

Memorandum

To: GE Housatonic River Citizens Coordinating Council
From: Harry Manasewich, Facilitator
Kirk Fallis, Assistant Facilitator
Date: Thursday, February 28, 2002
Subject: Notes & Meeting Reminder

Greetings:

At the last meeting, the CCC decided not to hold a meeting in March due to the proximity to the HRI workshop. The next meeting of the CCC will be April 3, 2002. The meeting will be held in our regular meeting spot, Berkshire Athenaeum, 1 Wendell Ave, Pittsfield, MA. The meeting will start at 5:30 PM. Note that the CT Subcommittee will be meeting on March 25, 2002 in New Milford, CT at the New Milford Senior Center. The meeting will start at 7:00 PM.

Please find below the notes from our February 6, 2002 meeting, and list of updated action items.

We look forward to seeing all of you at our next meeting of the CCC.

Should you have any questions please contact Kirk at 617-727-2224 ext.21179 or Harry at ext. 21181.

GE-Housatonic River
Citizen's Coordinating Council
Berkshire Athenaeum Auditorium
February 6th, 2001
5:30 - 7:30
Meeting Highlights

Prepared by the Massachusetts Office of Dispute Resolution.

Lead Facilitator: Harry Manasewich
Assistant Facilitator: Kirk Fallis

Participants

There were 19 members of the CCC present and 10 people observing.

Introductions and Review of Agenda

The facilitator welcomed everyone to the first meeting of the CCC in 2002. He announced the recent passing of Jane Wells, the original convener and facilitator of the CCC. He went on to say how much she would be missed not only as the facilitator, but also as a friend and colleague. He thanked everyone for their condolences and reminded them Jane would have urged them to "lean

into" their tasks, and concentrate on the problems, not the people.

Proposed Agenda: The proposed agenda was reviewed and accepted.

Corrections To CCC Meeting Highlights: The notes were reviewed. There were no corrections to December 5th, 2001 Meeting Highlights.

Repository Discussion

EPA led a discussion of the current state of repositories, their number, and their placement. EPA stated that while some repositories were doing a great job at chronologically organizing and storing the material, the situation at other repositories is very different. Some repositories are not able to store the material, some have incomplete collections, some have material not well organized, and others have stated that they do not have the staff or resources to continue to be repositories. EPA is considering reducing the number of repositories while at the same time ensuring that the remaining repositories are complete, organized, and able to be used by members of the public. EPA is also looking at alternative ways of disseminating information and

is committed to trying to get current materials posted on the web as soon as available. CDs may also prove a useful tool for repository locations where space is at a premium. EPA will not have a choice but to eliminate some locations as the hosts no longer wish to store this information. The issue for EPA and for many locations is managing the volume of information.

Discussion

There was a great deal of discussion regarding which repositories are complete, which geographical sites are important, and the capacity of alternative locations to store this information. Concern was expressed from a number of CCC members with regard to repositories located outside of Western Massachusetts, in CT in particular. MA DEP expressed the hope that a location might be found for a repository in the South Berkshires. It was suggested that the website may prove to be an easier less expensive way for individuals to access information. CD ROMs could also be used to disseminate information. In response, other members felt that technology can be intimidating to some citizens and that certain types of information such as maps and large charts are difficult to read off terminals.

In response to concerns over low level of usage at some area repositories, it was suggested that community members must know that these repositories exist in order to use them. The concern is that many in the community do not know that they are able to access information. As work continues down river it will be essential to do outreach to these communities.

In some cases EPA will not have a choice. Some repositories are just starting to get material and are already saying that they do not have the space or resources to house it. EPA needs to reduce the number and focus on the remaining repositories and insure that the materials are complete and the public is able to access or find the information there. EPA will send out contractors to manage and fix these repositories however it is not feasible given the current number. Ultimately the repositories that are left would be intact and complete.

There was some discussion of what alternative locations there might be for the Rest of River.

Ultimately the CCC said a mixture of all would be most helpful: mailings, repositories with hard copies, libraries and other information sources with CD ROMs, and the web. Bryan Olson and Angela Bonarrigo of EPA asked CCC members to think about these

issues and to speak to them regarding any input they might have. EPA will continue moving ahead with getting as many documents as possible on the web. In the next few weeks another 13 documents will be put on the EPA website. There was a request that the CCC be notified as new items are placed on the website. Unfortunately that would not be possible as material is posted on a daily basis.

Updates

General Electric (by Mike Carroll, Richard Gates, & Andy Silber)

Brownfields: Currently working at dismantling the powerhouse. Next month expect to see some demolition on the site. Working with Pittsfield Economic Development Authority (PEDA) on master site plan that should be complete in the next month or two.

During a routine inspection of building 9, GE discovered 2 small PCB transformers that were part of a generator test facility. One of the transformers was leaking. GE has reported to EPA and has engaged a contractor to handle the spill.

½ Mile: GE finished investigations of the NAPL in Cell J1. Cell excavated to a depth of 6 to 9 feet. Removal of substance was successful. A monitoring well has been installed. Restoration should be completed early next week. Sheet piling in Cell J2 is complete. GE is in the process of revising work schedule for EPA's approval. As of February 2001, more than 7,700 cubic yards of contaminated river sediments and 5,500 cubic yards of bank soil have been removed from the river's first half mile. GE, under EPA's direction, has also treated 142 million gallons of groundwater. The Half Mile part of the project is now 80% complete and the plan is to finish the work by Spring 2002.

Discussion

There was a question whether the well installed under the river in Cell J was the first well to be installed. The response was that a similar well was installed in cell C. EPA believes that this is the 3rd one installed under the river.

A question arose about the truth of some reports that EPA has altered the agreement it has with GE. There is concern that this dispute over the agreement will affect the pace of the work. The response was that part of the process in the CD is on methods of payment - this is an accounting dispute and should impact neither the working relationship EPA and GE have nor the pace of the work.

Residential Program: The residential program has sampled 320 properties to date. There have been 204 properties that have shown levels above 2 parts per million. There have been 164 properties remediated. GE has met its goal of remediating 25 properties last year. GE knows of 5 properties requiring remediation next year.

Discussion

A CCC member asked why, if you add the properties that have been remediated (164) and the properties to be remediated (25), the total does not equal the number of properties that have tested above 2ppm; and what was the disposition of the remaining properties not mentioned that

were neither clear nor remediated? The response was that the 204 properties that have shown levels above 2 ppm is reflective of any sampling result over the whole property. In order to evaluate a property for remediation a spatial averaging must be conducted. According to MA DEP guidelines for when remediation needs to occur, the spatial averaging must show levels above 2 ppm.

EPA (by Bryan Olson):

Indirect Cost Dispute: EPA updated the CCC on the cost dispute between GE and EPA. This is a dispute where EPA is using a different method for calculating its indirect costs. GE has disputed this figure and EPA and GE are now in court. There is a brief due to the court on February 19, 2002 and reply due around March 11, 2002. This is an issue that goes beyond this project and is national in nature.

Presentation: EPA proposed a presentation on the information resources that are available to the public. This presentation would include a description of the data bases that are out there - that can be accessed through the web. Cathleen Yeager would be available to the CCC for this half our presentation for the April meeting. The CCC endorsed this proposal.

Non-Material Modifications: In the next few days, the non-material modifications outlined at the last meeting will be sent to the court. There was a request from the CCC that these modifications be outlined on the web.

Prospective Purchase Agreement: EPA has sent copies of Pittsfield Economic Development Authority (PEDA) Proposed Prospective Purchase Agreement press release out. PEDA had come to EPA requesting some type of liability relief for the contamination that GE will be cleaning up. This proposed agreement would help PEDA in moving forward in redevelopment plans. The Agreement covers the approximately 52 acres of land to be transferred from General Electric to PEDA under the previously agreement. The agreement provides PEDA with certain protection from being sued for liability associated with existing contamination on the property PEDA is purchasing. The Agreement can also be found on the EPA web site at <http://www.epa.gov/region01/ge> under Redevelopment. The public can comment through February 25, 2002. For further information please contact Rose Howell at (617) 918-1213, or Bryan Olson at (617) 918-1365 or Tim Conway at (617) 918-1705.

1.5 Mile: EPA will start this summer on the first stretch of the 1.5 mile. EPA will be sending out offer letters for access to property owners. These will be offers of compensation given the impact to properties of the remediation work. This will provide EPA with a temporary easement. If no agreement is reached between EPA and property owners, EPA will use courts to approve the level of compensation and grant the easement.

Newsletter: EPA is working on a newsletter, and would like input from the CCC on who to send the letter. Goal is for the newsletter to be very readable and capture attention of the public. The draft is complete and should take a few months to get it out.

Discussion

There was concern expressed about businesses located on Newell Street and the consequences if the properties are not remediated. It was felt that these businesses have had their hands tied for years - waiting to find out whether their properties will be remediated. There was also concern that while it may not affect the current use of the business, it will affect future uses and property

value. Concern was expressed and examples of specific properties mentioned - some properties have been subject to several cleanups. EPA responded that it has not had an opportunity to review the Conceptual Removal Design/Removal Action Work Plan for Newell Street Area 1 yet. However it does appear that some of the properties specifically mentioned will be remediated according to the conceptual proposal or additional sampling will be done to determine if remediation is needed. In some cases there will not be cleanup at depth as there is no risk. However, GE has responsibility to deal with contaminated soil if businesses were to dig it up. Businesses can expect to receive some type of assurance with respect to risks of building. MA DEP assured the CCC that at the end of the day the properties would be safe for current uses - that such a standard is consistent with MA DEP standards. With respect to locations mentioned where there has been additional work or work resumed, it was never suggested that the first cleanup was final, additional work was required to make property safe. Concern was raised with respect to several locations. First was that one member had received calls from the Audubon Society regarding the Canoe Meadows Wildlife Sanctuary. There was a recommendation that people should be concerned about exposure off the trail. Secondly, there was concern about community gardens and whether the gardens had been tested. The response was that the gardens are located outside of the floodplain on William Street. EPA will be reviewing information they have from the study and if levels represent a concern, then action must be taken under the Consent Decree. If houses are in the floodplain then they have been tested. If they are next to the community garden then they have not as it is above the floodplain. MA DEP stated that they would address specific concerns of residents at that location.

MA DPH (on behalf of MA DPH by Bryan Olson of EPA):

Suzanne K. Condon of the MA. Department of Public Health sent a monthly update letter. EPA distributed this letter dated February 6, 2002.

MA DEP (by Al Weinberg)

J. Lyn Cutler was involved in an accident and is doing better - however she will probably be out for the next month.

King Street Dump: DEP updated the CCC on the sampling of drums that were found in the area of King Street Dump. The drums are very old and contain a tar oil material. There are no markings on the drums. The City will come up with a plan and dispose of drums by Spring, 2002. The King Street Dump was not part of the CD. Currently the drums are covered in a fenced area of the Dump. Work on the Comprehensive Site Assessment Report continues. No written reports yet - however some of the surface samples have returned high (lead, chromium, and PCBs). City must evaluate whether the hazard is imminent and has 60 days to do that. Likely that the area will be fenced off until there is final plan by the City. MA DEP will approve an extension so that it will be due in March, 2002.

Discussion

Questions were posed about whether the elevated levels of contamination suggest a need for testing to be done to the surrounding properties, i.e. the properties surrounding the King Street Dump. Could dust plumes caused by trucks and other vehicles cause the surrounding properties to become contaminated. The response was that the primary migration that DEP has been concerned about is to the river. They have not seen any pattern that would suggest that there is contamination at the edges of the dump - however evaluation of the report is ongoing. DEP will

continue to work from the area of contamination in the dump out. Another CCC member asked about the point where the landfill meets the river - and whether there are several sites across the river selected for testing. Concern is whether plumes are getting in the river. The response was that groundwater sampling wells are being installed to evaluate this.

There was a question from a CCC member with respect to information that was received that contaminated material was found in Dalton. The response was that MA DEP did have information that a resident of Pittsfield, MA in the process of building something, was transporting soil from a site in Pittsfield to Dalton. He found bricks and other material. The fill was tested for PCBs and the levels were very low and not a concern. However MA DEP tested piles for other constituents and found levels of lead - likely from paint. The soil must now be taken from Dalton back to the original site.

NRD (Dale Young):

All trustees have signed Memorandum of Agreement (MOA). The MOA has been posted on the EPA website at <http://www.epa.gov/region01/ge/restoration.html> . The Massachusetts Trustees are in the process of forming a sub council and expect that a meeting will be held by the end of March.

Discussion

A CCC member wondered if Connecticut was going to have a similar process. The response was that it was unclear.

Other Business

Housatonic River Initiative (HRI) Upcoming Symposium

On February 22, 2002, a PCB health symposium will be held with 5 health experts. They will interface with community members from various groups to understand the health issues associated with the PCBs in and around the GE facility.

On March 1, 2002, HRI will hold an alternative technology symposium with experts on PCB technology. Anyone interested in attending was asked to please RSVP at 413-499-6112 or by email at timgray@berkshire.net

Agenda Items

There was a request for someone to present on residential mortgage money that was to be made available from area banks. Facilitator has offered to follow-up to find someone to present on topic.

CT Sub-Committee

Judy Herkimer provided the CCC with an update of the December 10, 2002 meeting of the CT Subcommittee. A highlight of that meeting was a presentation by Tim Gray on HRI. This represents the first time one member group has presented to the committee. The next meeting of the Connecticut Subcommittee will be held Monday, March 25, 2002 at the New Milford Senior Center, New Milford, CT. For more information please contact Kirk Fallis at 617-236-4490 ext.

21179.

Next Meeting

The CCC decided not to conduct a March 2002 meeting unless "something happened to necessitate a meeting"; which would be up to the Facilitator. The next meeting will be April 3, 2002.