



## REGION 1

BOSTON, MA 02109

### Via Electronic Mail/Dated as of the date signed below

Kevin Mooney  
Senior Project Manager  
General Electric Company  
1 Plastics Avenue  
Pittsfield, MA 01201

Re: Conditional Approval of GE's December 19, 2024, *Revised Operation, Monitoring, and Maintenance Plan for Woods Pond Dam*; GE-Pittsfield/Housatonic River Site, Rest of River

Dear Mr. Mooney:

On December 19, 2024, the General Electric Company (GE) submitted to the United States Environmental Protection Agency (EPA) a document titled *Revised Operation, Monitoring, and Maintenance Plan for Woods Pond Dam* (the "OM&M Plan"). GE's previous *Revised Operation, Monitoring, and Maintenance Plan for Woods Pond Dam*, which was submitted to EPA in June 2019, approved by EPA in July 2019, and amended by GE in September 2020, required GE to update the plan every five years and submit the revision to EPA for review and approval. This OM&M Plan serves as that update. The OM&M Plan is subject to the terms and conditions specified in the Consent Decree that was entered in the U.S. District Court on October 27, 2000 and the Revised Final Permit dated December 16, 2020. EPA held a public input period regarding the OM&M Plan from January 8, 2025 to April 11, 2025.

Pursuant to Section XV of the Consent Decree, EPA, after providing reasonable opportunity for review and comment by the Commonwealth of Massachusetts and the State of Connecticut, conditionally approves the OM&M Plan subject to the following conditions. GE shall submit a revised OM&M Plan for EPA review within sixty (60) days of the date of this letter.

### Specific Conditions:

1. **Section 1.4.4:** Item F, Streambed at Toe of the Dam, ranges from an elevation of 936.4 to 942.0 feet. However, Item G, Low Point along Toe of the Dam, is listed as 936.5 feet. This value is above the lowest point listed in Item F. The revised OM&M Plan shall correct this discrepancy.
2. **Section 2.2:** The OM&M Plan states that the elevation of the three stoplogs typically installed in the raceway closure structure is  $954.0 \pm$  feet. However, based on the values provided in this

OM&M Plan, the actual elevation should be 950.4± feet (the base of the raceway closure structure at 944.4 feet, per section 1.4.6 item C, plus three 2-foot stop logs). This value shall be corrected in the revised OM&M Plan.

3. **Section 2.4:** In the revised OM&M Plan, the plan for dewatering the spillway should also include a general discussion of how the re-installation of the raceway closure structure stoplogs and the raceway stoplog sluice structure stoplogs will be sequenced.
4. **Section 3.3.1, Staff Gages:** EPA notes that the staff gages listed in Section 3.3.1 are mis-identified. The correct text should read "... (2) on the left wall of the approach to the *raceway closure* structure, and (3) on the right training wall of the *raceway stoplog sluice structure*, downstream of the stoplogs." The paragraph above in Section 3.3 also states that there are two staff gages installed at Woods Pond Dam. However, Section 3.3.1 states that three staff gages were installed. The Revision Matrix does note that Section 3.3.1 was revised to include the newly installed staff gages at the Dam. These discrepancies shall be corrected in the revised OM&M Plan.

The revised OM&M Plan shall also include the zero elevations of all three staff gages.

5. **Figure 2, Site Plan:** In the revised OM&M Plan, and in future reports/submittals, Figure 2 shall be amended so that:
  - a. The location of the building depicted east of the raceway stoplog sluice structure is positioned correctly.
  - b. The location of staff gages and any warning signs within the depicted area of the figure are labeled.
  - c. The figure corresponds with the scale indicated.

EPA notes that this is a legacy figure taken from a historical report and recommends that GE create a new site plan figure showing all pertinent features for use in all future reports/submittals. Figures 5 and 6 utilized in the July 23, 2024 *Revised Phase 1 Inspection/Evaluation Report for Woods Pond Dam* could be expanded upon and used to replace Figure 2.

6. **Appendix B, Emergency Action Plan, Dam Failure EAP – Controlled Copy Distribution List:** EPA Region 1 and the Massachusetts Department of Environmental Protection Western Region shall be added to the Dam Failure EAP – Controlled Copy Distribution list in the revised OM&M Plan. The specific locations and points of contact are:

- Environmental Protection Agency  
Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912  
Alexander Carli-Dorsey



- Massachusetts Department of Environmental Protection  
Western Regional Office  
436 Dwight Street  
Springfield, MA 01103  
Benjamin Guidi

7. **Appendix B, Section 1.0, 2<sup>nd</sup> paragraph and Attachment B:** Section 1.0 and Attachment B states that the Town of Lenox Fire Chief and the Town of Lee Police Chief will act as joint Incident Commanders. However, Figure 1 (Notification Flowchart) lists the Town of Lenox Police Department as the initial point of contact (along with the Town of Lee Police Department), who then subsequently contacts the Town of Lenox Fire Department. Additionally, in the Dam Failure EAP – Controlled Copy Distribution list, the Lenox Police Department and not the Lenox Fire Department is listed as receiving a copy of the Dam Failure EAP. The Revised Plan shall clarify if the Town of Lenox Fire Chief/Department was intended to serve as joint Incident Commander, or if this was supposed to be the Lenox Police Chief/Department.
8. **Appendix B, Section 1.0, 7<sup>th</sup> bullet:** EPA notes that it is atypical for an entity other than the dam owner/operator to determine the level of the emergency, although local Town personnel will likely make the initial detection of a potential emergency event. GE shall check with the Towns of Lenox and Lee regarding whether their Police Department, Fire Department, and Emergency Management have had a sufficient orientation and training with the EAP and the Dam itself in order to make a determination of the level of the emergency. The revised OM&M Plan shall incorporate the results of these checks and make any appropriate change in the above-referenced bullet.
9. **Appendix B, Section 1.0, 9<sup>th</sup> bullet:** The responsibility of implementing corrective actions falls to GE as the owner of the Dam. In the revised OM&M Plan, this bullet shall be moved under “Dam Owner/Operator – General Electric Company.”
10. **Appendix B, Section 4.4, page 9, 4<sup>th</sup> paragraph:** EPA notes that the locations of the staff gages are incorrect. Staff gages are located on the left upstream training wall, on the left wall of the approach to the raceway closure structure, and on the right downstream training wall of the raceway stoplog sluice structure. These discrepancies shall be corrected in the revised OM&M Plan.
11. **Appendix B, Section 5.3:** The OM&M Plan states, in Appendix B, Section 3.2: “This updated EAP was prepared to conform with the MassDCR requirement that the EAP format be consistent with the ‘Federal Guidelines for Dam Safety: *Emergency Action Planning for Dam Owners* (FEMA 64),’ dated July 2013. The scope and format of this EAP generally conform to the FEMA Guidelines.” The Emergency Classification section and any other relevant sections in the revised OM&M Plan shall adopt the FEMA 64’s emergency level determination categories (Potential and Imminent Failure) instead of the current Condition A and Condition B classifications.

**12. Appendix B, Tables 2 and 3:** The following corrections shall be made to Tables 2 and 3 in the revised OM&M Plan:

- a. **Table 2:** The current Chair of the Lee Select Board is Sean Regnier.<sup>1</sup>
- b. **Table 3:** The current Chief for the Lenox Fire Department is Robert Casucci.<sup>2</sup>
- c. **Table 3:** The Town Manager for Lenox, Jay Green, shall be added to Table 3.
- d. **Table 4:** The current Chair of Stockbridge Select Board is Jamie Minacci.<sup>3</sup>
- e. **Table 4:** There is currently not a Highway Superintendent for Stockbridge.<sup>4</sup> GE shall contact the Town of Stockbridge to determine who can function as a point of contact for the Department of Public Works.

**13. Appendix B, Table 8, Flooding, 2<sup>nd</sup> condition:** Section 2.1 of the OM&M Plan states that the Dam was designed so that overtopping of the left and right abutment sections was not considered to be a deficiency. However, the 2<sup>nd</sup> condition in Table 8 States that flood flows overtopping the Dam would constitute an Emergency Condition A. The revised OM&M Plan shall clarify what extent of overtopping would constitute an Emergency Condition A/Potential Failure.

**14. Appendix B, Table 8, Flooding, 3<sup>rd</sup> and 4<sup>th</sup> conditions:** The OM&M Plan does not explain where the “predetermined evacuation trigger” elevation of 952.5 NGVD or the “predetermined notification trigger” elevation of 952.0 NGVD comes from. The revised OM&M Plan shall amend this table to either: (a) explain the rationale for the predetermined evacuation trigger and the predetermined notification trigger and discuss how GE arrived at the water elevations listed as triggers for Emergency Conditions A and B/Potential and Imminent Failures, respectively (subject to revisions per Condition #11 above regarding FEMA 64); or (b) revise the trigger levels and explain the basis and rationale for those revised levels.

**15. Appendix B, Attachment B, Training:** The OM&M Plan states that orientation meetings will be held with the pertinent representatives of GE and the Towns of Lenox, Lee and Stockbridge to review the EAP, *if requested*. The revised OM&M Plan shall note whether such orientation meetings have already taken place, and if so, the dates of the meetings and which parties were in attendance. Additionally, the Controlled Copy distribution cover letter shall specifically highlight the option for such orientation meetings so that the Towns can be made aware of the opportunity.

**16. Appendix B, Attachment B, Updating:** The revised OM&M Plan shall include provisions for updating the inundation maps, including both Fair Weather and Flood scenarios, when there have been significant changes at the dam or in downstream development located in the inundation zones.

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<sup>1</sup> <https://www.lee.ma.us/select-board>

<sup>2</sup> <https://www.townoflenox.com/fire-department>

<sup>3</sup> <https://www.stockbridge-ma.gov/board-selectmen>

<sup>4</sup> <https://www.stockbridge-ma.gov/public-works>



17. **Appendix D, Section 1:** The checklist in Section 1 shall be revised to reflect the use of the surveyed staff gages that have been installed at the Dam for monitoring surface water elevations. EPA also notes that there isn't currently a staff gage installed that is capable of measuring the surface water elevations in the raceway channel between the raceway closure structure and the raceway stoplog sluice structure.
18. **Appendix D, Section 3.0, Item I:** Due to the "facing downstream" protocol for describing structures to the right and left of water features, the tilting masonry wall of the raceway embankment is on the right side of the raceway channel. The revised OM&M Plan shall be amended accordingly.
19. **Appendix D, Section 7.0:** The revised OM&M Plan shall add an item to the Quarterly Maintenance Inspection Checklist to note the condition of the safety buoys.
20. **Appendix D, Attachment A:** In the revised OM&M Plan, the Site Map shall indicate the locations of the surveyed staff gages.

EPA's conditional approval of this Plan does not supersede or affect GE's other legal obligations and requirements, including but not limited to such requirements set forth by the Massachusetts Office of Dam Safety.

EPA reserves all of its rights under the Consent Decree and GE's Revised Final Permit (December 2020), including but not limited to, the right to perform and/or require additional sampling or response actions. If there is any conflict between the Performance Standards as stated in the submittal and the Performance Standards as stated in the Consent Decree or the Revised Final Permit, the Consent Decree and/or the Revised Final Permit shall control.

Please do not hesitate to contact me at (617) 918-1049 or at [CarliDorsey.Alexander@epa.gov](mailto:CarliDorsey.Alexander@epa.gov) should you have any questions on this letter.

Sincerely,  
**ALEXANDER  
CARLI-DORSEY**  
Alexander Carli-Dorsey  
Project Manager

Digitally signed by  
ALEXANDER CARLI-DORSEY  
Date: 2025.10.21 16:24:46  
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cc: (via electronic mail only)  
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Matthew Calacone, GE  
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Andrew Inglis, GE

James Bieke, Counsel for GE  
Richard Fisher, EPA  
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Jeffrey Dewey, EPA  
Lisa Danek Burke, EPA  
John Kilborn, EPA  
Christopher Ferry, ASRC  
Thomas Czelusniak, HDR Inc.  
Scott Campbell, Taconic Ridge Environmental  
Izabela Zapisek, Taconic Ridge Environmental  
Lattice Fuentes, U.S. Fish and Wildlife Service  
Sarah Shattuck, U.S. Department of the Interior  
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Benjamin Erikson, Massachusetts DEP  
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Mayor Peter Marchetti, City of Pittsfield  
Jim McGrath, City of Pittsfield  
Andy Cambi, Pittsfield Health Director  
Michael Coakley, Pittsfield Economic Development Authority  
Nate Joyner, City of Pittsfield, Community Development & Housing Program  
Eve Schluter, Massachusetts DFW  
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Andrew Madden, Massachusetts DFW  
Rebecca Quinones, Massachusetts DFW  
Emily Caruso, MassDCR, Office of Dam Safety  
Melissa Provencher, Berkshire Regional Planning Commission  
Jay Green, Chief Administrative Officer, Lenox  
Town Administrator, Lee  
Town Manager, Great Barrington  
Town Administrator, Stockbridge  
Town Administrator, Sheffield  
Jim Wilusz, Health Agent for Tri Town Health Department

Bettina Washington, THPO, Wampanoag Tribe of Gay head (Aquinnah)  
John Brown, THPO, Narragansett Tribe  
Mark Andrews, Deputy THPO, Narragansett Tribe  
Bonnie Hartley, SMC  
Chuck Kilson, STN  
Chairman Russell, SIT  
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