people, I am getting involved and I won't stop. I'll be your worst nightmare. Thank you so much.

Bob Cianciarulo: Thank you. OK.

Next we're going to go to (Dierdra Consoladi) who was registered to the speaker earlier, are you on the line now, (Dierdra)?

(Dierdra Consoladi): Yes, I'm here. I'm here. Can you hear me?

Bob Cianciarulo: I can. Yes. You can go ahead.

(Dierdra Consoladi): My name is (Dierdra Consoladi), I live at 57 Main Street in Lee and I'm a town representative for District 5. The town of Lee's Environmental Policy is a non-policy. It consist of the retrograde idea that all of Lee's earth is available for the town's financial needs. And it's summed up in one word, revenue.

There's no ethic at town hall in regard to the wise use of Lee's land but there is an unholy obsession with creating revenue for the town no matter the environmental cost. How else would the town's, "leaders" justify creating a set of cheap curtail wall buildings on a Lee mountain for an outlet village that is forever altered the town or an attempt to clear cut another mountain side for gain or to contemplate in the 1980s constructing a gas line subject to explosion through the heart of Lee to suit the nearby paper mill's financial needs.

Or worst of all, the recent preposterous proposal to store PCBs at a convenient but wholly unsuitable site endangering Lee's water supply, spreading the contaminants among the population, and permanently undercutting our desire to live peacefully in our rural location and enjoy the relatively clean surroundings and decent quality of life.

The low regard in which Lee's natural resources are held began in the 1950s when unimaginative leaders ignored the science of drainage and built low cost tract housing in the northeast section of town called Bradley Park. Landmark colonial and Victorian dwellings were routinely demolished. The most recent in the 1990s when an elegant brick home on Upper Main Street was – that had been purchased by the Sons of Italy in earlier days should come to the wrecking ball with a blow to the psyche that was heard and fell over town.

Asphalt replaced Lee marble as the key construction component lower either – even further are aesthetic values. In fact, one DPW chief outlined the town's vision for the area behind Main Street's building and the Housatonic saying, "We could blacktop all the way down to the river." And another (Leean) entrepreneur fought because he could not fill in his land butting the Housatonic. He said, "You mean to tell me a man can't do what he wants on his own property?" This backassward thinking prevails today as witnessed by three select board members who blindly deemed it useful to sacrifice their town's future for a toxic dump above a PCB polluted river for the measly sum of \$25 million.

Attempting to sell off the earth was the true crime, but to accept the deal for such a puny figure was laughed at locally and afar for the stupidity of the select board's economics. The uprising of citizens over the (disrespect) of the select board is the broadest popular movement in Lee's history. By rededicating ourselves to the fight to eliminate the representative system of government that's kept us in shackles since the 1960s, we will achieve the greatest change for how unjust is the system that enthrones 54 people and empowers them to speak on behalf of the other 5,200 citizens in the town of Lee.

Bob Cianciarulo: I'm going to have to ask you to...

(Dierdra Consoladi): Thank you.

Bob Cianciarulo: OK, thank you. All right. We are going to move to a few folks that asked to be put on the waiting list and if you'd like to do that, you can put a little note in that technical support chat box on Adobe Connect.

(Ed Leahy), are you on the line?

(Ed Leahy): Yes. (Ed Leahy).

Bob Cianciarulo: OK. All right. Whenever you're ready, again, we're doing a three-minute limit here just to make sure we get through everyone and then we might be able to go back around again.

(Ed Leahy): OK. The EPA needs to take the time to realize the meaning of your title. The Environmental Protection Agency. When you succumb to political pressure, you're failing to do your duty.

As a retired government employee, an FBI special agent, I knew my responsibilities when I took the job. I also took an oath to uphold the law in my everyday activities, to watch your agency let GE walk all over you and put the lives of the people who live near this proposed disposal site in danger plus obliterating their property values, I really wonder how you can live with yourselves, much less face the neighbors who you are affecting by your action.

I consider the acquiescence of our select woman a total betrayal of her town. This is a person with whom I worked in the (inaudible) and once had great respect for her. However, her agreeing to this horrible solution to a problem GE solely created and has used hundreds of thousands of dollars to bribe first our Representative Richard Neal and now and offering which can only be considered as bribes to our affected communities, it is incomprehensible how you can go along with this so-called settlement.

If you go through with this travesty, we as neighbors can look forward to not being able to sell our homes and to the fact that this dump is to be placed over

a known sand bed which for many years produced some of the best glass in this county, but is also known to be porous. We can only expect that sooner or later this landfill will leak and all our lives will be put in jeopardy. I'm writing this to reinforce that your agency's decision will weigh on you as individuals who allowed this atrocity to take place for the rest of your natural lives. I urge you to stand up and refuse to implement this atrocity and hold GE's feet to the fire and make them take this poisonous material out of our neighbor, lest we become another Love Canal.

Bob Cianciarulo: Thank you. OK. Next, (Elaine Callageri), are you on the line?

(Elaine Callageri): Yes, I am on the line.

Bob Cianciarulo: OK. You're up next. Whenever you're ready.

(Elaine Callageri): Great. My name is (Elaine Callageri) and I live over in Lenox. And I just want to say that I really enjoyed listening – not enjoying, but I agree with (Judy Herkimer) and the woman (Cindy) and a lot of the other people that got a chance to speak tonight.

So what happened with the private negotiations is what I've heard when I went to the – many of the meetings that were in person before COVID hit, the quarantine, is that this agreement was made because a lot of the local officials felt that they had no choice. That if they didn't make this agreement with GE, they wouldn't get a chance to have any other say.

GE was going to take it to court and would probably do nothing. It is pretty clear through the real basic search on the Internet that GE is faltering as a business. A lot of businesses are having a hard time now that COVID pandemic has hit around the world, but GE specifically is having a lot of trouble financially and there's lots of rumors that they're not going to make it or maybe their stock isn't good, et cetera.

So it's been said tonight that this dump is going to cause the town problems. I think it's fair to say that we know that that is going to happen, that there is going to be – that money is going to run out, there's a lot of talk, I spoke at the meetings that were in person about leachate and a lot of the leaking and a real

quick search around the United States at different dumps and to know that this is going to be a problem for the town of Lee. It is very close to where people live, the trucks are a problem, all of this has been said.

But the biggest thing that really is happening right now is that the people don't want this. And that the local officials agreed to this negotiation because they really felt that they had no choice. So we're at a standstill and I don't know what's going to happen, is work going to start happening, I mean, I'm not hearing that there's been any kind of negotiations with the townspeople that this is going to go forward. And then the townspeople are going to start protesting and blocking trucks, et cetera.

So we really need to go back into mediation. Again, we really need to come back to finding out what needs to happen so that this issue can be resolved. The pandemic has changed a lot of things and hopefully you will listen to us and hopefully there's been enough comments and letters written in opposition and I would like to know – I don't know how many more seconds I have, but I would like to know how you are going to respond to all the comments and all of the people in this surrounding towns who are opposing this dump.

Bob Cianciarulo: OK. Thank you.

(Elaine Callageri): Thank you.

Bob Cianciarulo: Thank you. Next speaker is (Neil Clark). (Neil), are you on the line?

(Neil Clark): Yes, I am. Good evening. Can you hear me?

Bob Cianciarulo: OK. Yes, go ahead. Whenever you're ready.

(Neil Clark): Well thank you very much for the opportunity. In fact, initially I would just like to comment on the process itself as I've experienced it and understand it. It appears that it's landed us in a situation to which the signatories to the agreement have structured a process that explains what they want the people to focus on, in their view the positives like the past speaker mentioned at the – the conundrum that they found themselves in and what they felt they had to do as the best of a bad situation.

But despite the appearance of a number of gains as they might see it, it also appears that to reach that part, there was a willingness to accept what you might call collateral damage to those living closest to the toxic dump. That compromise so-to-speak that was remanded back to them to work on by the EAB, another arm of the government, basically is going to resolve in compromising local residents' health, their physical and mental health, as well as their economic welfare to say the least. The process of the hearing is what I have a particular problem with, though I wasn't available for the initial in-person types of meetings, so I only even became aware of this after the New Year and after COVID hit.

But the process of the hearings does not allow obviously for the answering of questions that residents have but only the ability to make comments. It was stated in the presentation that I watched online that the EAB found that the original finding was to remove all the PCBs out of state to a licensed facility, that that was not fully supported, "not fully supported." I don't know what that means, what's not fully supported by whom or by what? Was it a lack of – I just don't know what it means. And I don't have the ability to get that question answered now which is extremely frustrating when you're talking about a really tragic situation that townspeople find themselves in our ourselves in.

It was stated during a local radio broadcast that I read the transcript to about this whole process, actually, that the agreement cannot be amended despite it being amended in 1994, in 2000, and 2007. So my question again would seem to be the only – is the only recourse to file suite in an era of distressed of government and leaders that don't believe in science, this decision, even the process really doesn't help. So I humbly submit that all the toxins be removed by sealed railcar to a Superfund site out of state and that they be treated by new technologies as they develop. Thank you very much for the opportunity to participate at least.

Bob Cianciarulo: OK. Thank you. All right.

Next up, we have (Emily Smith). (Emily), are you on the line?

(Ryan): Yes. This is (Ryan), I'm here with (Emily). My name is (Ryan), (Emily) is my partner. We rent property in Lee just at the northern border by Lenox Dale, we are about half mile from the proposed dumpsite and I also own land in Lenox, a little farther – just a couple miles away from the proposed site.

I use the space at Woods Pond and the area around it recreationally and so does my partner (Emily) on nearly a daily basis. I also am familiar with a wide range of building materials and I know that any building material has a lifespan no matter how robust, and there needs to be a plan for after that material has elapsed its lifespan. So if we are going to be dumping in this material inside of the plastic container, we need to have another follow-up plan.

It seems short sighted to put that material into a place and call the problem solved knowing fully that it's going to fail in the future. The correct plan as I've heard I think every predecessor to me speaking tonight is that we need to mitigate the damage of the contaminants and not move it. I don't think I have anything other to say other than I want to know what our next steps are as a community and I want to know what our community can do to be empowered to make any change. Thank you for your time and thank you for holding this meeting.

Bob Cianciarulo: Thank you. Did (Emily) want to make a separate comment?

(Ryan): She has declined. Thank you.

Bob Cianciarulo: OK. All right. Thank you. Our next speaker is (Audrey Cole). It might take us a second to get her connected I think. And, again, if there are others participating online with the Adobe Connect, you can put a note in the technical support box if you'd like to join our waiting list. Try to get to as many people as we can. If you'd made a comment earlier and you'd like to continue or make another comment, we can do that as well. Do the same, just to put something in the technical support box, or you can check with the operator if you're on the phone line.

My apologies. We're still working to make a connection there. All right. (Audrey Cole), are you on the line now?

(Audrey Cole): Yes. Hold on. I just kind of put you on mute. Sorry. OK. (Audrey Cole), President of the Housatonic Environmental Action League in Cornwall, Connecticut, also known as HEAL. My comment today is as follows:

Monitored Natural Recovery is the phrase used to refer to the supposed remedy for all of Connecticut, also known as Rest of the River.

For over 20 years, U.S. EPA promised that HEAL's many specific concerns would be addressed when a RCRA permit and scope of work for the Rest of River was released. Those promises were hollow. There's no indication that monitored natural recovery will contain, destroy, or reduce toxicity of PCB contaminants in Housatonic River sediment. And HEAL can find no assurances that there will be any "maintenance of institutional controls until necessary reductions in risk have occurred".

Indeed, the 2020 RCRA permit has amended states in appendix C-12 in part, the results from the Connecticut model are very uncertain due to the empirical semi-quantitative nature of the analysis. As such, it is not possible to predict with certainty attainment or lack of attainment of the human health criteria based on human consumption of water and organisms.

And it goes on in Connecticut Reaches 10 through 16 and it also further goes on. In addition, this concentration cannot be reliably measured using available analytical techniques. In fact, in the early 2000, Charles (inaudible) representative of the Connecticut DEEP at an event in Stockbridge, Mass. stated at that meeting when repeatedly questioned by HEAL why PCB sediment testing was never done above the dams in Connecticut, and I paraphrase his response, paraphrase "If we found PCBs there, then we'd have to deal with them," paraphrase ending.

Such as the state of monitored natural recovery in Connecticut, PCBs are at low levels and we do not want to test in the areas where it was presumed they're concentrated behind the dams. And HEAL understands no PCB sediment testing has been done in the Connecticut portion of Housatonic since 2005, an embarrassment all around.

We strongly object to this vague and meaningless remedy proposed in Connecticut referred to as Monitored Natural Recovery.

Bob Cianciarulo: One minute.

(Audrey Cole): Thank you. Bye. That's it.

Bob Cianciarulo: OK. Thank you. All right. OK. Next on the line, I think we have (Claire Leahy). (Claire), are you on the line?

(Claire Leahy): I am. I'm just going to mute my speaker here. OK. There, I have muted my speaker. Hello. My name is (Claire Leahy) and I live in Lee at – on Mill Street right across from the river. My husband and I have lived here for how many years. Thirty-five years? OK. It's his homestead. His mother was born here in 1910 and our house probably will not have any sales value in the future.

I am thinking that GE should be thinking about reimbursing people who are losing property values as a result of this. No testing has been done along the properties that are from Lenox all the way down to Lee for (blood) sampling to see if there's PCBs in the (blood) and testing to see if it's there. There hasn't been samples taken off the land of the homeowners along the stretch from Lenox all down to the rest of the river as far as I know.

I know there's been no testing along our street. We were never notified of – from the selectmen about the fact that they were going into negotiation on this. We – I actually went to the original meeting where – before the negotiation began with the federal administrator that came in from the EPA. And from that time on, my name was on the list but I never was notified of what steps were taken.

We're told that stakeholders would be involved but we're never told who those stakeholders were. So the whole secrecy of this whole negotiation has been quite disappointing and we're quite concerned about our health, not only from what's been here in the past but what we're going to have to endure in the future.

And the fact that the percentage in the PCBs are carcinogenic and are – can be airborne, that's been known for years and but still GE has just been ignoring that over the years. So it's just very disappointing where this has taken. And HRI has done so much work on testing ways to take care of this without going into a huge dredging project, perhaps having some institute type testing of remediation done.

And there – it is concerning that in the rewrite of the amended version that it says that there will be pumping through hydraulic pumping up to the upland facility dump – if it's feasible. And we're hoping that by feasible, they mean that it's feasible in view of people's health and the effect it can have on the environment and not a feasible according to what GE can afford.

An optimum solution we all think is to have it pumped if it's going to be pumped at all into the railroad (inaudible) right by the biggest dump.

Bob Cianciarulo: Can I ask you to wrap up?

(Claire Leahy): OK. Thank you for your time.

Bob Cianciarulo: OK. Thank you. And again, you may have time in a while if you want to extend those remarks at all. We are trying to get (Debbie Feinman) on the line. We're sort of trying to get her to connect. If others, I think you did confirm that (Ted Gray) is – did not want to continue his remarks.

Judy Herkimer, if you are still on the line and you do want to continue to your remarks, I think we do have time. I'm just going to wait a second here as we try to connect one other person as well. All right. I think we do have others who want to extend their remarks.

(Debra Kellogg) are you on the line? Is your phone line open?

(Debra Kellogg): Do you hear me?

Bob Cianciarulo: Hello. I can hear you now, yes.

(Debra Kellogg): OK.

Bob Cianciarulo: Go ahead.

(Debra Kellogg): I want – I feel very strongly that I need to reiterate a couple of things here. One is, the people who live in Lee were not consulted on this as everybody else has already stated. Secondly, it is the height of insanity to put a plastic lined dump above the river you're trying to clean up. And it's also the height of insanity to put a dump of toxic chemicals so close to the reservoir that gives clean water to the people of Lee.

This has got to be really looked at. This is absolutely nuts. And I feel really strongly that alternatives are out there, HRI and any number of people tonight has stated that there are alternatives. I did a little quick Google search this afternoon between conference calls from my job and I found three different mediation efforts of water waste just by Google searching, didn't go really hard.

One was by NASA. So I strongly believe that this needs to be looked at in another way, not with a 20 to 30-year-old technology that has proven that it doesn't work in the Hudson. So I'd love to see the river cleaned up. I really think that it'd be great for people to be able to fish and eat the food that comes from our natural resources. But we cannot be just moving toxic chemicals around our planet, we need to be finding ways to mitigate the damage that's happened and move on.

And I would strongly support anything that looks at alternative technologies. Thank you.

Bob Cianciarulo: OK. Thank you. Do we have (Debbie Feinman) on the line yet? Al right. We're going to try to have the operator call out to her because we're having some technical difficulties there. I'll just remind you, we'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 the EPA's Boston office and I'm the hearing officer. We're accepting oral comments on the proposed changes to the permit release to the public in July. We're also accepting written comments and comments provided by voice-mail. See our website.

We're not responding to comments today, but we'll respond to them in writing a Response to Comments document which will be included with EPA's final permit decision.

All right. I'm going to ask our technology folks here to post a phone number on the web page here, on the Adobe Connect page for others in the public who may be watching this via – on local cable or on Facebook or elsewhere. We do have time. We've got about 30 minutes left in this hearing, so we do have time for 8 or 10 additional comments.

If people are interested into calling to make a comment, you can dial 833-804-3387 and give the operator conference ID number 9987884. 899-804-3387 toll free and the conference ID 9987884.

OK. Ladies and gentlemen, we do have a couple of people who'd like to extend their remarks. (Audrey Cole), are you back on the line? Or (Claire)? I don't know who I have on the line right now. It's either (Audrey) or (Claire).

(Claire Leahy): (Claire)'s on the line.

Bob Cianciarulo: OK. (Claire), you can go ahead.

(Claire Leahy): OK. Very good. Great.

Bob Cianciarulo: And then we do have someone after you, so all right.

(Claire Leahy): OK. I'm concerned about the fact that Woods Pond dam is where all the PCBs are piled up behind there. And as I understand it from some documents that were sent out by Dean Tagliaferro from GE right before when they started releasing all the public documents. I read about all those dam inspections that had been done over the years and I was surprised to see that the Woods Pond dam is actually owned by GE and that it's been inspected over the years and the ownership was assigned to GE during the first cleanup in Pittsfield.

They were directed to inspect the dam every two years. And the document itself show that GE contracted with different engineering companies over the years. Repairs were recommended. GE has never followed through with

those repairs. There were no underwater inspections done of the Woods Pond dam whereas they were don't at the rising at the Rising Mill dam, the other dam they were – they owned.

There were extensive flood drawings done over the years drawing the area below where we live on – even down to where our house is and way below that along the river showing how far back the flood would be in our area covering many acres of land all the way down East Street in Lee and back along to (inaudible) Street and all the low lying area in Bradley Street.

And so we are at the mercy of GE for building a bridge in this dam which still has faults in it, cracks, trees growing out of it that they have not repaired over the years. It seems significant the bridge would cause a serious flood dumping toxic PCBs throughout all our homes. I'm just – I mean how can we trust GE to monitor and keep the upland disposal facilities safe from leaking into our water cable when they don't even – they don't even take responsibility of ensuring that the Woods Pond dam is secure.

There's reports in the documents sent out by GE that they really had to send out as public knowledge showing that the inspections done by engineering firms and these engineering firms sometimes not coming back for four or five years, they were supposed to be doing it every two years, over the past 20 years and not making the repairs that were recommended by the engineers.

I guess that's it. I think my time is up.

Bob Cianciarulo: All right.

(Claire Leahy): Thank you.

Bob Cianciarulo: Thank you. I appreciate it.

(Claire Leahy): Bye-bye.

Bob Cianciarulo: OK. (Audrey Cole). (Audrey), are you back on the line?

(Audrey Cole): (Audrey Cole), President of the Housatonic Environmental Action League in Cornwall, Connecticut, also known as HEAL. My additional comments are as follows: In September 28, when HEAL was asked to participate in a mediation when the Environmental Appeals Board in Washington, D.C. remanded portions of the 2016 Draft RCRA Permit for further discussion and elaboration, HEAL was put in an untenable position.

We were asked to sign a confidentiality agreement that would preclude us from having any discussions or obtaining approvals from our membership if we were to compromise on matters that we had advocated for over many many years.

We view this as a betrayal, a setup that would undermine the trust we had built up in our communities over many years. This is what happened when public officials who had promised they would never allow a toxic waste dump in Berkshire County negotiated in secret, did exactly that and betrayed their constituents.

So many people relied to, complacent in that the elected officials would never allow what they eventually did. This was very – this is sneaking and distasteful on the part of these public officials. We have requested – we have also requested an extension of the official comment period to the end of November.

A month after the U.S. EPA press conference in February 10th I believe, 2020, the United States was shut down due to COVID19 and people scrambled for several months to feed families, seek unemployment and generally survive with PCBs in the Housatonic hardly on anyone's minds.

Northwest Connecticut suffered tornadoes on August 7th, August 4th. And August 4th, electricity and Internet didn't return to many for about 10 days and on August 27th. Now, families are dealing with sending their children to schools unsure of their safety.

It is simply outrageous that U.S. EPA refuses to extend the comment period until the end of November due to these extraordinary world circumstances. We ask U.S. EPA to please reconsider. Thank you.

Bob Cianciarulo: OK. Thank you. All right. I think we have someone else on the line. Give me a moment. Again, we've got a very few minutes to wrap but I think if there are others who would like to dial in, we have probably have time for three or four additional people. The number's on the screen. You can dial 833-804-3387 and provide the operator with the conference ID 9987884.

OK. I think we have (Cornelia Calisher) back on the line. Is that right?

(Cornelia Calisher): Yes, yes. Hello.

Bob Cianciarulo: OK. All right. Anytime you're ready.

(Cornelia Calisher): I just want – a couple other points I just want to say. One, if this were to go through, I want you to consider having a special line where people can – what if – once permit is – if it's approved. So a special line where if there is an emergency league or some toxic – something still is happening, whatever, that people can call. That's a concern of mine that you have a place that you directly can call and say.

The second thing is I want to say that I take very careful consideration of if – again, if it's at this specific site and hydraulic pumping occurs, that there should be careful specific detailed way that the PCBs are separated and segregated.

And I don't know how that would be done with the hydraulic pumping to the – from Woods Pond to there to how it would be separated from the lower levels to the higher levels of PCBs that would be sent out. That concerns me.

The third, I request that when I sent my very lengthy thought-out letter to you, that it'd be individually responded to and not be grouped in with others. I also want to note that I am aware that the selectwoman who's part of the committee is legally as a flex person that's their role to represent us and so they're protected in that way because they think that they represent us.

But as many people said tonight, we did not have – not just a vote but any – we did not know that they were going to into kind of executive decisions can

be made privately into that executive session, but we did not know that anything like this was going to be considered.

And therefore, our moneys that we spent in town as taxpayers were not appropriately used in the process. I have that in my letter. I'll explain that. We weren't voting in the right way knowing what was happening. And thank you for your time again. I appreciate it.

Bob Cianciarulo: OK. Thanks very much.

(Cornelia Calisher): Thank you.

Bob Cianciarulo: So I think we have a couple – thank you. We have a couple, two more people and I think that I'll bring this right up to the end. So Jennifer Daily, are you on the line? Jennifer Daily, maybe you're on mute on your end. Hello? Just a moment. We're trying to connect Jennifer. (Nick Pett) is up after Jennifer. We'll see if we can catch Jennifer first.

Either Jennifer Daily or (Nick Pett). I'm not sure one of you may have your line on-muted. I'm not hearing either of you.

Give me a moment. And if we have to run a couple minutes over to make sure these last get in, then we'll do that if they are indeed on the line.

OK. Unfortunately, it does not appear that we're able to connect with either of those last two callers. Again, I'll go over in a moment some of the details about the comment period. Again, I'll just change the screen in here. You can see other ways to comment which I'll go over in a moment and then I'll start finally close the hearing at this point.

Thank you to everybody who participated in this hearing. The hearing is now officially closed. There are additional – there were additional public hearing sessions that were held on August 26th. This September 15th session has just concluded. The public comment period for making comments closes on Friday, September 18th.

Details on how to comment are displayed on EPA's website and here on our Adobe Connect page. You can comment via dedicated voice mailbox where you can leave comments of up to five minutes, 617-918-1701. Or probably you can do via written comments to EPA's e-mail box R1housatonic@epa.gov. By fax, 617-918-0028 or by mail, postmark no later than September 18 of 2022. GE Housatonic River Site Public Comments EPA Region 1 5 Post Office Square Mail Code SEMD-07-01 Boston, Mass. 02109-392.

Again, a reminder, the public comment period ends on September 18th, 2020. We appreciate everybody's patience with this virtual meeting and look forward to you – receiving your comments before this deadline. Thank you.

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