
ATTACHMENT 7
TIMELINE FOR OPPORTUNITIES FOR GE AND THE PUBLIC
TO COMMENT DURING REST OF RIVER PROCESS
(ATTACHMENT A TO EPA'S SOP)

Attachment A

Timeline for Opportunities for GE and the Public to Comment during Rest of River Process

For nearly two decades, EPA has made extraordinary efforts to solicit and respond to the views of GE, other stakeholders, and the rest of the public throughout the Rest of River process.

-In 1998, a year prior to EPA lodging the Decree, EPA established a Citizens Coordinating Council (“CCC”) made up of over 30 environmental, business and community leaders from Berkshire County and Connecticut. The CCC provides a participatory forum for the governments, and sometimes GE, to discuss with the public the status of cleanup, and other activities at the Site, and to obtain feedback from the CCC, and to answer questions. For many years, during periods of most active remediation, the CCC met monthly. Currently, the CCC meets four times a year.

-EPA subjected its human health and ecological risk assessments, and three of its modeling documents, to independent peer review. As part of these independent peer reviews, all stakeholders were invited to present their views to the peer reviewers. Following hearing the positions of the peer reviewers, EPA adjusted its work products if necessary.

-From 2000-2005, EPA conducted human health and ecological risk assessments of the Rest of River, and submitted those risk assessments to peer review by panels of independent risk assessment experts. GE and other members of the public were provided the opportunity to present their views to the scientific peer review panels. GE also performed its own studies as part of the risk assessment processes. CD ¶ 22.b-e.

-From 2001-2006, EPA conducted modeling of the fate, transport and bioaccumulation of PCBs in the Rest of River down through Reach 8, and submitted three different modeling documents to peer review by panels of independent modeling experts. In each of the three independent modeling peer reviews, GE and other members of the public were provided the opportunity to present their views to the scientific peer review panels. CD ¶ 22.g-i.

-In 2003, GE submitted, and EPA approved, a RCRA Facility Investigation Report that included data on the scope and concentrations of PCB contamination in Rest of River;

-In 2005-2006, GE developed and submitted, and EPA approved, Interim Media Protection Goals for the Rest of River. CD ¶ 22.f.

-In 2007, GE submits its Corrective Measures Study Proposal (or Work Plan for the CMS)

-In 2008, GE developed and submitted a Corrective Measures Study (“CMS”), and in 2010 a Revised CMS, each of which included an analysis of alternative approaches to addressing the unacceptable risks posed by the PCBs in the Rest of River.

- In April and May 2011, after reviewing GE's Revised CMS and the public comments received on the Revised CMS, and before EPA made a proposal to its National Remedy Review Board and Contaminated Sediments Technical Advisory Group, EPA held an extraordinary set of public sessions known collectively as a "Charrette." EPA designed and carried out the Charrette to fully inform and involve the overall public, including GE, about EPA's Rest of River remedy decisionmaking. Over the course of three evening sessions in April 2011, EPA and its experts presented information about the Rest of River, PCBs, and sediment remediation to nearly 200 citizens. EPA offered a second full-day Charrette in May 2011, at which citizens weighed remedial alternatives using the Permit's evaluation factors.

-In June-July 2011, EPA Region 1 (the "Region") submitted EPA's proposed remedy to EPA's internal advisory National Remedy Review Board ("NRRB"), and Contaminated Sediments Technical Advisory Group ("CSTAG"). GE and the public presented their views to the NRRB/CSTAG.

-From September 2011 to May 2012, EPA, Massachusetts and Connecticut jointly engaged in remedy discussions, and in May 2012 issued to GE and the public a Status Report of Potential Remediation Approaches for the Rest of River. EPA followed up with multiple public meetings in both Connecticut and Massachusetts to hear public comments on the governments' Status Report.

-From August 2012 – December 2013, at GE's request EPA and GE engaged in technical discussions regarding the proposed remedy.

-In June 2014, pursuant to the procedures in the RCRA Corrective Action Permit, EPA, in consultation with Massachusetts and Connecticut, issued for public comment a Draft Modification to the RCRA Permit, and Statement of Basis ("Draft Permit Modification"). The public comment period, which included a formal public hearing, continued until October 27, 2014. EPA received over 2,100 pages of comments from more than 140 commenters.

In addition to the formal public comment steps called for by RCRA or CERCLA, EPA informally solicited public comments at many steps in the process, including on GE's Interim Media Protection Goals submittals, and GE's CMS proposal, CMS and Revised CMS.

As demonstrated above, in recognition of the broad impact that this remedy will have on the communities lining the Housatonic River, EPA has afforded GE and the public with a virtually unprecedented number of process opportunities. These interactions with the public and GE have assisted EPA in selecting the alternative best suited to satisfy the Permit's remedy selection criteria.