



**TOWN OF LENOX**  
6 Walker Street, Lenox, MA 01240  
www.townoflenox.com

Christopher J. Ketchen, ICMA-CM  
Town Manager

February 1, 2024

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

[VIA EMAIL: R1Housatonic@epa.gov]

**RE: Town of Lenox Comments: General Electric Transportation & Disposal (T&D) Plan**

Dear Mr. Tagliaferro:

The purpose of this letter is to convey comments and concerns of the Town of Lenox regarding the remediation of polychlorinated biphenyls (PCBs) in the Housatonic River. Lenox recognizes that, while the remedy selection process is over, the all-important process of implementing the Rest of River permit is ongoing. As such, it has the full focus and attention of the Town and we are eager to work with EPA Region 1 to maximize the safety, efficiency, and effectiveness of the cleanup throughout implementation.

Part of implementation is the approval of a transportation and disposal plan, a proposal for which General Electric (GE) has submitted through their subcontractor (Arcadis) on October 31, 2023. I and members of my team have thoroughly reviewed the GE/Arcadis proposal and accompanying data submitted. Furthermore, the Town of Lenox has engaged an independent engineering firm (Weston & Sampson) to evaluate the plan. This letter constitutes the Town's response to the Environmental Protection Agency (EPA) as approved by the Lenox Select Board on January 31, 2024 in advance of the formal comment deadline on February 1, 2024.

**GENERAL COMMENTS ON TRANSPORTATION AND DISPOSAL PLAN**

Acting on behalf of GE, Arcadis submitted their "On-Site and Off-Site Transportation and Disposal Plan" on October 31, 2023. As stated by the Lenox Select Board chair the following day (November 1<sup>st</sup>), the plan is "woefully inadequate", "left a lot of unanswered questions", and failed to address concerns previously raised by Lenox. Also at that meeting, the Board sought to collaborate with the towns of Lee, Stockbridge, Great Barrington, and Sheffield on a joint response endorsing further exploration of rail transport. On December 20, 2023, the Board approved a joint signature letter to this end along with the aforementioned towns and West Stockbridge. The text of that letter is attached to this filing and has been submitted to EPA under separate cover.

Lenox previously submitted comments regarding GE's preliminary plan on August 31, 2023 in which we urged maximization of hydraulic and rail transport – or at least a detailed explanation of why one or both are not feasible. However, despite the Town's prior entreaties, GE/Arcadis has failed to credibly demonstrate why the expansion of rail transport and hydraulic conveyance will *not* work. Meanwhile, during the same intervening period, Lenox has gone to substantial lengths to show that both options *can* work (see attached technical memorandum). Also, during this time, virtually every stakeholder group, our state and federal legislative delegations, and substantial swaths of the unaffiliated public have agreed with Lenox that rail transport must be utilized to eliminate as much vehicle traffic as possible.

While the paragraph above is intended to provide an even-keeled, constructive description of our ongoing issues, it should not be construed as lacking emotion. Our frustration and bewilderment about the proposal's failure to address our previously raised concerns cannot be overstated. We are *very* frustrated by the lack of responsiveness, and we expect meaningful answers in future proposals.

#### EXPANDED HYDRAULIC CONVEYANCE – DEPLOY IN CONJUNCTION WITH RAIL

As stated in our comments on GE's preliminary plan, maximizing hydraulic removal/conveyance of material to the Upland Disposal Facility (UDF) is, and has always been, the top priority for Lenox concerning the T&D portion of the clean-up. It is estimated that the plan's use of hydraulic pumping could eliminate nearly 90% of truck traffic in Reaches 5C and 6 (Woods Pond). At the time of our preliminary comments, we speculated that this method could be deployed in all Reaches. Upon further evaluation by Weston & Sampson, we found that our initial assumptions were even more profound than we first imagined. Hydraulic conveyance (pumping through one or more pipes) can be successfully deployed for distances as long as ten miles. By applying the 90% reduction metric across all Reaches, this method would eliminate approximately 26,980 additional truck round-trips (this is in addition to GE/Arcadis assumption that 55,140 truck trips will be eliminated by using hydraulic conveyance for Reaches 5C and 6).

#### EXPANDED RAIL TRANSPORT

It is gratifying to see our long-held beliefs regarding rail gaining traction in the community – including statements from our legislators and the Housatonic Railroad Company (HRRC) expressing an eagerness to work with EPA and GE to use the state-owned rail line to facilitate both out-of-state and UDF disposal. However, it should be noted that for the non-TSCA-rated sediment bound for the UDF, HRRC's plan does not resolve the "last mile" problem because the contemplated spur terminates at a section of the UDF site inaccessible to the internment area without offering a subsequent conveyance solution. To address this problem, Representative Pignatelli has proposed – and Weston & Sampson corroborate – improving the existing siding area at the historic Lenox train station on Willow Creek Road and constructing a "Bailey" or other bridge structure across the river. This approach would bypass all local residential and commercial areas by moving sediment directly to the UDF via backroads through a mostly undeveloped area. The Select Board supports this solution.

Beyond contaminated sediment, the GE/Arcadis plan makes no provision for moving the large amount of equipment and backfill material that will be necessary to construct project-specific and

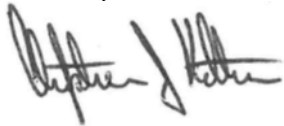
permanent/replacement infrastructure. By both monetary and geographic standards, this will be the largest public works project in the history of Berkshire County. Therefore, the impact of importing machinery and other construction-related items will be significant. Lenox and its neighbors need to understand how this will happen. In the absence of a specific plan, we insist that rail be considered to transport such equipment and materials to the maximum extent possible.

#### CONCLUSION

The GE/Arcadis plan needs to be rewritten and improved in all the areas stated above. While Lenox is pleased to see that the plan includes hydraulic pumping of river sediment in Reaches 5C and 6, we are dismayed to see that our requests regarding expanded pumping and rail transport have gone unheeded. Conversely, we are heartened by EPA's rejection of this plan even before the conclusion of the public comment period. Therefore, we expect a revised plan that makes all the appropriate changes to ensure a successful project while reducing community impacts.

Thank you in advance for your consideration and we look forward to your favorable response.

Sincerely,



Christopher J. Ketchen, ICMA-CM  
Town Manager

cc: 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 Paul Mark, State Senator  
The Honorable Smitty Pignatelli, State Representative, 3<sup>rd</sup> Berkshire  
Select Board members, Town of Lenox