



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

R. Christopher Brittain,
Town Administrator

February 26, 2024

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

Dear Mr. Tagliaferro,

The following is a list of comments from the Town of Lee regarding the Adaptive Management plan.

1. The overarching adaptive management approach to the ROR remedial action process is to be a part of Corrective Measures implementation “to adapt and optimize project activities to account for lessons learned, new information, changing conditions, evaluations of the use of innovative technologies, results from pilot studies, if any, and additional opportunities that may present themselves over the duration of the project, including during periodic reviews.” (*pdf page 79 of the permit*) A previous remedial action has been accomplished in the upper 1-½ miles of the river. (*compiled records provided in EPA, 2024 with a Final Completion Report provided by Weston, 2011*) This previous work is referred to briefly within the Adaptive Management Plan, however it seems possible that a considerable number of learned lessons were acquired during this project. These learned lessons could be foundational to this ROR Adaptive Management Plan.

The Town would like to see the ability for the Adaptive Management Plan to be amended to summarize lessons learned from the upper 1-½ mile remedial action efforts.

2. A potential changing condition that the Adaptive Management Plan (and other documents such as the Transportation Plan and Quality of Life Compliance Plan) should address includes population changes in the area. The ROR remedial action process will take decades to accomplish.

The Town would like to know if the Adaptive Management Plan could be amended to include population changes.

3. Climate change can be considered a changing condition that may affect ROR remedial actions. An entire document was compiled to analyze and address possible climate change impacts to ROR remedial action efforts (*Sustainability and Climate Adaptation Plan, Anchor QEA LLC, 2022*). At a minimum, the Adaptive Management Plan should summarize the conclusions drawn from the Sustainability and Climate Adaptation Plan in order to make the Adaptive Management Plan more transparent to the reviewing community.

The Town requests that the Adaptive Management Plan could include a summary of the climate change document.

4. As per the SOW (*Section 4.3.1.5, pdf page 52*), the Adaptive Management Plan is to provide “a description of information and data that will be considered during adaptive management...” It is not clear within this Adaptive Management Plan what “information and data” will trigger adaptive management decisions. It seems appropriate to assign measurable parameters representative of remedial action success such as Total PCB concentrations in surface water downgradient of remedial action areas, verified decrease of Total PCB concentrations in remedial action areas, invasive species occurrence, and water quality measures that provide an indication of best management practice effectiveness (total dissolved solids, total suspended solids, dissolved oxygen, pH, clarity and color).

The Town requests that the Adaptive Management Plan define the information and data that will trigger future adaptive management decisions.

5. The Town requests that EPA allow changes and amendments to the permit to include alternative and new remediation technologies as they become available.

GENERAL REMARKS

The Town of Lee, through its Select Board, would like to continue to express its overall discontent with the cleanup project as a whole. The Town, through numerous elections and public meetings, has objected to almost every aspect of the cleanup including but not limited to the toxic waste dump proposed for the Town of Lee, the lack of any alternative technologies for the cleanup remedy and the potential impact on our infrastructure and human health.

The Town of Lee played no part in the contamination of the river and considers this an environmental injustice that the residents of Lee be subject to 13 years of disruption and risk to human health, followed by centuries of potential issues from a toxic waste dump in our Town.

Sincerely,



R. Christopher Brittain,
Town Administrator

cc:

His Excellency Joseph Biden, 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 William “Smitty” Pignatelli, State Representative, 3rd Berkshire
Select Board, Town of Lee