

Public Input on General Electric's July 12, 2021
Revised Rest of River Statement of Work
GE-Pittsfield/Housatonic River Site
July and August 2021

From: [Guidi, Benjamin \(DEP\)](#)
To: [Tagliaferro, Dean](#)
Cc: [Ziegler, John \(DEP\)](#)
Subject: RE: Revised Rest of River SOW
Date: Tuesday, July 20, 2021 9:17:58 AM

Hi Dean,

Mass DEP does not have any further comments on the revisions to the Rest of River Statement of Work.

Thanks,

Ben

Benjamin Guidi
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August 25, 2021

Via Electronic Mail Only

To: United States Environmental Protection Agency
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From: Parker Rodriguez
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Re: Comments on July 2021 Revised Rest of River Statement of Work

Housatonic Railroad Company, Inc. (HRRC) would like to inform EPA that much of the predictive data pertaining to rail presented by GE in the “Summary and Evaluation of the Settlement Agreement Remedy” submitted by Andrew T. Silfer on June 15, 2020 (hereinafter referred to as the “Summary”) is outdated, flawed, or irrelevant to the Statement of Work and Revised Final Permit as they stand today.

Prior data was primarily predicated upon the choice between rail and truck transportation from the project area directly to the final disposal site. Under the options initially considered, use of rail was assumed to involve transportation from the clean-up locations to a rail transfer facility for further transportation to the final destination.

As the project has evolved, most of the disposal material will be transported initially from the clean-up locations to a central de-watering, processing and disposal facility (the “UDF”). That portion of the disposal material which is not to be disposed of on site will then be required to be transported to an out-of-state disposal facility. The transportation aspect is now divided into two

parts – (1) transportation from each clean-up location to the processing location and (2) transportation from the processing location to the remote disposal location. Each of these parts should be addressed independently.

Transportation from each clean-up location can be by rail, truck or pipeline. For those areas in which it is proposed, HRRC agrees that transportation by pipeline is the preferred alternative. As outlined in HRRC comments dated August 21, 2020 and September 15, 2020, most of the clean-up locations can be served by rail and transportation from the central processing location to the remote disposal location is best served by rail.

Specific comments on certain prior analysis follow:

Fatality computation

In Table 16 of the Summary, GE estimates that under the 2016 Modified Permit Remedy TD 1 RR, using rail for off-site disposal would result in 6.9 fatalities while using trucks would result in 2.2 fatalities. GE estimates that under the 2020 Revised Remedial Action, 0.49 fatalities would occur from transport and disposal activities with the combination disposal in UDF and off-site disposal, without distinguishing between rail-related and truck-related fatalities.

The estimated rail fatalities for TD 1 RR were derived from Table 6 of GE's October 27, 2014 Comments on EPA's Draft RCRA Permit Modification and Statement of Basis. Such table uses information for CSX trains from the years 2004-2013. Significant improvements in rail safety have occurred since 2013 and rail accidents and fatalities have decreased substantially in the past decade. HRRC has operated freight service for 33 years and travelled millions of miles by rail with a safety record far better than 1.2×10^{-6} fatalities per train mile travelled, which is the estimate given in Table 6 of GE's October 27, 2014 Comments. Furthermore, depending on which landfill(s) the off-site material is destined to go, additional railroads other than CSXT and HRRC may be involved. Based upon the high quality of GE's prior analysis in general, HRRC expects that accident risk will be estimated as a measure of weight in future Transportation and Disposal Plans. If so, HRRC feels it is important to note that CSX accident data for 2004-2013 is not an appropriate benchmark and more recent, more comprehensive data must be used. It must also be taken into account that using rail to transport materials to the UDF would reduce safety hazards to all other motorists, reduce damage to local roads, as well as reduce cost and time of travel added to local motorists' trips caused by increased traffic congestion in a scenario where material is trucked.

Unit Prices Obsolete

In Table 17 of the Summary, GE estimates costs for the 2016 Modified Permit Remedy and the 2020 Revised Remedial Action. In the footnotes, GE states:

Costs for the 2016 Modified Permit Remedy are based on those costs presented in EPA's above-referenced 2014 Comparative Analysis and/or Statement of Basis. Costs for the 2020 Revised Remedial Action include transport of 100,000 cy of material to an off-site disposal facility and are based on unit prices presented in EPA's Comparative Analysis and/or Statement of Basis combined with costs based on the TD 3 costs presented for disposal at the Woods Pond Site in GE's October 27, 2014 Comments on EPA's Draft RCRA Permit Modification and Statement of Basis.

Both documents referenced are no longer relevant as they pertain to rail costs; and should not be used in estimating future costs for rail transport. The price of diesel fuel has increased significantly since such documents were produced, and given that rail is more fuel efficient than trucking, increases in fuel costs widen the gap making rail a far more cost effective method of transportation than trucking, particularly for high volume projects such as this.

Improper Trip Computation under Current Plan

In GE's October 27, 2014 Comments, GE suggests that TD 1 RR would involve comparable truck traffic to TD 3. While TD 1 RR and TD 3 are not a part of the 2020 Revised Remedial Action and a hybrid approach is instead being used with the majority of material being transported to the UDF, it is important to note that the previous analysis of expected truck traffic assumed that under TD 1 RR all material would be trucked to a rail transfer facility. The assertion that a transportation and disposal plan which includes the use of rail would produce as many truck trips as an all-truck transportation and disposal plan is flawed. Under the 2020 Revised Remedial Action, materials would need to be transported to the UDF regardless of what method is used to bring the materials to their final destination. The materials can be brought to the UDF by rail, truck, or pipeline. This initial step of dewatering would be necessary regardless of whether or not trucking is used to transfer material to its final destination. Therefore, the use of a dewatering area and the subsequent use of rail to bring material to its final destination does not, as a matter of course, necessitate truck trips. Furthermore, if materials are transported to the UDF by truck, then overall number of truck trips will be high, but the number of miles by truck would be far fewer if the materials are then brought to their final disposal facility rather than by truck.

Much of the transport from locations of excavation/dredging to the UDF can be done by rail. As stated in HRRC's September 15, 2020 Comments on Draft revised 2020 Permit for Housatonic River, Housatonic Railroad is adjacent to the Housatonic River along most of the polluted sites in the "Rest of River" project and is contiguous and/or proximate to all work areas identified. This puts Housatonic Railroad in a unique position to support all work activities with direct access to a transportation corridor both for transportation to the UDF for processing and disposal of acceptable material and interstate transportation of material which does not meet the Acceptance Criteria 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.

HRRC understands that the numbers from the Summary were used to compare TD 1 and TD 1 RR to the 2020 Revised Remedial Action, strengthening the argument that the 2020 Revised Remedial Action is a safer and better economic choice than the previous proposals. HRRC agrees that the 2020 Revised Remedial Action is a better solution. However, HRRC believes it is important to explain some of the flaws in the safety and efficiency numbers applied to rail in past studies, and to encourage the interested parties to start anew in creating cost estimates and safety estimates as they pertain to rail in view of both the change in operation plans and the increases in the efficiency and safety of railroad transportation in the last 5-10 years.

HRRC is willing to contribute its knowledge in the rail and infrastructure improvements necessary to implement any desired rail aspect of a Transportation and Disposal plan, and to provide requisite cost estimates. HRRC has expertise in this area and can provide accurate cost estimates for building rail infrastructure. HRRC is available to assist EPA and GE with design and construction plans and to attend any planning meetings at which its presence is requested.

Sincerely,

A handwritten signature in blue ink that reads "Parker F. Rodriguez". The signature is written in a cursive style and is positioned above the typed name.

Parker Rodriguez
Associate General Counsel
Housatonic Railroad Company, Inc.