

April 19, 2023

David W. Cash  
Regional Administrator, Region 1  
Environmental Protection Agency  
5 Post Office Square - Suite 100  
Boston, MA 02109-3912

Dear Regional Administrator Cash:

I am writing regarding the GE-Pittsfield/Housatonic River Site EPA Cleanup.<sup>1</sup> Beginning in the early 1900s, General Electric (GE) operated a large industrial facility in Pittsfield, Massachusetts, which from 1932 to 1977 served as the site for the manufacturing and servicing of electrical transformers containing polychlorinated biphenyls (PCBs).<sup>2</sup> PCBs are a group of man-made chemicals that can cause cancer and other adverse health impacts, and damage the immune, neurological, and reproductive systems.<sup>3</sup> PCBs were banned in 1979 by the *Toxic Substances Control Act*.<sup>4</sup> An estimated 600,000 pounds of PCBs remain in the Housatonic River and continue to pose a threat to wildlife and human health.<sup>5</sup>

In October 2016, the Environmental Protection Agency (EPA) issued a final permit decision regarding the “Rest of River” permit, setting the standards for cleaning up the Housatonic River surrounding the GE site.<sup>6</sup> After this final permit decision was appealed by five parties, the EPA convened a stakeholder group that included local governments, environmental organizations and abutters to explore options for an agreeable solution.<sup>7</sup> I appreciate the work the EPA team put into bringing these stakeholders together, mediating the negotiations, and ensuring community engagement to hold GE accountable for the cleanup. And I recognize the significant contribution of local officials and community leaders who participated in this extensive process, which resulted in a Settlement Agreement in February 2020 – signed by EPA, GE, the Rest of River Municipal Committee (the Towns of Lenox, Lee, Stockbridge, Great Barrington, and Sheffield), City of Pittsfield, State of Connecticut, C. Jeffrey Cook, Berkshire

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<sup>1</sup> United States Environmental Protection Agency, “EPA Cleanups: GE-Pittsfield/Housatonic River Site,” <https://www.epa.gov/ge-housatonic>.

<sup>2</sup> United States Environmental Protection Agency, “Cleaning up the Housatonic,” <https://www.epa.gov/ge-housatonic/cleaning-housatonic>.

<sup>3</sup> United States Environmental Protection Agency, “Learn about Polychlorinated Biphenyls,” <https://www.epa.gov/pcbs/learn-about-polychlorinated-biphenyls>.

<sup>4</sup> *Id.*

<sup>5</sup> The Berkshire Eagle, “EPA upholds plan to remove PCBs from Housatonic River, rejects GE objections,” Clarence Fanto, October 19, 2016, [https://www.berkshireeagle.com/news/local/epa-upholds-plan-to-remove-pcbs-from-housatonic-river-rejects-ge-objections/article\\_222888bc-3e3e-577d-bd64-b6420830d977.html](https://www.berkshireeagle.com/news/local/epa-upholds-plan-to-remove-pcbs-from-housatonic-river-rejects-ge-objections/article_222888bc-3e3e-577d-bd64-b6420830d977.html).

<sup>6</sup> United States Environmental Protection Agency, “Cleaning up the Housatonic,” <https://www.epa.gov/ge-housatonic/cleaning-housatonic>.

<sup>7</sup> *Id.*

Environmental Action Team, and Massachusetts Audubon Society – and a final permit decision in March 2022.<sup>8</sup>

I also believe it is important to make sure local stakeholders continue to be heard by EPA officials and GE as this crucial cleanup work moves forward. In particular, I have heard from the Town of Lee regarding the implementation of this agreement, and want to ensure the community’s concerns are considered in this process. To that end, in order to better understand your reasoning behind the cleanup plans and your strategies for continuing community engagement and stakeholder coordination moving forward, I ask that you provide answers to the following questions no later than May 3, 2023:

1. Please describe any recent conversations EPA officials have had with the five towns in South County regarding cleanup plans.
2. What risks are posed by further delaying the cleanup and leaving the waste located in the river?
3. Please describe plans and potential benefits to pumping the waste material to a disposal site as opposed to trucking.
  - a. How did EPA come to the decision to move some of the material to a local landfill, versus trucking all of the material to another location?
  - b. How does EPA understand and account for the risks of transportation and the resultant carbon emissions in this decision-making?
4. What measures does EPA have in place to ensure compliance from GE?
  - a. How will EPA monitor GE’s compliance with the agreement?
  - b. What penalties or other provisions are in place in the event of non-compliance?
5. How does EPA take environmental justice considerations into account in the planning for the clean-up?
6. The 2020 Settlement Agreement includes “a commitment to further research on innovative technologies, demonstration efforts and pilot studies.”<sup>9</sup> Please describe this

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<sup>8</sup> United States Environmental Protection Agency, “Landmark Agreement Will Ensure Faster and More Complete Cleanup of Housatonic River in Berkshire County,” press release, February 10, 2020, <https://www.epa.gov/newsreleases/landmark-agreement-will-ensure-faster-and-more-complete-cleanup-housatonic-river>; United States Environmental Protection Agency, “EPA Issues Final Permit Decision Requiring GE to Clean Up Housatonic River,” press release, March 1, 2022, <https://www.epa.gov/newsreleases/epa-issues-final-permit-decision-requiring-ge-clean-housatonic-river>.

<sup>9</sup> United States Environmental Protection Agency, “Landmark Agreement Will Ensure Faster and More Complete Cleanup of Housatonic River in Berkshire County,” press release, February 10, 2020, <https://www.epa.gov/newsreleases/landmark-agreement-will-ensure-faster-and-more-complete-cleanup-housatonic-river>.

component of the 2020 agreement, and EPA's plans to involve the academic community, stakeholders, and technical experts in the ongoing cleanup process.

I remain fully committed to working with federal, state, and local partners to ensure the Housatonic River cleanup is executed in a way that maximizes safety, environmental justice, and community input. Thank you for your attention to this important matter. I look forward to your response.

Sincerely,



Elizabeth Warren  
United States Senator