



TOWN OF LENOX
6 Walker Street, Lenox, MA 01240
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Christopher J. Ketchen, ICMA-CM
Town Manager

April 30, 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 – Project Operations 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. Specifically, we wish to reinforce the recommendations provided under the Technical Assistance Services for Communities (TASC) filing dated March 29, 2024 (see “Comments on GE-Pittsfield/Housatonic River Site – Updated Project Operations Plan (POP), revised January 2024”). The Town agrees with all of this document's observations, comments, and recommendations.

Furthermore, the Town wishes to express the following additional points:

1. The most important comment relative to the POP is Lenox’s desire to maximize third-party oversight of all cleanup activities. It is self-evident that human nature causes contractors to behave differently when there is oversight. Moreover, the independence of oversight activities is crucial given the permit holder’s incentive to minimize cleanup costs. Lenox has made similar comments in other filings and will continue to prioritize third-party oversight moving forward.
2. While Lenox acknowledges the authority inherent in federal preemption as allowing the permit holder to override certain local bylaws during the cleanup, we would at least expect that GE would be required to disclose which local bylaws or other regulations it intends to violate as part of any work plan. Moreover, once enumerated, we would expect EPA to promote plans and solutions that would minimize non-compliance with such local requirements.
3. While Lenox appreciates the analysis provided through the TASC presentations and filings, we would like to see the scope expand to evaluate GE’s compliance with various stipulations of the 2020 Settlement Agreement – in which both GE and EPA are signatories.

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, 3rd Berkshire
Select Board members, Town of Lenox