

Berkshire Regional Planning Commission Clearinghouse Review Report

June 24, 2008

SUBJECT: Commercial Remediation for East Street & Commercial Street
EOEEA#: 14259
LOCATION: Pittsfield
ESTIMATED COST: \$1,000,000
REVIEW TYPE: ENF
PROPONENT: General Electric Company
COMMENTS DUE: July 1, 2008

PROJECT DESCRIPTION:

GE proposes to remove PCB-contaminated soil from developed commercial parcels on East and Commercial Streets in Pittsfield. The soil will be sent offsite to a regulated and DEP-approved facility. Hill 78 is excluded as a disposal site for the material.

The proposed remediation area encompasses approximately 45,000 square feet, with 250 +/- square feet of new bordering vegetated wetlands alteration and 36,350 square feet of other wetland alteration (all of being 100 year flood plain and 25,000 square feet of that being Riverfront Area). To achieve the required clean-up standards, all PCB-containing soils will be removed from the site. Most of the areas will only need to have the top one foot of material removed and replaced, with a few areas requiring three feet of removal, so the duration of the work is expected to be fairly brief. The surface will be returned to its pre-remediation condition, primarily asphalt with some lawn. This is an industrial area and most of it is within parking lots and driveways of the industrial park.

Excavation limits are based on soil boring samples. The remediation is under the jurisdiction of the DEP Bureau of Waste Site Cleanup and the removal limits have been approved by DEP. PCB containing soils will be physically removed and will be followed by placement of backfill material and surface restoration. A double layer of silt fence will be installed prior to excavation around all areas to be remediated and will remain in place until the site has been stabilized and the Pittsfield Conservation Commission approves its removal.

CONSIDERATIONS AND POTENTIAL ISSUES:

Wetlands and Stormwater Management

Almost all of the site falls within the 100 year floodplain, and about 2/3 of that is within the Riverfront Area. Impacts on Bordering Vegetated Wetlands are estimated to be 250+/- sf, which is contained in one small area on a steep embankment immediately adjacent to the East Branch of the Housatonic River. The ENF does not state the vegetation to be used in the areas which are not to be repaved. In addition to the one BVW, some or all of six other remediation areas (there are 22 small separate remediation areas in total) are in close proximity to the river and currently contain vegetation other than grass, according to the Existing Conditions Plan. These should be replanted with something which is non-invasive, other than grass.

The ENF does not explain the current stormwater management system, but the Existing Conditions Plan indicates that stormwater is collected and discharged into the Housatonic River

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untreated. A site visit further indicates that untreated stormwater is discharged into the river through a few stormdrains. The stormdrain system seems to collect and discharge runoff from two areas of the site: the first collects water from Commercial Street sites between East Street and the curve in the road at Pro Tech, and the second collects water from Pro Tech and F.W. Webb lots. There appears to be several sites in the Pro Tech vicinity that will be excavated, so it may be an opportune time to consider installing stormwater BMPs in this area. This could include a detention basin or other BMP. Although there are no plans to excavate areas around the F.W. Webb site, a detention basin similar to that installed at the neighboring site to the east could be considered. These stormwater management improvements could serve as mitigation for work conducted in BVW and Riverfront areas. The ENF does not explain how the work and the site improvements will meet the Stormwater Management Policy Standards.

A Notice of Intent for the work within the regulated wetlands areas has not yet been filed with the Pittsfield Conservation Commission.

Rare and Endangered Species Habitat

Part of the site has been identified as a Priority Habitat of Rare Species and also Estimated Habitat of Rare Wildlife. The species of concern include the American Bittern and the Wood Turtle. Any proposed work will require a Massachusetts Endangered Species filing and will be subject to review by the Natural Heritage and Endangered Species Program. That has not been filed yet. The proponent states in the ENF that they will adhere to provisions set forth by NHESP to obtain a "no-take" designation, but does not give any indication on how that might be achieved. The proponent expects that there may be restrictions on the time of year that work can occur in possible habitat areas to avoid disrupting or harming rare species. The site has not been surveyed for the presence of rare species.

Consistency with Local & Regional Plans

Removing contaminated soils and restoring wildlife and wetland habitat is consistent with the Regional Plan for the Berkshires. However, The ENF does not describe the methods used to determine the exact location and size of the areas that are contaminated. The proponent stated at the site visit that grid based borings were dug throughout the site. The ENF does not state whether the riverbanks and channel were also tested to determine if PCBs had migrated off site. The proponent indicated at the site visit that a myriad of tests had already been conducted on the river and riverbank as part of prior contamination investigations, and nothing was found. Thus, further in-river testing for this project was not conducted. Borings in the wooded portions, found along the river's meanders, do not appear to have been dug.

It would be unfortunate if it were later determined that the remediation effort was not complete and additional wetland resource and rare species habitat areas had to be disturbed a second or third time for further remediation as has happened in one recent PCB remediation site. A map illustrating the extent and density of the soil borings that were dug on the site should have been included in the ENF. BRPC requested a site map illustrating the extent of the borings, but such information has not been forwarded. A table summarizing the results of the borings might also have been helpful.

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The restoration should be conducted in a manner that will reasonably ensure the regrowth of native plant communities and inhibit the colonization of invasive plant species and protect Rare and Endangered Species.

COMMENTS AND RECOMMENDATIONS:

BRPC does not believe that the project requires an EIR. However, the ENF does not provide basic information on how the remediation sites were identified. The ENF should have described the methods used to determine the extent, exact locations and exact sizes of the 22 remediation blocks. The lack of at least a site map showing the grid boring locations is a serious deficiency. It is still unclear if the wooded land along the river's meanders or the banks of the river were tested. It also does not adequately discuss mitigation for impacts to wetland and rare species habitat.

Any future remediation at this site should be considered project segmentation under MEPA regulations. As such, the BRPC respectfully requests that the Secretary require a full MEPA review for any future remediation at this site, regardless of the size or scope of additional work. The MEPA filing should be of at least an EENF level of detail, discussing, calculating and analyzing all the impacts, avoidances and mitigation for past and future remediation work at this site, including the project that we are now reviewing.

In addition to this request, our recommendations are these:

- The proponent should provide sufficient information to the City of Pittsfield, the DEP and the NHESP to illustrate without doubt that PCB contamination at this site has been completely identified. These areas include the developed areas, wooded undeveloped lands adjacent to the river, and the river channel itself, at this site and downstream.
- The proponent should conduct a survey of the site to determine if rare species utilize any portion of the site. Crews working on the site should sweep all areas prior to use of heavy equipment to ensure that no rare species are in harms way.
- The proponent should develop a planting plan for restoration of the BVW and the other remediation areas along the bank which establishes native plant communities. These should be plantings that would re-establish quickly and help to stabilize the steep slope.
- A post-installation monitoring period longer than the typical 2-years should be conditioned for this project, due to steep slopes and possible rare species utilization of the site. At a minimum, a 2-year monitoring program should be instituted only after a goal of 75% native vegetated cover has been achieved. Ideally, the monitoring period should be extended to at least 3 years after the 75% success rate, preferably 5-7 years after establishment. Two years is too short to determine the viability of restoring a steeply sloped area.
- All fill material should be carefully selected to avoid the introduction or reintroduction of invasive species within the project site. A plan to control and remove invasive plant species during the period of plant re-establishment should be developed.
- The City of Pittsfield should press the proponent to improve stormwater management at this heavily industrialized and impervious site. Because construction will be taking place at this site, it may be an opportune time to improve stormwater management at this site in a cost-effective manner. For example, is there an opportunity to replace existing catch basins with deep sump catch basins? Is there an opportunity to redirect runoff into small detention basins at the Pro Tech and F.W. Webb sites? These and other opportunities should be considered as the final engineering plans are being developed.

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Draft comments were approved by the Berkshire Regional Planning Commission's Executive Committee at their meeting on June 11, 2008. These comments were amended pursuant to the site visit that occurred on June 24, 2008.