

# Exhibit 16

Clare Lahey, 110 Mill Street, Lee  
11/19/22

Dear Lee Board of Health,

Most of you know me as a tennis coach, but pre-tennis, I did have a real career. I was a statistical analyst. I have a BS in Business from Miami University, Ohio, and an MS in Operations Research from Union College. Looking back, I remembered that all of my classes at Union College were filled with GE Engineers. This has brought to mind in the last several days as I read over the GE Pre-Design Investigative Reports for the ROR cleanup, that we are contending with a corporation with a large corps of elite analysts, but no evidence throughout their Pre-Design Investigative work of developing any reliable models for predicting success, and thus it's difficult to buy into their assertions about the value of their cleanup or the safety of the UDF, which I'll refer to as the dump in the rest of my comments, as that is what it is.

GE needs to prove to us that this dump is not doomed to fail. All we hear is their repeated statements that they rarely leak and that this dump is being built to the highest standards. With thousands of dumps around the country, they have not shown us any surveys substantiating their statements. In their most recent report, they speak about testing over the past year for groundwater depth and direction of flow at the dump site. They have enough data to make some preliminary predictions, but we'll not hear the results until December 6<sup>th</sup>, at the earliest. Will they finally, at that time, offer us some proof that their plan will not be a threat to our health and our environment?

In looking over the latest Pre-Design Investigation Report, I made several observations which I feel are relevant to the safety of the dump and the threat to our health.

**Ground Water Depth Monitoring.** Piezometer Well Installation was completed one year ago (November 2021) to measure ground water levels. Measurements were scheduled for one year at quarterly intervals. These are critical measurements which will determine the placement of the bottom liner of the dump, which has to be placed 15' above groundwater, in order to reduce the risk of polluting the groundwater which will drain on a downward gradient towards our neighborhoods with young families and vulnerable elders. With climate change forecasts showing groundwater levels rising, it seems a longer testing period should be required along with a stringent analysis. We need to see some coefficients of reliability. What is the risk? 50% chance of failure, 10%, 5%, 1%? We need to know.

**Ground Water Flow Direction** has not been determined as of this date. EPA has accepted GE's assumption that ground water flows... *generally east-to-west* ...based on... *historical data*... and ...observing that...*monitoring wells associated with the Lee Municipal Landfill to the south of the UDF* run only east to west. These assumptions need further support. A reliable measurement is crucial for determining whether or not any leaking chemicals will flow towards the aquifer. The UDF will be situated upon a hilltop sloping down to both the east and west. The large aquifer

lies to the west of the dump and flows south beneath wetlands which recharge the aquifer all the way to Columbia Street near the Housatonic coves. All the homes along that corridor will be threatened with toxic chemicals, if there is a leak.

**Climate Change** has not been accounted for in the prediction of the UDF safety. Programs developed by UMA Environmental Watershed Management, such as iCare and iTree, have been created to help towns increase their resilience, mitigating storm runoff. We know that a canopy of trees creates an impervious cover helping prevent floods by absorbing water. With our fast-moving climate change, scientists predict that the old 100-year flood plain could become the 10-year flood plain within the next 10 to 20 years. We have to be sure that GE is utilizing the best statistical models available to determine the effect of clear-cutting 50 acres of trees on a steep hillside with soil that is quite unstable and permeable. Every tree cut increases the chance of flooding, which could be devastating for our town,

#### **Hydrological Pumping of Low-Level PCBs, IF FEASIBLE**

The "feasibility" of this solution should have been determined before the EAB decided in GE's favor to dump in our town. The EAB accepted EPA/GE's Hybrid Disposal Plan, because they believed that it would require fewer truck trips, due to the pumping feature, which would reduce residents' exposure to spills, air pollution, etc.

Surely the engineers could have determined by now if pumping sludge from Reach 5A and Woods Pond is a viable solution. How much water has to be mixed with the sludge to make it flow through the hose and up a steep hill to the dump? Where will the dewatering take place when the pumped material arrives on the hilltop? We need the answers to these questions in order to make a decision about the safety of the dump.

Also, EPA/GE have not proven to us that their technique of dividing the river into grids for sampling will guarantee that only the lower-level toxic PCBs will end up in the local dump.

**Exposure to low-level PCBs.** EPA has not proven that exposure to lower-level toxic PCBs is not harmful for children and young mothers.

**Disease Surveys** were done in Pittsfield at one time, A two-year study of bladder cancer in Pittsfield in 1980 disappeared, as did blood sampling result from an earlier study.

**Contamination of Lee homes.** There has been no testing to see if toxic plumes have migrated into the yards and cellars of Lee homes bordering the river. Interesting to note that Pittsfield homes bordering the river were all tested and their remediation is a part of the ROR plan,

**GE Corporate Reorganization.** Recent email exchanges between BOH Attorney Bonafaz and EPA Attorney Kilborn, discussing GE's responsibility for completing the ROR cleanup and their commitment to long-term maintenance are not reassuring. On the contrary, EPA's Brian Olsen in a recent letter to the GE Corporate CEO expressed his concern for the recent spinoffs of GE Corporate into 3 separate corporate entities: health care (GE Health Care), aviation (GE

Aerospace), & energy (GE Vernova). GE has not designated which corporation will be responsible for the GE Rest of River cleanup or long-term maintenance. EPA Attorney Killborn refers to the \$150,000,000 surety bond as our insurance. That answer does not resonate well.

**Closure:** GE needs to give back a safe & swimmable river. The Housatonic is a centerpiece of Berkshire County. It should not be a threat to our health and safety. It is unjust that GE should be able to cut corners that increase the risk to Lee residents.

**Jim Wilusz**

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**From:** Clare Lahey <gettonetbl@aol.com>  
**Sent:** Sunday, November 20, 2022 6:22 PM  
**To:** Jim Wilusz  
**Subject:** UDF Health Concerns

Jim,

I would like to make a comment about **groundwater flow direction** at the proposed UDF site. I feel this is critical to estimating the potential health risks to neighboring homes. I disagree with the GE "assumption" that groundwater will flow only in an east to west direction. Obviously, since it's an uphill dump, with steep pitches on both the east and west sides, potential leaks will follow both those downhill gradients. After reaching the wetlands and exposed groundwater at the base of the slopes, the flow would most likely follow a north to south direction, following the topography as it flows through the endangered downhill neighborhoods.

It should be noted that the wetlands bordering Woodland Road, to the west of the UDF site, follow a north to south gradient, ending up at the Housatonic River coves, which parallel Columbia Street. This inland valley provides the most likely pathway for traveling toxins. Even if the pollutants from a leaking dump do not penetrate into the aquifer, they would be transported along this inland wetland valley, contaminating the ground & air, and most likely spreading out in plumes, exposing many in the Woodland Road/Washington Mountain Road/Columbia Street/East Street neighborhoods, exposing residents to an increased level of toxins. With toxins from the old Schweitzer dump on the south side of Willow Hill Road leaking into this same wetland valley, we do not know what kind of toxic cocktails might result.

I would be happy to give you a tour of this "valley of death."

Please share this with the BOH. Thank you!

Clare Lahey  
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