

**EPA**

**Moderator: Bob Cianciarulo**  
**August 26, 2020**  
**12:00 p.m. ET**

OPERATOR: This is Conference #: 5542729 full

Operator: Ladies and gentlemen, thank you for standing by and welcome to the Housatonic River Public Hearing Session 1 Conference Call. Please be advised that today's conference is being recorded. After the speaker's presentation, there will be a question and answer session.

So if you require further assistance, just please press "star," "0". I would now like to hand the conference over to your speaker today, Dean Tagliaferro. Please go ahead, sir. Have a wonderful conference.

Dean Tagliaferro: Thank you. This is Dean Tagliaferro. I'm the Project Manager for the GE Pittsfield/Housatonic River Site. I want to welcome you to today's Public Hearing for the Housatonic Rest of River Draft Permit.

I'll give a brief introduction as how this process will proceed. But first, I want to say that the EPA team really wanted to have these hearings in person. However, due to the COVID19 precluding in-person meetings, we are going to host this through Adobe Connect.

It also will be shown in Berkshire County on cable channel 1303. We have had success in conducting this virtual hearings and public meetings through the system. However, periodically, there are some glitches that occur. We tried hard to minimize any of these issues, but would appreciate your patience should they occur.

Now, I'm just going to walk through the layout of how this will proceed. You'll see a series of screens – windows on the screen, excuse me. And the first part in here is the Audio Control. It's in the upper left of your screen. If you currently have sound, you can use this to control the volume. You click on the dropdown arrow and then you can change it.

If you are going to provide comments today over the phone, you need to mute your computer speakers while you're talking so we don't get an echo. You can do this with this dropdown button here and choose Mute Conference Audio Only. This will avoid any feedback and background noise.

You can also just mute the speaker volume from your PC or Mac or other device. But again, this is only needed while you're on the phone providing comments.

On the top left corner up here is the Welcome pod. It has some information. It shows that Bob Cianciarulo, Chief of the Remediation Branch will be the formal hearing officer. Right down below that is the Technical Support chat box. If you're having any difficulties, type in a message. It'll be a private chat message and we will attempt to respond and resolve any issues.

But please be aware that this is not for comments on the permit; this is only for technical assistance. If you want your comments to be considered as formal that EPA will reply to, you need to leave them during the oral comment period of this presentation.

Next on the bottom, you'll see there's a closed captioning pod that is transcribing or captioning this text. The middle screen is where you'll see the presentation and the slides shortly. And then lastly on this, there is an expand button here which will give you full screen. However, if you do click that and you get the full screen, you will lose the closed captioning pod and the technical support pod.

So mostly, I usually just leave that open because sometimes there's trouble going back to the reduced screen.

So again, this is the Public Hearing for the GE Housatonic Rest of River Draft Revised Permit. I'm just going to briefly go over some ground rules, then there's going to be a 20 to 25-minute presentation that outlines the proposed revisions to the draft permit which was – excuse me, to the 2016 permit. So again, this is on the revisions to that permit which was issued this summer.

Following that will be the public testimony or the oral comments. We've had nine people pre-registered to give comments and we're just going to limit those initial comments to five minutes. If time allows; which it looks like there will be this afternoon, others who did not pre-register can request the opportunity to speak. Please, to join the waiting list, type into the chat and you'll be given a number how to dial in.

Again, just going over to the purpose of this is to give formal comments on the draft permit. I want to make clear that EPA will not be responding to those comments today. They will be recorded and transcribed, and EPA will issue a formal response to comments that will accompany EPA's final permit decision.

And just a reminder again, when you are on the phone giving your oral comments, please remember to mute your computer speaker. There's going to be a queue on the screen that will show where you are to give your presentation, and that will show up after – show up before and then after the presentation, so you'll know where you are in line.

Just briefly, there are other ways to provide formal comments that EPA will respond to. One is via an EPA voice mailbox. There's the number 617-918-1700. Comments can also be provided via email or fax and they can be mailed to our Boston office and the address is there. All of that information is on EPA's website.

Just a reminder, the comment period ends on September 18th. So hopefully, now you can see in the right-hand side of the screen is the queue of speakers and they will be asked to speak after this 20-minute presentation. And again, it will initially be limited to five minutes of comments. And if there's time at

the end, after we've had other people sign up and if there's still time, people can provide more time in case the five minutes was not sufficient.

Now, I'm going to turn it over for the 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 for the audio are available at our website [www.epa.gov/gv-Housatonic](http://www.epa.gov/gv-Housatonic), H-O-U-S-A-T-O-N-I-C.

This presentation includes an overview of changes to the Housatonic River cleanup plan proposed by EPA in the Summer of 2020. This presentation mainly covers differences from EPA's original plan, so if you need a refresher on the 2016 plan, see EPA's webpage [www.epa.gov/ge-Housatonic](http://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](http://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](http://www.epa.gov/ge-housatonic). After considering and responding to comments, EPA will finalize a new revised permit which we hope to do by the end of 2020.

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

Bob Cianciarulo: Thanks. This is Bob Cianciarulo again. You just heard my voice on that recorded presentation. We're going to move into the formal hearing portion of this afternoon's agenda. I will read a brief statement to begin the hearing and provide some instructions on how we'll proceed from here.

My name's Bob Cianciarulo. I'm Chief of the Remediation I Branch in EPA Superfund and Emergency Management Division in Boston. I'll be the hearing officer for tonight's hearing on the draft 2020 permit modification for the GE Housatonic Rest of River Project.

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

We will not be responding to comments today, but will respond to them in writing after the close of the comment period. We just concluded a presentation regarding the contents of the proposed modifications. Those that pre-registered to speak during this hearing should be connected via the telephone. When it's your turn to speak, you will be called upon and your telephone line will be unmuted.

Please preface your remarks by stating your name and address and any affiliation. We ask that you limit your oral comments to five minutes. If the extent of your comments will take longer than five minutes, we may be able to come back to you after others have had an opportunity to speak. Otherwise, I ask that you summarize your major points and provide EPA with a copy of the full text of your comments via email or U.S. mail. And this text in its entirety will become part of the record.

If you didn't pre-register but would like to make a comment if time permits, please post a note in the technical support box on the Adobe Connect page and we'll provide you with further instructions. If we make it through that entire list, we will also post a telephone number for others to call in, again, if time permitting.

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

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

As a reminder, when you're called upon to speak over the telephone, please ensure that the volume on your computer or on your television, if you're watching this on television, is muted. With that, I'm going to call

on the first speaker which is (Deanna Russo). Hopefully, we have unmuted your line.

(Deanna Russo): I have no comment.

Bob Cianciarulo: OK. Thank you, (Deanna). Second speaker on the queue was (Parker Rodriguez).

(Parker Rodriguez): Hello?

Bob Cianciarulo: Is he unmuted? Hello. I can hear you, yes.

(Parker Rodriguez): Can you hear me?

Bob Cianciarulo: Yes.

(Parker Rodriguez): OK. Hi. Yes. My name is (Parker Rodriguez). I'm Associate General Counsel for the Housatonic Railroad Company. Our address is P.O. Box 687 Old Lyme, Connecticut, 06371. And my comment is as follows.

Housatonic Railroad Company is in support of transporting as much of the contaminated material as possible by rail, including building one and more rail transfer facilities to transport waste material from the Rest of River Clean-up project to off-site facilities and to the upland disposal facility.

Housatonic Railroad is currently in a collaborative project with (Mass DOT) to rehabilitate and improve the rail line with new rail and ties to a state of good repair which will ensure the ability to safely transport contaminated materials. Housatonic Railroad is adjacent to the Housatonic River along most of the polluted sites in the Rest of River project and is proximate to all work areas identified.

This puts Housatonic Railroad in a unique position to support all work activities with direct access to transportation corridor both for transportation to a processing facility for dewatering and interstate transportation to a final disposal site.



There are several locations along the rail line including the (Rising Pond) and Woods Pond areas which would be suitable for a loading or transfer facility. In addition, Housatonic formerly provided rail service to Columbia Mill, Eagle Mill, Willow Mill, and Rising Mill. And those sites remain easily accessible by rail.

Housatonic Railroad will have the capacity to meet the volume needs of this project. Housatonic Railroad is aware that the draft permit provides that waste material designated for off-site facilities must be transported via rail wherever possible. However, it is our opinion that rail may also be the best transportation option for waste material designated for the upland disposal facility.

Using rail whenever possible for this project would provide a significant mitigation to community impacts by reducing much of the truck traffic that would otherwise be generated. Rail has many advantages over trucking including reduction of damage to roads, reduction of environmental harm, reduction of disturbance to local residents and a lower risk of spillage of contaminated material during transport.

One railcar can fit about three truckloads of waste. Housatonic Railroad is ready and able to participate in the development and planning for this project. Thank you.

Bob Cianciarulo: OK. Thank you. The next speaker was (Edward Rodriguez). There's a line open.

(Edward Rodriguez): Hi. Hello. This is (Edward Rodriguez). Can you hear me?

Bob Cianciarulo: Yes.

(Edward Rodriguez): Great. OK. I'm Executive Vice-President and General Counsel of Housatonic Railroad. I have the same address, P.O. Box 687, Old Lyme, Connecticut, 06371. And I want to mention some specific items to supplement the information that's already been presented.

The special conditions to the permit state that in Section B6D that as (Parker) had indicated, that the proposal shall include measures to maximize the

transport of such waste materials to off-site facilities via rail to the extent practicable.

Where, when speaking about the hydraulic transportation of material to Woods Pond in under special conditions (B2C), it instead uses the language when feasible. It seems to me that when practicable is a fairly loose standard and that I would suggest that when you're talking about rail that it be when feasible as well.

I note that the amendments to the permit are going to involve a lot more excavation than the original permit. There'll be a reduction in the capping and an expansion of the excavation in the enumerated areas as well as some additional excavated material from riverbanks and vernal pools and the removal of two of the dams. All that's a good thing, but it also is going to increase truck traffic on the local roads if it's allowed to move by truck.

And, you know, we've begun a preliminary study. It seems that it is clearly feasible to construct direct access by rail into the upland disposal facility and as previously mentioned, there already is direct rail access to most of the facilities, Columbia, Eagle, Willow Mills. The Rising Pond is adjacent to land owned by GE which had until a couple of years ago, a rail siding which actually went over the Rising Dam, although GE has removed the rail, all of that infrastructure is still available.

And, you know, we suggest – request that the EPA put in the permit a requirement that GE study the possibility of transporting waste from areas 7B, 7C, 7E, 7G, and 8 by rail to the upland facility for processing. I assume that all this material is supposed to go to the upland facility for processing.

The permit is a little bit vague as to exactly where it's to be transported or how it's to be transported. And I think – I think it could benefit from some additional information in that regard.

I will be supplementing this oral testimony with some written remarks that will be a little more extensive, but really the message here is please consider rail as an alternative both for the very contaminated material which has to

move out of state, but also for the less contaminated material which still has to – which is still contaminated and still has to move somewhere for processing and eventually, either before or after processing, has to move to the upland facility for disposal since the permit as it now stands prohibits disposal anywhere else in Brookshire County.

And it's unlikely it's going to be moved out of Brookshire County. I think that's the design of the plan is to put everything in the upland disposal area. And with that, anyone is welcome to contact my office at any time to discuss any of these details. That number is 860-434-4303. And I appreciate your attention. Thank you very much.

Bob Cianciarulo: OK. Thank you. We had five other registered speakers, but we do not see those individuals on the phone line right now. I would say if you're on the Adobe, you could put a note in the technical support box if you're – if you can't find the phone number. You should have received the dial-in information after your registration.

And if anyone else on the Adobe Connect page would like to make a comment, you can also make a note in the technical support box and we will provide you with the call in information. I want to give the people who are on the Adobe Connect the first opportunity and if not, we will be broadcasting the larger – the phone number to a larger group. I think I just saw (Holly) raise her hand.

Bear with us. I'm asking my technical support folks to help out. So we will provide the dial-in info to individuals here. And we might as well add the phone number to a broader audience and we'll sort of build up a queue. This particular afternoon hearing will run until about 4:30. (Holly), is your phone unmuted? Bear with us, everyone. We have at least two other people who are going to dial in and make a comment.

And for anyone watching on local access cable television or otherwise from home, the dial-in information to get into the queue to provide a comment is now up on the screen. Toll free 833-804-3387. Operator will pick up, you can provide conference ID number 5542729.

Just a reminder, folks, we are still here, but sorry, we're waiting for a couple folks to connect via telephone. And if you've just joined us on the phone, just make sure your computer audio or television is muted, whoever joined on the telephone. Thank you.

Just as a reminder again, we have a – you can mail or email or provide oral comments on a voicemail box. We'll provide those instructions again at the end of the hearing or those instructions are all on our website, [www.epa.gov/ge-housatonic](http://www.epa.gov/ge-housatonic). I think we have (Charlie Canfilini) on the line if – (Charlie), is your phone unmuted? Can you speak?

(Charlie Canfilini): Me?

Bob Cianciarulo: Yes, (Charlie).

(Charlie Canfilini): Yes. I should – I should be all set to go. I was only signed up...

Bob Cianciarulo: OK.

(Charlie Canfilini): ...for tonight, but I'm going to go this afternoon, OK? Thank you.

Bob Cianciarulo: OK.

(Holly Hardman): Hello? Hello?

(Charlie Canfilini): Hello?

Bob Cianciarulo: Yes.

(Holly Hardman): This is (Holly Hardman). The operator allowed me in. I – hello? Can you hear me?

Bob Cianciarulo: OK. Yes. (Charlie), is it all right if we let (Holly) go...

(Charlie Canfilini): Sure.

Bob Cianciarulo: ...since she had registered?

(Holly Hardman): Oh, I'm sorry if I'm interrupting.

(Charlie Canfilini): That's fine. That's fine.

(Holly Hardman): I can wait.

Bob Cianciarulo: No, no, I apologize. Yes. OK, (Holly)...

(Holly Hardman): I apologize, too. We're confusing them too.

Bob Cianciarulo: Yes. The floor is yours, (Holly Hardman).

(Holly): OK. Hello. My name is (Holly Hardman) and I live at 29 Sumner Street in Great Barrington. I asked to be allowed to comment today because I believe that General Electric working with the EPA and the Select Boards of the South County town is rushing through a plan for Housatonic River PCB remediation that is not acceptable.

There's scientific and economic research that suggests that GE's proposed plan puts our region at great risk environmentally and economically, also posing a serious threat to human health. I want river remediation, but I want it done safely and without building a toxic waste dump in a populated area.

The removal plan does not guarantee extracted PCB-containing material soil and sediment pose no risk to the – any adjacent South County town. And there is certainly no guarantee that the contaminated material will pose no risk to the area or areas outside of Massachusetts where the higher count PCB material soil and sediment will be shipped.

Perhaps those areas will not be in populated zones. We do know that the planned dump or leak is near a populated area. The 200-million dollar estimated savings to GE to ship out of state is a proposal devoid of morality and any concern for human life.

In an additional 200 – an additional \$200 million, a price GE is not willing to pay to right their wrong, it seems that way. So a dollar amount will never adequately compensate our region for all the lives lost to cancer, the families

upended, the still toxic state of much of the environment, especially in Pittsfield.

I'm not sure that there is any reasonable way that GE can ever compensate our region for the damage they have caused in Brookshire County, but here we are. We now have this misguided plan to reckon with. At a meeting I attended at (Monmouth) High School in February, the EPA representative stated to the audience that this deal, though not perfect, was the best the community was going to get from GE.

It sounded to me as though GE was giving us an ultimatum, a take it or leave it offer. In other words, there will be nothing for the region if the communities do not accept this deal. These strong-arm tactics are not how the Housatonic River PCB Remediation should be handled. GE should be offering Pittsfield and the South Brookshire County communities the best option possible. And that would involve an exploration of newer, safer methods of remediation, they do exist.

It is true, this plan is being rushed through without consideration for alternative safer methods of PCB remediation. The risk to our environment, our health and our livelihood is too great. Please put the brakes on this plan and do the responsible thing, explore newer methods and technologies that have been developed to tackle PCB contamination.

We must do what's best for our environment. How can you consider anything but that? Thank you.

Bob Cianciarulo: OK. Thank you. OK. Now, Charlie Cianfarini, I apologize for that. We'll let you go next.

Charlie Cianfarini: OK. Thank you. My name is Charlie Cianfarini. I am the Interim Executive Director of the Citizens for PCB Removal group, grassroots group that started for our residential property contamination in Pittsfield.

Here's my statement. Let us not be fooled by the announcements by the EPA of expanded hearings and an extension of the comment period for their plan to clean the Rest of the River of PCB contamination. The extension to Sept.

18th is totally inadequate for a plan that incorporates over 500 pages of documentation, information and permit.

Many who wish to comment on the future of the Rest of the River are doing so as citizens who are not employed to be doing so but must work on this process in their spare time following their real jobs and life.

There have been requests to extend the comment period to at least Nov. 20, 2020 to allow a more comprehensive review of all the documentation and to prepare a complete response to the plan. This extension must be considered and granted by the EPA.

One only needs to review the General Electric Statement of Work – SOW – that was presented to the EPA on June 9, 2020 to understand why this EPA permit has limitations and needs to be much more complete remediation design. There are many issues with the SOW that are disturbing and I will mention three here that relate to the revised permit.

While Citizens for PCB Removal opposes any new dumps in the Berkshires, the SOW makes the following statement about the upland disposal facility, "The activities described in the UDF Post-Closure Plan will continue until GE proposes and EPA approves a modification or termination of the activities described therein."

We are dismayed that GE will attempt to stop monitoring that dump which could lead to disastrous implications for recontamination of Woods Pond and the health of the residents in Lee, Lenox Dale and other towns south of that area.

CPR is also concerned that there are no specifics detailing where or how many staging locations might be required for the removal and de-watering of the sediment taken from the various areas of remediation. Even an estimate of these locations would be important to a Statement of Work document.

However, the most alarming section of the SOW and the revised permit concerns the Downstream Transport Performance Standard chart and the

expected amounts of PCBs that will be allowed at the Woods Pond Dam and the Rising Pond area.

CPR finds that the allowable amounts of PCBs to be more than 8.8 pounds of that toxic contamination per year is proof that the amounts of PCB remediation and removal proposed in the Rest of the River cleanup standards does not remove enough contamination to provide a fishable and swimmable river for our communities and will result in further health issues for our residents and visitors. That number of almost nine pounds of PCBs is after the proposed cleanup of the river – nine pounds of PCBs.

CPR believes that if the past Presidential election had gone differently, we would have different management in charge of EPA and not one that is headlong in making an agreement that is not beneficial to the community and the citizens of Berkshire County and the people who live south of us in Connecticut.

Therefore, we do ask for an extension that will be beyond this current national election for President. We must not allow this inadequate plan to stand if we care about our communities and the health of their citizens. Thank you.

Bob Cianciarulo: Thank you.

OK. Our next speaker is Deborah Kelly. Debra, is your phone unmuted?

Deborah Kelly: Hi. Can you hear me?

Bob Cianciarulo: Yes. Go ahead.

Deborah Kelly: Hi. My name is Deborah Kelly. I live at 74 West St. in Lenox, Massachusetts. I just want to give some comments today and my feeling about the change in the 2016 permit.

My first concern is the change in – first of all, the change – how the decision was arrived at during this whole process of private negotiations, there was absolutely no public opinion and no public vote for the majority of the residents that live especially in the five towns in southern Berkshire and



especially for the residents of Lee, Massachusetts and Lenox Dale, Lenox, Massachusetts that will receive the bulk of this toxic waste.

I also wanted to comment that the original permit was – it was suggested by our Senator, Elizabeth Warren, and Representative Neal and Senator Markey that all of the toxic waste be shipped out of state, all of it. And because GE went in to the Appeal Board, won their appeal in 2018, the local EPA Region 1 was asked to look at this issue again.

And as a result of that, I feel that they came up with a rationalized solution to take the highest toxic waste out of here and leave what they're calling low level toxic waste to be buried in a dump in Lee, Massachusetts in a residential neighborhood. There was no contact with the residents that are the (abutters) before this was made. It was all done in private negotiations.

So, I feel that toxic is toxic. I don't know how you want to spin it but there's still going to be a level of high toxic material that's going to be buried in Lee, Massachusetts. There as has already been stated other methods of PCB remediation that I don't think those techniques have been thoroughly studied or talked about in this whole process.

The other issue that I want to speak on is the dump itself, plastic liners and we were supposed to be encouraged by the fact that EPA was going to add a second plastic liner, but it's plastic. The dump is only a thousand feet from the river and it's only 1,500 feet above the water table.

So, I guess one of my questions is if there's a leak at the bottom of that mound of toxic waste, how would that be fixed. How would that be plugged with a mound of toxic material on top of it? So, these are just questions I don't think have been – it's not guaranteed forever that this thing is not going to leak. It's not been guaranteed forever.

And I guess the other thing that I just want to say is how much I want to just have people really think about the fact that this is going to be located in a residential area and just really give some consideration and some time to ask, to study this more, have more people participate. We're in the middle of a pandemic, there's a lot of stuff going on, there's a lot of (materials) to study,

take in, form an opinion on and I think the public needs much more time to deal with this. Thank you.

Bob Cianciarulo: Thank you.

OK. And I don't know if any of the other folks that had pre-registered whose names are on that queue have since joined us. We're not seeing your name on the phone line. Again, I would ask you to make a note on that technical support box if you're having trouble connecting.

And for others who are interested in making a comment, the phone number is on the screen – 833-804-3387 conference ID 5542729.

Is (Ginger Field) on the line? We know you had tried to connect but we have yet to see that you're connected.

Again, if you could make a note in the technical support box if you are having trouble connecting on the phone line.

Again, we will keep this hearing line open until 4:30 today and then there is another session this evening as many of you know and there are others who have registered of this evening's session.

I believe (Robert Jones) has made it on the phone line. Is your mic unmuted?

(Robert Jones): Yes, it is. It's on now. Can you hear me?

Bob Cianciarulo: OK. Yes. OK. You can go ahead. Just make sure your computer or TV is muted. I'm hearing a little background.

(Robert Jones): OK. May I make the comment, my comment?

Bob Cianciarulo: OK. Yes. Please go ahead. Thank you.

(Robert Jones): OK. My name is (Robert Jones). I live at 150 Greylock St. in Lee. I'm a couple of miles from the proposed site of the chemical dump. A little bit of background, I grew up in the Berkshire, I was born and raised in Great Barrington which is part of the Housatonic River corridor. I've also lived in

Stockbridge for 18 years. I now live in Lee. And my wife was born and raised in Lee.

And I understand that there are a lot of questions that people have about the dump and how it's going to be made up and the science behind it, I believe, to other people. But I've been in – I voted since I was 18 years old. I've served in local government. I've served on zoning boards. I've served on historic district commissions.

I've served on all kinds of non-profits and I do have some experience with how town government works. And I just wanted to comment on the process as a whole. I have a very difficult time accepting the fact that the selectmen from all of the towns involved in the Housatonic River corridor were meeting secretly with the EPA and with the GE Corporation.

I'm terribly opposed to how the decision was arrived at. Lee itself is the real problem, that three people would make a decision for an entire town, a decision of this magnitude when none of those three have any experience in environmental science. I understand that there was a – there was somebody there, an expert that they could ask questions but that is just not adequate.

And I just think it's terrible that all the people in all the towns involved were not made aware that these negotiations were going on. I'm sure that the selectmen from those other towns other than Lee are delighted that the dump is going to be in Lee and not in their town and I'm sure that the response if the dump were going to be in any other town than Lee, that the response from the voters and the citizens of that town would be the same.

Quite frankly, I'm outraged. I don't know anybody who's not outraged by how we got to this place. And I implore you, I beg you to reconsider your decision. I hope that the people of Lee get to push back and reverse this decision. And I hope that our neighbors because we do share the Housatonic River but we also share an ecology.

We're all connected by underground caverns and limestone rivers, all underground. We're all part of the same community. We're all neighbors and there should not be a chemical dump in the town of Lee or anywhere else in

Berkshire County. And the way we got to this place, I just find to be pure sophistry and I think it was really underhanded and that the selectmen and their representatives came to this place is just unfathomable. And that's all I have to say for now. Thank you.

Bob Cianciarulo: Thank you. All right. I've got – I don't believe we have anyone currently in the queue for comments. So we will just pause. Let me try to put the music on in the background just folks so understand that we haven't disconnected.

For those watching on local access cable, again, the phone number is on the screen. You can call in now and be added to the list of those wishing to speak.

Just a reminder, we're in the midst of the afternoon session of the GE Housatonic River Rest of River Permit Modification Virtual Public Hearing. If you'd like to leave a comment, you can dial 833-804-3387.

Operator will pick up and provide your conference ID 5542729 and you'll be added to the queue. Those can speak, give testimony at this public hearing. Thank you.

Is there a caller online?

(Sage Radachowsky): Can you hear me?

Bob Cianciarulo: I can. Yes.

(Sage Radachowsky): OK. Thank you. I'm kind of blindly calling because I'm not able to follow the conference on the internet. But I'm just registering that people do not want the dump. And we would like...

Bob Cianciarulo: Can you just give your name and address – or name or affiliation before you begin? And then we'll give you time to speak.

(Sage Radachowsky): Yes. OK. (Sage Radachowsky) and I'm with the HRI and Stop the Dumps is an affiliation but also – I've lived in Lenox – Lenox Dale. So, I'm, kind of, blindly calling in as I say. I haven't been able to follow the conference, not having internet. But I was told that I could call in right now.

Bob Cianciarulo: Yes. Yes, go ahead. So, if you talk right now, you're basically in the hearing and we will transcribe your remarks. Yes.

(Sage Radachowsky): OK.

Bob Cianciarulo: We're limiting people to five minutes, so we're going to start your five-minute (flat) for you right now. OK.

(Sage Radachowsky): OK. Thank you. I should not take more than a minute, anyway.

Bob Cianciarulo: OK. All right.

(Sage Radachowsky): The majority of the people that I've spoken with in the area are against having the dump there and would like to have General Electric clean up the sediment using any of the many techniques that are available to clean up – to destroy PCBs from sediment.

And that's about it. I mean, it's already lowered the land values in the area. And the people who are very close to the dumpsite, very strongly don't want it and we shouldn't dump it in anybody's backyard when the technology exists to actually destroy the material and really do the right – do the job the right way.

So that's all I have to say. I mean, it's a basic message.

Bob Cianciarulo: OK. Thank you.

(Sage Radachowsky): Who am I speaking with, anyway?

Bob Cianciarulo: This is Bob Cianciarulo and I'm moderating the hearing.

(Sage Radachowsky): OK. Thank you, Bob.

Bob Cianciarulo: I appreciate it. Thank you.

(Sage Radachowsky): OK. Take care. Bye.

Bob Cianciarulo: OK. Bye-bye.

All right. Again, those at home, the phone number is on the screen. Those looking online, the number is on the screen. Will put myself on mute again. We'll start the music again.

Bob Cianciarulo: Hello? I think we have a...

(Rebecca Field): Yes?

Bob Cianciarulo: (Rebecca Field), is your phone unmuted?

(Rebecca Field): Yes.

Bob Cianciarulo: OK. We're ready for you.

(Rebecca Field): OK. This is kind of an awkward situation having to do the hearings online and sit on a random phone call where you don't know who's in the background. But I was born and raised in the Berkshires.

All of my family still live there. And I just want to plead with the EPA to do the right thing. I think in the beginning, it was such a wonderful plan that you were going to force GE to remove the PCBs out of state and do the right thing and put it in a proper place.

And now having made – under-the-table deals with the citizens of the Berkshires, like an under-the-table (deal) with all of the towns without including the townspeople who it directly affects, it just seems really horrible.

And I hope – and I don't feel as though the plan laid out is really the safest thing, so that it doesn't leach even more again in to the groundwater and it's going to – it seems if you're going to dump on the embankments that are right at the edge of these towns and on the edge of the Housatonic, it's going to financially impact all of our beautiful Berkshires and our town and the property value for all these people that have worked their whole lives to build their life here and the homes.

And it's going to just derail and devalue all of that to have a bunch of toxic dumpsites along the Housatonic River in the Berkshires, the beautiful

Berkshires where people come from all over the world in the country to see this gorgeous place that we were lucky enough to grow up in.

And I just – I want to plead with the EPA to do the right thing. It seems like these big corporations get off with throwing some money at something, instead of having to spend the extra money to do it the correct way.

And I just hope that you guys will reconsider and do what's right by these people that have spent their whole lives building this beautiful town and area in keeping it safe and gorgeous and pristine and not let this big corporation get away with throwing some money at it and then leaving us with all the mess, which has already been done for the last 30 or 40 years since they dumped in the first place.

That's all I have to say. Thank you.

Bob Cianciarulo: OK. Thank you.

(Rebecca Field): Thank you.

Bob Cianciarulo: Thank you.

I believe we have (Dennis Field) who's our next speaker, I don't know if you can hear me.

(Dennis Field): Can you hear me?

Bob Cianciarulo: Can we unmute (Dennis Field)? Yes, yes. go ahead. Oh, I lost you. Can you hear me? I cannot hear you. Let me check on you.

(Dennis Field): Hello?

Bob Cianciarulo: OK. Yes. I can hear you. Can you just mute your computer or telephone or television?

(Dennis Field): OK.

Bob Cianciarulo: Whatever you happen to be listening on.

(Dennis Field): OK.

Bob Cianciarulo: OK.

(Dennis Field): The big thing that bothers me on this whole thing is two or three things and that's it, is that we were never notified of any meetings or anything like that and all of a sudden they come back with a plan that five people – five or six people voted on, which would be selectmen from each town, they sent one person to do the work and do the – figure things out.

But I think it should have been a vote to the whole – for the town to have some sort of a vote with it. And the other thing is GE put this stuff there. GE put the PCBs there. We didn't put the PCBs there.

That it should be – 1930 they started doing it. They should have been responsible for taking – they should be responsible for taking it all out and move it all wherever it's got to go like they did, like they were supposed to do in the beginning, which was the first way everything was going to be done was they would remove it from Massachusetts.

And the other thing is I really – I think we're getting a bad deal here, real bad deal. Even from our town, it's blood money. They gave us, Lenox \$25 million. It's blood money, anyway. That's all I got. I'm not very happy about it.

Bob Cianciarulo: OK. Thank you. I believe we now have (Ginger Field) on the phone line. If we could unmute.

(Ginger), can you hear me? Could you speak to make sure if your phone is unmuted? Disconnected. OK. I guess not. All right. Once again, for those tracking on Adobe Connect or on local cable, you can dial in 833-804-3387, conference ID is 5542729.

Bob Cianciarulo: Just a reminder, you're connected to the GE Housatonic River Rest of River Draft 2020 Permit Modifications hearing. The first session. If you'd like to make a comment for the record, toll free number is 833-804-3287, conference ID 5542729.



(Peter deFur): Hello?

Bob Cianciarulo: Yes. Can you hear me?

(Peter deFur): Yes, I can. This is (Peter deFur).

Bob Cianciarulo: OK. OK, (Peter), go ahead.

(Peter deFur): OK.

Bob Cianciarulo: We are limiting time to five minutes. OK.

(Peter deFur): All right. Very good. Yes. My name is (Peter deFur). I've been the long time technical advisor for the community organizations Housatonic River Initiative and Housatonic Environmental Action League.

And I'm providing comments regarding the modified RCRA permit. So there are four points that I want to make. First of all, the landfill – the permit modification makes a very substantive technical change to the disposal of contaminated soil and sediment by allowing landfilling of that material within not only the watershed but within the nearby area of the river.

And this solution does not appear to be either protective of the long-term public health, nor does it seem to be a long-term cost effective method of dealing with the contaminated sediments and soil.

The landfill will be there in perpetuity, which is forever, which means that it will have to be inspected and maintained forever, which will require a substantial expense. Second of all, there is no assurance that such landfills will last that long safely.

We have some modern experience with modern landfills. We note that it's only been 30 years since modern landfills were upgraded by federal law. And so, we only have a 30-year experience with this sort of activity as opposed to the long time period that we know, much longer than 30 years is the lifetime of the PCBs within the contaminated material that will be contained within that landfill.

There is also a geological report that will be submitted for the record that indicates the location or the seeming location of this landfill is unstable geologically and the behavior not only of the subsoil and the subsurface cannot be predicted, but then the flow of liquids, especially water.

OK. The second point is the permit makes reference to alternative technologies for the treatment of PCB contamination in certain media. And at a technical level, I support this as do HRI and (HEAL).

Alternative technologies for the treatment of PCB contaminated materials and PCBs themselves even in non-contaminated sediment or soil matrix has been a subject of intense investigation in some quarters for a number of years.

And this is to be supported because there are treatment technologies that have not only been used but have been used successfully in this country and in others, some at official cleanup sites that are supported by the federal government. That would be the U.S. federal government.

My third point is that I'd like to see documentation of the changes. That is technical documentation. EPA was very short on providing technical documentation for the original permit drafting.

And now that they have revised it, I would assume that they can now provide technical documentation which would be sampling and sampling plans and something other than a handful of maps provided by one source.

We want to see samples. We want to see maps. We want to see analyses. We want to see data. And we want to see a thorough examination of why and wherefore the modifications are made in the way they were made.

So, finally, the EPA has modified the permit in such a fashion that one landowner, specifically Mass Audubon will have their contamination cleaned up that is – it will be probably removed, seems to be the case.

Maybe there will be some treatment. So, first of all, with regard to the special treatment, does EPA have documentation for analysis and data that demonstrates the veracity and efficacy of this treatment.

And secondly, are all of the owners along the river able to take advantage of such an opportunity, that is will EPA agree to come and remove the contaminated sediment from the property owners' property along the river.

So not only John and Jane Doe or Mr. and Mrs. Smith, whoever that might be who own property on the river and are not inclined to keep several hundred parts per million of PCBs or any other concentration of PCBs in their backyard where it backs up to the river, are they able to have it removed the way Mass Audubon is having theirs removed?

So perhaps if James Taylor who lives on the river doesn't like having contaminated, PCB contaminated soil, sediment just outside his house, but if he writes to EPA will he be allowed, will he be able to get the same deal? And then we can go further downstream, but then EPA will have to require testing of the riverbanks all the way downstream to determine where private property owners have riverbank soils that may contain PCBs and do not want them and would like to have them removed because perhaps they have children playing there or pets.

Bob Cianciarulo: (Peter), we were past a five-minute mark. I do have someone else up next. I am willing to let you continue, maybe we'll let this other person make their statement and then you can proceed if you want to continue your remarks?

(Peter DeFur): No, let me finish my sentence and then I am done.

Bob Cianciarulo: OK.

(Peter DeFur): So that the sentence was just that our property owners down as far as inter-Connecticut able to get their removal by simply writing to EPA. Those are my comments. Thank you very much.

Bob Cianciarulo: OK, thank you. Thank you. I believe we have (Donita Bartochi)?

(Bonita Bortochi): (Bonita Bortochi), yes.

Bob Cianciarulo: OK, (Donita), (Bonita), go ahead. The floor is yours.

(Bonita Bortochi): All right. I am just calling about my concern with the PCB dump that's going to be in Lennox (Dale). And I am a half mile, we are a half mile from Lennox (Dale) and we are down the hill from the dump. And it's just very concerning first of all to have PCBs dumped someplace, and the other thing is worried about the property values. We are up in age, we'll be selling this house and worried about the property values going down because there would be PCBs up the hill from us.

That's my comments. I don't think they should be there.

Bob Cianciarulo: OK, thank you. All right, once again for folks online and on cable television the phone number is on the screen, 823-804-3387, conference ID 5542729, if you would like to call in to make a comment for the record for the GE's Housatonic River permit draft comment period.

You are watching the hearing relative to the Draft 2020 permit modification for the GE Housatonic River Restore River Project. The hearing is ongoing. If you'd like to call to make a statement for the record dial the number it's 833-804-3387 and the conference ID number is 5542729.

Once again this is the public hearing for the GE Housatonic River Restore River Project Draft Permit Modification. If you'd like to make a comment for the record you could dial 833-804-3387, conference...

Female: OK, thank you.

Bob Cianciarulo: Conference ID 5542729. I think we are going to go to a commenter. (Marie Field), is your microphone un-muted? (Marie Field)?

(Marie Field): Can you hear me?

Bob Cianciarulo: Yes. I can hear you.

(Marie Field): OK, great. Hi, who am I speaking to?

Bob Cianciarulo: My name is Bob Cianciarulo from EPA and I am moderating this hearing, so if you'd like to make a statement for the record you can do so.

(Marie Field): Thank you, Bob. I very much would. We learned about this coming back to our hometown in late May and we are sort of I guess appalled was kind of the best to learn that such a huge decision for our area was being made in mediation by a handful of people.

And I think the thing that struck me the most is we are kind of from the land of Norman Rockwell and when you think of Norman Rockwell and you think of just three miles from my home where his For Freedom hangs in the museum one is the right to assembly.

And I understand with the pandemic it's very hard to bring the public together but I just feel that this decision was a very premature decision without either getting more information out to the general public or the general public or the general public having a right to be able to speak their mind, have a voice and talk about what the ramifications of this means to them.

And so, I just wanted that in public record that I feel that when I hear the circumstances around how this all came about we knew that the EPA had made a decision that all of the PCBs would be hauled away from our beautiful area of Yorkshire County back in 2016. And then all of a sudden the law changed, GE appealed it and then it seemed to have just flow in the favor of GE to save them money.

And I think that's where everybody is having such a hard time. If they can take most of the PCBs away why not take all of them away and why have a toxic dump 200 feet or so above the river they are trying to clean and just the general population that I've talked to, everybody is so opposed to it, it's just so uncomfortable, it's going to leach into our soil and leach into our water, and we would just love if the EPA could at least delay this for a while this decision so that we could hopefully get beyond the pandemic and have more of a general discussion with the population that this is going to affect them all.

And I guess that's really what I wanted to say. I think we've just been denied a voice and we've denied the ability to be part of this process and it's such a beautiful area and it's such a crime that it was ever polluted in the first place and I just seen that giving GE a path the way it was mediated and voted on it's just like rewarding bad behavior, and they've had bad behavior with the way they've polluted this area for a number of years. And so, that's my statement.

Bob Cianciarulo: OK, thank you, thanks for your (report).

(Marie Field): Thank you so much.

Bob Cianciarulo: Right, take care. OK, once again this is Bob Cianciarulo. This is the GE Housatonic River Permit Public Hearing. I think we have someone on the line. (Joanie Thomas), are you un-muted?

(Joanie Thomas): Yes, this is (Joanie Thomas).

Bob Cianciarulo: OK. Feel free to make a statement for the record, and maybe just start with your name and your affiliation and wherever you are from, whatever you can share?

(Joanie Thomas): So my name is (Joanie Thomas). And I am a property owner on the Housatonic River.

Bob Cianciarulo: OK. And you'd like to make a statement for the record?

(Joanie Thomas): I would like to say that I am absolutely against PCB dumped in my town. I was on the river for 30 plus years and I think that there are many other alternatives to a dump in the town. I am not sure why GE is not being held much more liable and responsible for all that damage that's been done and it's their responsibility to clean it up, to clean it up not in such a manner that a dump is in the town of (Lee) that will affect generations and generations to come.

Bob Cianciarulo: OK, thank you.

(Joanie Thomas): And now you are a part of the EPA, correct? Is that, do I have that right?

Bob Cianciarulo: Right. That's correct, yes. Yes.

(Joanie Thomas): OK. And your stand is that you are OK with this dump in this small town, is that my impression?

Bob Cianciarulo: Again, we are just taking public testimony right now but, yes, we have proposed the remedy that is outlined in the draft permit, that is EPA's proposal and we are accepting public comments on.

(Joanie Thomas): So your proposal is to allow a dump of PCBs in the beautiful small town of (Lee), correct, is that my understanding?

Bob Cianciarulo: The proposal on the table is what is outlined in that permit which includes this on-site consolidation, correct. So, really, we can't get into a dialogue, at this point is again it's just to accept comments for the record. I know that's often frustrating but if you have no other sort of testimony to give...

(Joanie Thomas): OK. So just tell me, OK, and just tell me with these rules of engagement where does my public testimony go?

Bob Cianciarulo: So I apologize, you missed the (out-setting). So we are gathering public comments and just for others who are also listening online and on their telephone public comment period now through September 18th. The EPA will collect all those comments, consider those comments, make a final permit decision and provide a response to those comments with that permit decision.

(Joanie Thomas): So you are accepting these public comments in good faith, correct?

Bob Cianciarulo: Correct. That's why we are here, we are here to listen.

(Joanie Thomas): You are here to listen, OK. And hopefully like I said in good faith and trust, and the future of our county and our town that the right decision will be made, correct?

Bob Cianciarulo: Correct.

(Joanie Thomas): Thank you.

Bob Cianciarulo: Thank you. And again a reminder for others listening this is the GE Housatonic River Draft Permit Modification Virtual Public Hearing. This is the first session, Wednesday afternoon August 26th. This hearing will conclude at 4:30 PM. If you'd like to call in to make a statement the phone number is 833-804-3387 and the conference ID number is 5542729.

I think we have another caller on the line, (Stone Murphy), is your phone unmuted?

(Stone Murphy): Yes, I am with you here now. I connected a few minutes ago and I did just have a comment that I wanted to add into the public forum if you can take the time.

Bob Cianciarulo: OK.

(Stone Murphy): Yes, thank you, sir. I guess the point I am going to drive home and I'm sure you've heard a lot of this today is that we are disappointed with the job and the decisions being made by not only our local politicians, our (selectmen) and also the EPA. I'm sure that you already know by now that the townspeople weren't given a voice in this decision, decisions made by our (select men) were made under executive sessions, so even if we wanted to ask those documents and the minutes of those hearings we have no way of doing so.

And we just feel like it's not our job, to form matching, hire attorneys, site for a more conducive environmental dump solution for our ourselves, for our children. We feel like it's yours with the emphasis on the Environmental Protection Agency, also again, our local and federal politicians.

So my ultimate comment and concern regarding the dump is that the EPA and proponents of the deal are kind of, are barking up the wrong tree. We know that this is about cleaning up the Housatonic River. We understand that it's a step in the right direction but I just, I think that this is the problem at large is that residents, people with property values on the line, people with families growing up here, people who hike on the trail over there by (Woods Pond) where the dump is proposed in (inaudible).



We are not really looking for a compromise so we are more encouraging that the energy, that the people power energy and our tax dollars for that matter start being used to formulate a better dump solution. I mean there's thousands of miles of vacant land just within the United States especially if you start talking about the Midwest.

And I guess I would understand as and thank you for hearing me out, this is a lengthy comment. And I guess I would understand as a young (pol sci) student, that vicinity, a really difficult process to get to (select men) and citizens of another jurisdiction to accept our toxic dump but it's really not our toxic dump it's GE's.

And so, I think that if our residents don't want it in our backyard, again, it's not our job to figure out where to put it, it's yours and it should be put somewhere where, again, you don't have a few thousand residents who have families who pay their mortgage on a home that could stay in the family and be an asset for their children and grandchildren going forward. And not only is that on the line at the bare minimum but the health and safety of our community is also at stake because we've seen these projects take place, we've seen them in the Hudson and upstate New York.

And I mean I don't know if these are false reports and I am just buying in to a bunch of fear mongering from our local environmental experts like (Tim Gray) of the Housatonic River clean-up group. But he says that those projects that the EPA took on in the Hudson region were terrible failures and I just don't want to see, or I don't want to stand by and sit back and watch the same thing happen to my neighbors.

And so, I am really, I heard your last caller talking about doing things in good faith and obviously only so much headway can be made but I guess I would just ask for the same thing that you think and whoever has the power to make decisions on this matter, so just conscientious about the decisions that they are making, A.

And, B, making, just consider if this was in your neighborhood as well, and whether you would want that or not, because I know it's different to put it in

the neighborhood to people whose homes cost \$40,000 and people who are mortgaging six figure condos but we are people too, and put forward I start losing the main argument and the point I am making here and start just getting too wrapped up in the emotional turmoil that this causes me and other community members obviously that they are, and thank you again for hearing me out.

Bob Cianciarulo: OK, thank you for your input. All right. Welcome. You're listening to the Public Hearing on the Draft 2020 Permit Modification for the G.E. Housatonic River Rest of River project.

My name is Bob Cianciarulo from EPA's Boston office and I am the hearing officer. We are accepting all comments on the proposed changes to the permit released to the public in July. Please limit your oral commits to five minutes.

EPA is also accepting written comments and comments provided by voicemail. See our website for details. We will not be responding to comments today but will respond to them in writing in our Response to Comments document which will be included in the final decision.

If you'd like to make a comment, you can dial in to a phone line 833-804-3387, conference ID 5542729. This conference will continue this afternoon, August 26th, 2020 until 4:30 p.m.

Thank you to everybody who participated in this hearing. This hearing is now officially closed. There are additional public hearing sessions planned for this evening, August 26th at 6:30 p.m. and on Tuesday, September 15th at 6:30 p.m. Also note that the public comment period for making comments closes on September 18th.

Details on the hearings and methods to – how to comment can be found on our website, [www.epa.gov/ge-housatonic](http://www.epa.gov/ge-housatonic). Thank you.

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