

**JOINT LETTER OF THE SELECT BOARDS IN THE TOWNS OF
GREAT BARRINGTON, LEE, LENOX, SHEFFIELD, AND STOCKBRIDGE
REGARDING RAIL TRANSPORT FOR HOUSATONIC REST OF RIVER CLEANUP PLAN**

December __, 2023

[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 (T&D) Plan

Dear Mr. Tagliaferro,

Allow us to articulate our towns' resolute support for the integration of rail transport in the Housatonic Rest of River clean-up project. However, our collective sentiment is one of profound surprise and disappointment stemming from the apparent disregard for rail options evident in the recent plan submitted by Arcadis on behalf of General Electric. The challenges posed to rail within this submission lack the inventive solutions we had hoped for, and the early emphasis on trucks raises legitimate concerns about the depth of GE's commitment to a comprehensive analysis of rail transport in the project's future stages.

We insist that ongoing evaluations be conducted with greater rigor than has been demonstrated so far, recognizing the Environmental Protection Agency (EPA) as the sole entity endowed with the authority to mandate such endeavors. The paramount importance of maximizing rail transport, both to the Upland Disposal Facility (UDF) and beyond state borders, cannot be overstated. It serves as a linchpin for minimizing disruption to our residents and alleviating the burden on municipal infrastructure. In our perspective, rail should be elevated to the status of the primary mode of transport—an inclination not presently mirrored in the existing plan.

Our conviction remains steadfast in the notion that maximizing rail represents the most judicious approach to the project, countering the prevailing emphasis on trucks. We fully expect EPA, guided by its policy goals, will discern rail as the optimal choice, given its inherent capacity to reduce vehicular traffic on roadways, rendering it a safer option. Furthermore, from a public health standpoint, rail will likely emerge as the safest option, pending confirmation by the respective boards of health, whose scientific analyses are anticipated.

The plan's apparent indifference towards rail introduces legitimate apprehensions regarding the boundaries prescribed by the settlement agreement that precipitated its formulation. Should insurmountable financial constraints contribute to the dismissal of rail, we beseech our federal delegation (copied) to procure the requisite supplemental aid for improvements, thereby bridging any extant gaps. Put plainly, if GE lacks a legal mandate to fund rail infrastructure, we advocate for

federal funding to be secured for necessary improvements preceding the project's commencement. This proposition encapsulates the most substantive contribution our federal representatives can proffer at this stage, surpassing the confines of existing regulatory or settlement agreement provisions.

As the ongoing comment period persists, you may anticipate further missives from each of our towns, ardently championing the cause of rail, supplemented by comprehensive analyses. We extend our gratitude for your thoughtful consideration and anticipate a favorable response.

Sincerely,

Stephen Bannon, Chair
Selectboard, Great Barrington, MA

Robert C. Kilmer, Jr., Chair
Select Board, Sheffield, MA

Robert H. Jones, Jr., Chair
Select Board, Lee, MA

Ernest J. Cardillo, Chair
Board of Selectmen, Stockbridge, MA

Edward Lane, Chair
Select Board, Lenox, MA

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