

**TOWN OF LEE  
LEE BOARD OF HEALTH**

January 31, 2024

[VIA EMAIL: [tagliaferro.dean@epa.gov](mailto:tagliaferro.dean@epa.gov)]

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

**RE: Rest of River – General Electric Transportation & Disposal Plan Public Comments**

Dear Mr. Tagliaferro,

As you are aware the Town of Lee Board of Health held an adjudicatory hearing on November 19, 2022, to determine whether the proposed UDF constitutes a public health and safety concern to the residents of the Town of Lee. At the conclusion of the adjudicatory hearing, on April 27, 2023, the Town of Lee concluded that “the Lee Board of Health hereby considers that the proposed UDF may pose an increased risk to the health of the residents in Lee”. Although the evidence provided by the parties at the adjudicatory hearing failed to reach a threshold of proof, we remain convinced that Lee is uniquely affected in a negative way by the UDF. As part of the UDF process we also have public health and safety concerns with respect to the Transportation and Disposal Plan submitted to the EPA on October 31, 2023.

The Lee Board of Health hereby submits this into the public comment record regarding the October 31, 2023, General Electric Proposed Transportation and Disposal Plan.

The Board urges the EPA to consider our public health concerns and ask that G.E. rewrite their proposal as the current proposal is inadequate and incomplete. We believe there is a mandatory requirement to study the efficacy of rail more thoroughly. The October 31, 2023, plan relies primarily on transport of PCB laden materials by truck for both on-site and off-site disposal. Although transportation by rail was consistently mentioned favorably in previous iterations of plans for cleanup of the Rest of Housatonic River, the current plan does little beyond raising some objections to use of rail but did not appear to pursue the issue beyond the preliminary studies completed three years ago by the Housatonic Railroad Company. These studies concluded that transport by rail was feasible. Further detailed study of the feasibility of rail is needed, hopefully accompanied by specific proposals.

The exclusion of rail transport in favor of trucks has emerged as a focus of our concerns. We need more information, and particularly comparable information between trucks and rail, regarding emissions, air quality, noise pollution, pedestrian and driver safety and overall community health and safety.


Berkshire County is a major tourist destination, drawing thousands of people for concerts, stage productions, hiking, camping, boating, leaf peaking, skiing, and general relaxation. Much of that traffic passes through Lee, on Main Street. The effect of truck traffic on the tourist industry may be significant. Due to exponential increases in population during the tourist season, we have not seen any information on a traffic study that may impact the health and vitality of Lee during peak seasons. Our concern also extends to the many residents that have voiced their anxiety and fear over the trucks driving past their front yards and children's school playgrounds. The mental health of our residents needs to be counted into the process.

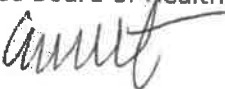
As stated, several times, a safe environment, and the wellbeing of our town residents during this entire remediation is our major concern and needs to be addressed before any further action is taken by G.E.

GE is responsible for the massive environmental contamination; the cleanup is their responsibility. This responsibility includes taking extraordinary efforts in implementing the PCB cleanup to minimize our citizens' burden, both those easily measured and clear-cut, as well as those deleterious effects that are harder to quantify but no less important.

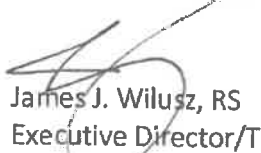
In addition, we urge the EPA to extend the deadline for the public comment period (2/1/24) for several months to allow an in-depth study on the efficacy of rail to be completed.

Respectfully,

  
Robert Wespiser, MD, Chair  
Lee Board of Health

  
Carisa Vincent, RN  
Lee Board of Health

  
JoAnn Sullivan  
Lee Board of Health

  
James J. Wilusz, RS  
Executive Director/Tri-Town Health Department

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  
Town Managers  
Tri-Town Health Department  
Tri-Town Board of Health Members