



June 18, 2014

Mr. Curt Spalding
Regional Administrator
EPA New England, Region 1
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

Ann R. Klee
Vice President
Corporate Environmental Programs

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Re: Housatonic Rest of River

Dear Regional Administrator Spalding:

I am writing to express GE's disappointment regarding the Housatonic Rest of River proposal released recently by EPA Region 1. This disappointment is based on the fact that EPA's proposal is almost three times larger than the one proposed by Massachusetts in 2011 and the second largest proposal studied with more removal from more areas, with more impacts and more cost, than we discussed.

Specifically, EPA is proposing the removal of approximately one million cubic yards of sediment and soil from hundreds of acres of the River and its floodplain over an estimated 13 years. It will last longer, and cause more negative impacts, than alternatives in the original CMS previously rejected by Massachusetts and other stakeholders.

GE met with EPA, the Commonwealth and the State of Connecticut over many months to attempt to achieve consensus on a balanced approach. We all agree that the Rest of River remedy must be fully protective of human health and the environment, balance the ecological impact of removal activities against the perceived benefit of additional removal, and, finally, it must be cost effective and meet the criteria in the Consent Decree. The remedy proposed by EPA, however, fails to meet these objectives. During our discussions, GE went to extraordinary lengths in an effort to reach agreement. For example, GE offered to incur the substantial additional costs of out-of-state disposal for any soil or sediment removed, even though EPA cannot require out-of-state disposal under the permit criteria or the Consent Decree. As you know, EPA has conceded at numerous sites, including this one, that on site disposal is equally protective of human health and the environment as off-site disposal.

GE also offered to deepen Woods Pond to enhance its ecological and recreational value, even though far less removal would achieve EPA's remedy selection criteria and it cannot be required of GE under the law or the Consent Decree.

In fact, GE was prepared to undertake one of the largest river clean ups in the history of the federal program. Yet, EPA rejected that proposal, terminated the discussions and now has issued a proposed remedy even larger than the Status Report concept outlined in 2012.

Consistent with the terms of the Consent Decree, GE will participate in the public comment process. While we believe there are significant flaws in EPA's proposal, we remain committed to implementing a responsible remedy that addresses the PCBs remaining in the Rest of River while minimizing damage to its sensitive ecosystem as well as provide certainty for all. We also remain willing to reengage in discussions at any time during the process. In the end, we will support a remedy that is consistent with the requirements of the Consent Decree, the law and prior EPA precedent.

Sincerely,

A handwritten signature in blue ink that reads "A R K L". The letters are connected and written in a cursive style.

Ann R. Klee

cc:

Massachusetts EEA Secretary Maeve Vallely Bartlett
Massachusetts DEP Commissioner David Cash
Massachusetts DFG Commissioner Mary Griffin
Connecticut DEEP Assistant Commissioner Macky McCleary