Public Input on General Electric's Phase IB Cultural Resources Survey Work Plan, dated November 15, 2024

November 2024 - February 2025

Public Input ended on February 17, 2025

SEMS Doc ID 688257

TOWN OF LEE
32 Main Street, Lee, MA 01238
www.lee.ma.us

R. Christopher Brittain,
Town Administrator

February 10, 2025

Mr. Dean Tagliaferro
EPA New England
10 Lyman Street, Suite 2
Pittsfield, MA 01201

Dear Mr. Tagliaferro:

PREFACE: In submitting the comments below, we remind the Environmental Protection Agency, the General Electric Corporation (GE), and the courts, both state and federal, that the Town of Lee is extremely dissatisfied with the proposed "remedy" for restoration of the Housatonic River. While EPA embraces "risk assessment" to justify moving forward with this plan, it is, in fact, no remedy at all for the Town of Lee. No PCBs are being neutralized or destroyed. The PCBs are simply to be redistributed or buried less than a mile from the river in an area of critical environmental concern and above a major aquifer. They remain a danger to the health and safety of the residents of the river corridor, the environment, and to future generations. Reduction of risk is really reduction of cost to GE, penalizing this and future generations for GE's reckless policies over decades. The use of the term "environmental" and "economic justice" ring hollow and will haunt all of us for years to come.

Following, please find comments from the Town of Lee regarding the following GE documents:

- Revised Quality of Life Compliance Plan
- Phase IB Cultural Resources Survey Work Plan for Reach 6

Revised Quality of Life Compliance Plan

1. The 2024 Revised Quality of Life Compliance Plan focuses on several issues, including air quality, noise, odor, and lighting. TASC's (EPA Technical Assistance for Communities) previous comments on the 2023 Quality of Life Compliance Plan noted that there may be other areas of interest and concern to surrounding communities, including aesthetics or visible impacts on the natural environment. Disturbances in the Housatonic River from remedial action activities are likely to have visible effects on water quality, especially turbidity, color, and sheen. In addition, occasional fish kills, destruction of other forms of aquatic life, and the removal of terrestrial vegetation during riverbank soil and upland soil remedial actions are also likely to have visible effects. These impacts

can be disturbing to surrounding communities, and it is important that GE anticipate these impacts and provide these communities with assurances about the overall improvements to be achieved by the remedial action. TASC recommends that GE allow surrounding communities to express concerns and/or record observations about visible impacts as part of the quality-of-life community coordination public input process so that GE can take steps to address significant disturbances.

The Town of Lee requests that EPA create a process whereby the community can report to GE visible disturbances during the Rest of River remedial action process.

2. Community health and safety is a priority in the 2024 Revised Quality of Life Compliance Plan. There are several more safety considerations that could be addressed in the plan. For instance, light disturbances are evaluated strictly from the perspective of their nuisance to surrounding residents. Powerful light can also be distracting to motorists and cause traffic safety concerns. Loud construction noises are a similar concern. Sudden loud noises can alarm motorists and cause traffic disturbances. The plan should discuss how intense lights and noises will be controlled to ensure traffic safety.

   The Town of Lee requests that the 2024 Revised Quality of Life Compliance Plan be amended to address the impact of intense light and noise on traffic safety.

3. In line with Comment #3, it is important to clarify in the 2024 Revised Quality of Life Compliance Plan whether monitoring alarms used to indicate when monitored parameter concentrations exceed the notification level will produce a disturbing noise. The community may be sensitive to audible monitoring alarms and may perceive construction noise (such as equipment backup alarms) as the equivalent of a monitoring alarm. Furthermore, if monitoring alarms are audible, GE should post notices so the community can understand that these alarms are not cause for immediate concern and instead are part of the continuous monitoring process. The 2024 Revised Quality of Life Compliance Plan should state whether the monitoring alarms will be audible and, if so, whether they will be distinguishable from ongoing construction noise.

   The Town of Lee asks EPA whether the monitoring alarms to detect site construction-related releases of particulate matter will be audible and whether GE can post notices explaining these alarms so that the community does not misinterpret them.

4. TASC previously commented on concerns about monitoring analyses that rely on time-weighted averaging procedures. Single-event or infrequently occurring disturbances created by air quality, odor, noise and light are difficult to capture through monitoring if analysis results are averaged over time. The process of

averaging dilutes the result from a single event, giving a false impression that the event is not harmful. For instance, a single burst of noise can cause harm and should therefore be acknowledged.

The Town of Lee requests that issues related to single events be addressed through communication with GE to ensure these events are controlled in the future.

Phase IB Cultural Resources Survey Work Plan for Reach 6

1. The Phase 1B Cultural Resources Survey Work Plan generally acknowledges several closely located support area features associated with the Rest of River Transportation and Disposal Plan and the Reach 6 Remedial Design/Remedial Action Work Plan for Reach 6. They include a potential rail spur to the west of Woods Pond (Figure 5-3, pdf page 140), the hydraulic pipeline linking Reach 6 and transportation support areas to the Upland Disposal Facility, and the Reach 6 Woods Pond shoreline support facility (Figure 5-3, pdf page 140), which will be used for consolidation and transport of hydraulic wastes. Other available Reach 6 documents define the hydraulic pipeline location more clearly (Figures 6-1 and 6-2 of the Baseline Restoration Assessment, pdf pages 154 and 155, AECOM, 2024).

   The Phase 1B Cultural Resources Survey Work Plan for Reach 6 states that the actual location of these features has yet to be finalized and any changes would result in more inventory and evaluation of cultural resources. The surrounding communities have expressed concern that the hydraulic pipeline in particular may impact areas with cultural resources and would like GE to acknowledge that this area should receive close attention. It may be appropriate for the survey to include shovel test pits in targeted locations along the proposed pipeline pathway.

   The Town of Lee requests that the Phase 1B cultural resource survey efforts for Reach 6 focus on the more specific locations for support areas identified in other documents.

2. Section 2.2 of the Phase 1B Cultural Resource Survey Work Plan for Reach 6 (beginning on pdf page 15) delineates proposed areas of potential effects (APEs). The APEs appear to appropriately encompass all areas proposed for remedial activity as defined in GE's Conceptual Remedial Design/Remedial Action Work Plan for Reach 6. One APE is the shoreline support facility area (Table 3-1, pdf page 23), where proposed aquatic field investigations (Section 3.1.1, pdf page 19) and terrestrial field investigations (Section 3.1.2, pdf page 22) will involve shoreline shovel test pits confined to this area. However, as the shoreline will experience significant physical disturbance from remediation

activities to achieve the performance standard for shoreline slopes (2.e. Woods Pond (Reach 6)(1)(a), pdf page 32 of the Revised Final Permit), it may be prudent to gather additional shoreline shovel test pit profiles in a consistent spacing around the perimeter of the pond. Moreover, as wave action may have transported and deposited artifacts of interest over the years, it may be useful to dig deeper pits on the shoreline to determine if any depositing has occurred.

The Town of Lee requests that field investigations include a more robust focus on the shoreline around the entire Woods Pond perimeter as this area will be substantially impacted by remedial activities and may contain cultural resource deposits.

3. The Reach 6 area includes one potential vernal pool (6-VP-1) in the northeast area, close to the eastern shore of Woods Pond (Figure 1-3 of the Baseline Restoration Assessment Report, pdf page 146). The Phase 1B Cultural Resources Survey Work Plan for Reach 6 does not propose any Phase 1B survey approach for this feature, even though it would occur in an area with "high terrestrial sensitivity" for cultural resources (Figure 4, pdf page 20 of the Phase 1B Cultural Resource Assessment Work Plan for Reach 6). The absence of information pertaining to this vernal pool is particularly concerning since the Reach 5A Phase 1B Cultural Resource Assessment Work Plan indicated (and may set a precedent) that vernal pools and other inundated/saturated areas are to be excluded from forthcoming Phase 1B surveys.

   The Town of Lee asks EPA whether the document should be amended to include a description of the proposed cultural resource survey methods to be used for the vernal pool in Reach 6.

4. The process of hydraulically transferring slurry may require the sieving of sediment to eliminate large obstructions that can encumber pipeline transport. Sieving may reveal cultural artifacts of interest and historic value to the community. The eventual disposition of these resources s and may be a resource for display that demonstrates the proactive treatment of cultural resources during the Rest of River remedial action process.

   The Town of Lee requests visible monitoring of sieved sediments extracted during Rest of River remediation to identify possible cultural artifacts.

Sincerely,

R. Christopher Brittain
Town Administrator

cc:
His Excellency Donald J. Trump, President of the United States
The Honorable Edward Markey, U.S. Senate
The Honorable Elizabeth Warren, U.S. Senate
The Honorable Richard Neal, U.S. House of Representatives
Her Excellency Maura Healey, Governor of Massachusetts
The Honorable Andrea Joy Campbell, Attorney General of Massachusetts
The Honorable Paul Mark, State Senator
The Honorable Leigh Davis, State Representative, 3rd Berkshire
Select Board, Town of Lee
PCB Advisory Board, Town of Lee

Technical Assistance Services *for* Communities
GE-Pittsfield/Housatonic River Site
Comments on Phase 1B Cultural Resources Survey Work Plan for Reach 6
January 10, 2025

Contract No.: 68HERH21A0018
Call Order Number: 68HERH22F0082 (14.0.0 OSRTI – Regional & Headquarters TASC/CI Support)
Technical Direction: R1 2.12.14 GE Pittsfield

Technical Assistance Services for Communities
Comments on GE-Pittsfield/Housatonic River Site – Phase 1B Cultural Resources Survey Work Plan for Reach 6, November 2024

Introduction

This document provides TASC comments on the GE-Pittsfield/Housatonic River – Phase 1B Cultural Resources Survey Work Plan Report for Reach 6. This document is for the Berkshire Regional Planning Commission, the city of Pittsfield, the towns of Lee, Lenox, Stockbridge, Great Barrington and Sheffield, Massachusetts Audubon, the Berkshire Environmental Action Team, and other entities to use as they develop comments to share with the U.S. Environmental Protection Agency. TASC does not make comments directly to the EPA on behalf of communities. This document is funded by the EPA's TASC program. The contents do not necessarily reflect the policies, actions or positions of the EPA.

Pursuant to the Revised Resource Conservation and Recovery Act Permit Modification (Revised Final Permit) issued by the EPA to the General Electric Company on December 16, 2020, for the Rest of River portion of the GE-Pittsfield/Housatonic River site, GE submitted a Revised Supplemental Phase 1A Cultural Resources Assessment Report for the Rest of River on March 10, 2023, with a public release version submitted on March 14, 2023. The Revised Supplemental Phase 1A Cultural Resources Assessment Report described the process and activities that GE had conducted to identify potentially affected Rest of River areas that contain known cultural resources or have a high potential to contain such resources. That report also described upland areas with known or suspected historic structures that might be indirectly affected by project activities. The Revised Supplemental Phase 1A Cultural Resources Assessment Report stated that the next step in the process is to conduct a Phase 1B Cultural Resources Survey of portions of the Rest of River that will be affected by remediation actions and support activities such as access roads and staging areas and contain or have a high potential to contain cultural resources. The Phase 1B Cultural Resources Assessment Work Plan for Reach 5A was initially submitted on September 28, 2023. A revised version was submitted on March 19, 2024, and approved by

the EPA on April 2, 2024. Field cultural resource studies for Reach 5A took place between May and September 2024 (except at one property where the remedial footprint is being reevaluated); a report summarizing those studies is under development. The sediment removal in Reach 6, which includes Woods Pond and is farther downstream than Reach 5A, will be conducted in parallel with sediment/soil removal in Reach 5A such that sediment removal in both reaches will be completed at about the same time. However, capping in Reach 6 will be delayed until after all sediment and soil removal, backfill/capping and placement of sediment amendments have been completed in all upstream remediation units.

Summary

The Phase 1B Cultural Resources Survey Work Plan for Reach 6 Report has five sections:

1. Introduction and Background
2. Areas of Potential Effects
3. Phase 1B Survey Research Areas and Methods
4. Schedule and Next Steps
5. References

The purpose of the report is to provide a work plan for surveying cultural resources in portions of Reach 6 that will be affected by remediation activities to address polychlorinated biphenyls and/or support activities such as access roads and staging areas for the cleanup and contain or have a high potential to contain cultural resources.

TASC Comments

The Phase 1B Cultural Resources Survey Work Plan for Reach 6 provides a concise description of the survey methods to inventory the Reach 6 remedy area for cultural resources and historic structures in areas to be remediated or used for support activities (such as access roads and staging areas). In general, the document is well founded and follows previous, agreed-upon cultural resource work plans and adheres to requirements set forth in the Statement of Work and the Revised Final Permit. TASC identified possible issues associated with the proposed in-field Phase 1B approaches, including the need to establish a conservative buffer to capture all possible physical impacts attributable to remedy construction and support areas, and to describe how the vernal pool will be treated during the forthcoming survey.

1. The Phase 1B Cultural Resources Survey Work Plan generally acknowledges and includes several closely located support area features associated with the Rest of River Transportation and Disposal Plan and the Reach 6 Remedial Design/Remedial Action Work Plan for Reach 6. These additional features include the potential rail spur to the west of Woods Pond (see Figure 5-3, pdf page 140), the hydraulic pipeline linking Reach 6 (and transportation support areas) to the Upland Disposal Facility, and the Reach 6 Woods Pond shoreline support facility (see Figure 5-3, pdf page 140) to be used for consolidation and transport of hydraulic wastes.

The Phase 1B Cultural Resources Survey Work Plan for Reach 6 states that the actual location of these features has yet to be finalized and any changes would result in more inventory and evaluation of cultural resources. Other Reach 6 documents that are available define the hydraulic pipeline location more clearly (Figures 6-1 and 6-2 of the Baseline Restoration Assessment, pdf pages 154 and 155, AECOM, 2024). The community has expressed concern that the hydraulic pipeline may impact areas with cultural resources. Therefore, the community would like GE to acknowledge that this area in particular should receive close attention. It may be appropriate for the survey to include shovel test pits in targeted locations along the proposed pipeline pathway.

The community may wish to ask the EPA if intensive Phase 1B cultural resource survey efforts could focus on more specific locations identified in other documents for these support area features.

2. Section 2.2 of the Phase 1B Cultural Resource Survey Work Plan for Reach 6 (beginning on pdf page 15) describes the proposed delineation of Areas of Potential Effects. The APE appears to appropriately encompass all areas proposed for remedy activity as defined in GE's Conceptual Remedial Design/Remedial Action Work Plan for Reach 6 (Anchor QEA et al., 2024). However, the proposed aquatic field investigations (Section 3.1.1, pdf page 19) and terrestrial field investigations (Section 3.1.2, pdf page 22) describe shoreline shovel test pits to be focused strictly in the "shoreline support facility" area (Table 3-1, pdf page 23). This is appropriate given the potential future placement of the support area. However, it may be prudent to also gather more shoreline shovel test pit profiles in a consistent spacing around the perimeter of the pond. The shorelines will experience significant physical disturbance as part of remedial action activities in order to achieve the performance standard (2.e. Woods Pond (Reach 6)(1)(a), pdf page 32 of the Revised Final Permit) that defines the shoreline slope requirements. Wave action may have transported and deposited artifacts of interest over the years. It may be useful to dig deeper pits on the shoreline to determine if any deposition has occurred.

   The community may want to ask the EPA if the field investigations can include a more robust focus on the shoreline around the entire Woods Pond perimeter since this area is to be substantially impacted by remedial activities and may contain cultural resource deposits.

3. The Reach 6 area includes one potential vernal pool (6-VP-1), in the northeast area, close to the eastern shore of Woods Pond (Figure 1-3 of the Baseline Restoration Assessment Report, pdf page 146). The Phase 1B Cultural Resources Survey Work Plan for Reach 6 does not mention any proposed Phase 1B survey approach for this feature, even though it would occur in an area with "high terrestrial sensitivity" for cultural resources (Figure 4, pdf page 20 of the Phase 1B Cultural Resource Assessment Work Plan for Reach 6). The absence of information pertaining to this vernal pool is particularly concerning since the Reach 5A Phase 1B Cultural Resource Assessment Work Plan indicated (and may set a precedent) that vernal pools and other inundated/saturated areas are to be excluded from forthcoming Phase 1B surveys.

The community may want to ask the EPA if the document should be amended to include a description of the proposed cultural resource survey methods to be used for the vernal pool (6-VP-1) in Reach 6.

4. In line with the issue identified in Comment #3, TASC previously commented on the proposed Phase 1B cultural resource survey approach for vernal pools in the Reach 5A Phase 1B Cultural Resource Assessment Work Plan (AECOM, 2023). The concerns raised in the Reach 5A review are as follows:

   > "Section 4.1.1 of the Phase 1B Cultural Resource Survey Work Plan describes the aquatic field investigations to be conducted during the forthcoming Phase 1B surveys. This section introduces the assumption that "backwaters and vernal pools in Reach 5A are not included in the Phase 1B survey program" since "inundated and seasonally wet areas are not themselves considered to have high archaeological sensitivity" (pdf page 21). The Rest of River area has been shown to demonstrate a dynamic hydrology. The river channel demonstrates the propensity to meander and 'jump' away from old channels, creating abandoned meanders and isolated pools. As a result of this continuous change, certain vernal pools and backwater areas may be young and may have been created on top of archaeological resources. Therefore, the introduction of this assumption at this stage of the Reach 5A remedial design/remedial action process seems premature and may result in certain important archaeological areas to be missed."

   The community may want to ask the EPA if the assumption applied in the Reach 5A Phase 1B Cultural Resource Assessment Work Plan where vernal pools and other saturated areas are to be excluded from future Phase 1B surveys is appropriate.

5. The proximity of Lenox Railroad Train Station which is listed on the National Register of Historic Places may provide an opportunity for GE and the community to achieve shared goals. The station is closely associated with Woods Pond. It may be a suitable repository for displaying, describing and showcasing the benefits to be gained from the Rest of River remediation, with a focus on the proactive cultural resource assessment process being applied across the area. Perhaps any railroad artifacts encountered during Rest of River remediation could be shared with the station (after appropriate processing). Similarly, perhaps any other types of artifacts could be shared with museums or other appropriate facilities that may be showcasing the Rest of River remedial action process. The station, the community and GE could all benefit from this partnership.

   The community may want to ask the EPA if there is opportunity to acquire any railroad-related artifacts found during the Reach 6 remedial action for use/display at the Lenox Railroad Train Station (or other appropriate facility).

6. The process of sediment hydraulic slurry transfer may require sieving of sediment to eliminate large obstructions that can encumber pipeline transport. Sieving may reveal cultural artifacts of interest and value to the community. The eventual disposition of these resources may be of interest to the community and may be a resource for display that

demonstrates the proactive treatment of cultural resources during the Rest of River remedial action process.

The community may want to ask the EPA if visible monitoring of sieved sediments extracted during Rest of River remediation activities will be accomplished in order to identify possible cultural artifacts.

References Cited

AECOM, 2023. GE-Pittsfield/Housatonic River Site, Rest of River, Phase 1B Cultural Resources Survey Work Plan for Reach 5A. Prepared for General Electric Company. September 2023. https://semspub.epa.gov/work/01/677550.pdf.

AECOM, 2024. Baseline Restoration Assessment Report for Housatonic Rest of River Reach 6. Prepared for General Electric Company. October 2024. https://semspub.epa.gov/src/document/01/652550.

AECOM. GE-Pittsfield/Housatonic River Site, Rest of River, Phase 1B Cultural Resources Survey Work Plan for Reach 6. Prepared for General Electric Company. November 2024. https://semspub.epa.gov/work/01/652580.pdf.

Anchor QEA (Anchor QEA, LLC), AECOM and Arcadis. Final Revised Rest of River Statement of Work. Prepared for the General Electric Company. September 2021. https://semspub.epa.gov/src/document/01/659938.pdf.

Anchor QEA (Anchor QEA, LLC), AECOM and ARCADIS. GE-Pittsfield/Housatonic River Site, Rest of River, Conceptual Remedial Design/Remedial Action Work Plan for Reach 6. October 2024. https://semspub.epa.gov/work/01/652552.pdf.

Arcadis. Revised On-Site and Off-Site Transportation and Disposal Plan. Housatonic River – Rest of River. Pittsfield, MA. Prepared for General Electric Company. October 2024. https://semspub.epa.gov/work/01/685776.pdf.

EPA. Revised Final Permit Modification to the 2016 Reissued RCRA Permit and Selection of CERCLA Remedial Action and Operation & Maintenance for Rest of River. December 2020. https://semspub.epa.gov/src/document/01/650440.pdf.

TASC Contact Information

Technical Advisor
Karmen King
(970) 852-0036
kking@skeo.com

Project Manager/Technical Advisor
Kirby Webster
(802) 227-7290
kwebster@skeo.com

Program Manager
Tiffany Reed
(847) 786-8767
treed@skeo.com

Skeo Co-CEO and Director of Finance and Contracts
Briana Branham
(434) 226-4284
bbranham@skeo.com

TASC Quality Control Monitor
Bruce Engelbert
(703) 953-6675
bengelbert@skeo.com