Public Input on General Electric's Upland Disposal Facility Site Preparation Supplemental Information Package, dated October 8, 2025

October 2025

Public Input ended on October 30, 2025

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

R. Christopher Brittain,
Town Administrator

October 24, 2025

Mr. Josh Fontaine
EPA New England
10 Lyman Street, Suite 2
Pittsfield, MA 01201

Dear Mr. Fontaine:

On behalf of the Select Board and PCB Advisory Committee, please see the following comments from the Town of Lee regarding the *Upland Disposal Facility Site Preparation Supplemental Information Package (Arcadis and J.H. Maxymillian, 2025)*

OVERVIEW: This document provides construction-related information pertaining to the planned site preparation activities to be performed by the selected construction contractor (J.H. Maxymillian, Inc.). Items included in the document:

- Construction of the two access locations to the UDF (one from Woodland Road in the southern end in the vicinity of the former residential property, and one in the northern end near the vernal pool, which will specifically be used for limited work related to the vernal pool area prep);
- Equipment staging areas;
- Tree clearing procedures;
- Soil stabilization and erosion control procedures;
- Installation of new fencing and gates (with some relocation of existing fences/gates);
- Installation of the new water main in Woodland Road and into the UDF;
- Demolition of the residential property to facilitate the construction of the temporary southern entrance;
- Dust control procedures;
- Noise control procedures;
- Specifics regarding the sampling of backfill material;
- Multiple related specifications;
- Project HASP
- Piezometer/mw decommissioning which took place last month (they provided logs); and,
- Stockpile debris sampling.

COMMENTS:

1. The report states that the former residential property has a heating oil tank and that asbestos-containing materials (ACM) were identified during the hazardous building materials (HBM) survey. The Town of Lee has the following questions and comments related to demolition of the residential property:

- Strategic Inc. is doing the HBM abatement, then the demolition of the structure, but there is no mention of who is completing the project monitoring during the abatement. Who is completing the monitoring and inspection work (inspection of containment, perimeter air monitoring during the work, final visual and air clearance, etc.)?
- The document does not clearly state that the foundation will be removed. Design drawing sheet UP-3 indicates that the foundation material will be demolished and removed but it should be explicitly stated in the text of the document.
- The document states that the residence had a heating oil tank, but there is no mention of whether it was a UST or AST. The document should state which and, if a UST, provide a plan for soil assessment and remediation following removal.
- Will there be any required rodent control procedures for the demolition of the residence? Will they follow state regulations?

2. The health and safety (HASP) provided in the attachments is for J.H. Maxymillian. Is Arcadis overseeing the work? If so, will they work under J.H. Maxymillian's HASP, or will their own HASP? If using their own HASP, will it be submitted for EPA review?

3. Section 2.1.7.2. allows that "where necessary, other truck travel routes beyond the project-established truck travel routes may be used to access specific disposal facility locations. (These other truck travel routes will be routes routinely used by waste disposal vendors to access disposal facilities)." This seems **overly broad**. Can it be limited to avoid truck travel in residential areas and Lee's Main Street? Can the term "were necessary" be specifically described (what circumstances would be considered necessary, who decides when it becomes necessary)?

4. Section 3.3 Spill Prevention and Control should also address spills during transport of waste materials (i.e., outside of the work site).

5. Section 4.1 QOL Protection Measures: The plan says variously that the work will go from 7 a.m. to 6 p.m. (p. 11 only during daylight hours (pp. 12 and 13), and up to 10 hours per day (p. 15). Sunrise and sunset in December in Lee is about 7:10 a.m. to 4:20 p.m., and it's already getting dark before the sun goes down. Hours of work should be harmonized and acknowledge these constraints.

6. The Town would also like to see statements explicitly committing to **adhere** to procedures for responding to community concerns, especially outside of working hours, rather than just referring to the QOL Plan, as on p. 13.

7. The American Bittern (*Botaurus lentiginosus)* and Common Gallinule (*Gallinula galeata)* are mentioned in the report. Surveys were completed according to proper SOP (standard operating procedure), but at minimum levels to be significant. Also, the locations of the points were along the edge habitat, and not within the core of the habitat, where critical habitat would be present. Increasing the number of points and introducing random points into the survey would decrease the amount of bias possible in the experiment and ensure that no species were missed, as they are secretive marsh birds. Regarding the Northern Long Eared Bat (*Myotis septentrionalis)*, only one study period was completed, where 8 out of 9 days had ideal weather. The town feels that there should be additional study periods to ensure that the absence/presence data is accurate. Regarding both surveys, the town questions if there will be a replacement of suitable habitat for these species. There are no suitable, replicable marsh locations nearby for these animals. What is the plan for habitat compensation? Also, were there any studies completed looking for herptiles, such as Wood Turtles *(Glyptemys insculpta)* , or Jefferson Salamanders (*Ambystoma jefferson)*?

8. The document references testing of soils and other materials on the UDF site. The Town requests copies of all reports related to testing performed on the site be sent electronically to the town upon their completion.

Sincerely,

R. Christopher Brittain
Town Administrator

From:	Jay Green
To:	R1Housatonic
Cc:	Carli-Dorsey, Alexander; Fontaine, Joshua
Subject:	Town of Lenox Comments/UDF Site Prep Plan
Date:	Tuesday, October 28, 2025 4:56:42 PM
Attachments:	image001.png

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

EPA Rest of River Team:

Below, please find comments from the Town of Lenox regarding the Site Preparation Plan for the UDF.

1. A truck route is provided in the text and there is discussion of the types of materials that will be transported to the UDF site and wastes to be transported off the site for disposal at an appropriate facility. There is also mention of the mobilization and demobilization of heavy equipment needed to perform the tasks described in the plan. However, there is no discussion of the number and types of transport vehicles expected to be used. *The Town of Lenox requested that this information be provided in our comments on the Road Assessment Work Plan*. This information will be helpful to keep the public informed as to what to expect.

2. GE prepared and submitted the Road Assessment Work Plan (June 26, 2025) to EPA. Please clarify whether it is GE's intent to implement the measures discussed in the Work Plan prior to beginning the UDF Site Preparation activities and mobilizing trucks onto local roads? GE indicated in the Road Assessment Work Plan that an annual report would be provided to EPA and pertinent municipalities summarizing the road assessment and associated evaluations. The schedule provided in the UDF Site Preparation Plan indicates that work will begin November 3, 2025. *Will GE be performing and providing a base line assessment before they mobilize trucks*? It is the Town's position that the impact to our roads is not just from the actual clean up work, but any associated activity with the clean-up operation, including UDF site prep work.

Respectfully submitted,

Jay R. Green, J.D.
Town Manager
Town of Lenox
6 Walker Street
Lenox, MA 01040
413-637-5500 x1200
https://www.townoflenox.com/

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BERKSHIRE ENVIRONMENTAL ACTION TEAM
20 Chapel St. Pittsfield, MA 01201 ● thebeatnews.org
(413) 464-9402 ● team@thebeatnews.org

Protecting the environment for wildlife in support of the natural world that sustains us all.

October 16, 2025

Mr. Richard Fisher
Office of Site Remediation and Restoration
U.S. Environmental Protection Agency, Region I
5 Post Office Square - Suite 100
Boston, MA 02109-3912

Re: GE-Pittsfield/Housatonic River Site
Rest of River (GECD850)
Upland Disposal Facility Site Preparation Supplemental Information Package

Dear Mr. Fisher,

Please consider the following comments regarding the Upland Disposal Facility Site Preparation Supplemental Information Package from Berkshire Environmental Action Team (BEAT). BEAT's mission is to protect the environment for wildlife in support of the natural world that sustains us all.

Maples lining Woodland Road
There does not appear to be any reason to remove any of the big old maples that line much of Woodland Road. These beautiful, mature, carbon-sequestering trees should be retained.

More consideration of the vernal pool
BEAT is concerned by the lack of a proper map locating and defining the boundaries of the vernal pool. Additionally, the narrative does not adequately describe the work to be done in and near the vernal pool.

Vernal pool obligate amphibians spend most of their lives in the woods in the leaf litter and underground. These amphibians can live long lives from seven to more than 20 years. They need the forest where they spend most of their lives to remain intact. We are hoping the forest across Woodland Road provides this habitat.

No live tree removal near vernal pool
The vernal pool itself requires tree cover to maintain a proper temperature, receive enough leaf litter to provide the detritus that this ecosystem needs, and receive small branches for the amphibians to attach their egg masses to. There is no need to remove living mature trees around the vernal pool. The bank between the road and the pool should be stabilized to provide access without tree removal, and the work in the pool should be done with small equipment that won't require tree cutting and that won't compact the underlying soil as much.

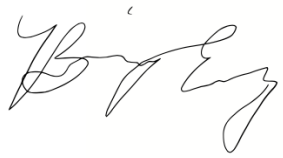
No work in the vernal pool from March to September

The vernal pool amphibians return to the vernal pool to breed in March or early April. They lay and fertilize eggs that—for frogs—develop into tadpoles that then metamorphose into juveniles, or straight to juveniles for salamanders. These juveniles remain in the pool often into August if the water remains. It is critical that no work occurs in the pool during this time—March through August/September. All work in and near the vernal pool should be timed to protect these amphibians.

No work during vernal pool migration events
There will be a few rainy evenings in March or early April when the majority of these amphibians move from the woods to the pool—usually the first day when the temperature is above 40 degrees Fahrenheit and it rains in the afternoon into the evening. Work passing by the pool should be suspended starting at dusk on those few days.

Thank you for considering our comments.

Sincerely,



Brittany Ebeling
Executive Director
Berkshire Environmental Action Team (BEAT)
brittany@thebeatnews.org