

**TRI-TOWN HEALTH DEPARTMENT
TRI-TOWN BOARDS OF HEALTH
Lee - Lenox – Stockbridge**

January 29, 2024

[VIA EMAIL: 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,

The Tri-Town Boards of Health, representing the boards of health in Lee, Lenox, and Stockbridge, hereby submits this to the public comment record regarding the October 31, 2023, General Electric Proposed Transportation and Disposal Plan due to the plan submitted by GE that inadequately addresses any studies or information on the efficacy of use of rail for transportation of PCB material to the UDF and out of state. In addition, the inadequate Transportation and Disposal Plan submitted by GE delays the process and endangers the public and health and safety of our communities.

As you are aware the Town of Lee Board of Health held an adjudicatory hearing on November 19, 2022, to determine where the proposed UDF constitutes a public health and safety concern of 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”. 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 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 and a missed opportunity to study the efficacy of rail. The October 31, 2023, plan relies heavily, if not exclusively, 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, primarily the need for physical improvements, access to privately owned land, possible increased truck trips, etc., 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, including creating rail access to the UDF. Further detailed study of the feasibility of rail is needed, hopefully accompanied by specific proposals.

The apparent *defacto* 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, greenhouse gases, air quality, noise pollution, pedestrian and driver safety, recreational opportunities, and overall community health and safety.

Having attended the G.E. presentation at the Lee High School on November 28th it is evident that there was not much thought into presenting any information or data regarding studies that should have been done on the environmental impact for the town of Lenox.

Berkshire County is a major tourist destination, drawing thousands of people for concerts, stage productions, hiking, camping, boating, leaf peaking, skiing, and general relaxation. 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 truck transportation 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.

Furthermore, delay in implementing the remediation of PCB contamination endangers the public health and safety of our communities. Stakeholders, including Senator Paul Mark and State Representative William Smitty Pignatelli and General Counsel for the Housatonic Railroad Company, Parker Rodriguez, in separate correspondence, have suggested that use of rail may allow implementation to begin earlier than if trucks are primarily utilized. The possibility exists that use of railroad will enable concurrent excavation thereby speeding the entire implementation 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.

We also 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,

For Lee Board of Health



Robert Wespiser, MD, Chair



Carisa Vincent, RN

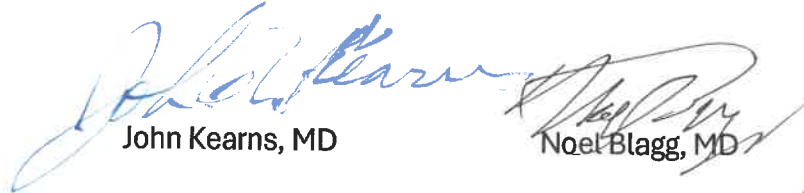


JoAnn Sullivan

Lenox Board of Health



Dianne Romeo, RN, Chair



John Kearns, MD

Noel Blagg, MD

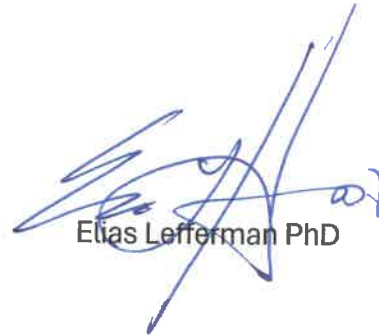
Stockbridge Board of Health



Charles Kenny, MD, Chair



John Loiodice, MD



Elias Lefferman PhD



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, 3rd Berkshire
Town Managers
Tri-Town Health Department
Tri-Town Board of Health Members