



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 14 2011

Mr. Richard K. Sullivan, Secretary
Executive Office of Energy and Environmental Affairs
Commonwealth of Massachusetts
100 Cambridge Street, Suite 900
Boston, Massachusetts 02114

Dear Secretary Sullivan:

Thank you for your letter dated June 23, 2011 regarding the GE-Housatonic River site "Rest of River" project. Administrator Jackson requested that we respond to you directly. In your letter, you express your concerns with EPA's plan to present potential cleanup options for this project to EPA's National Remedy Review Board (NRRB) and ask EPA to delay this part of the process.

First, let us state how much we value our working relationship with the Commonwealth of Massachusetts both within our site cleanup programs and across the numerous programs that we jointly administer. The Housatonic River project is no exception; we view the Commonwealth as a crucial partner in our efforts to protect human health and the environment and our shared goal of selecting the best remedy for the river and we are eager to continue our dialogue. To that end, we are already working towards scheduling a meeting with senior headquarters officials and your Department of Environmental Protection (MassDEP) Commissioner Kenneth Kimmell later this month. We value our constructive working relationship and remain open to your input and expertise as we move through the remedy selection process as set forth in the consent decree.

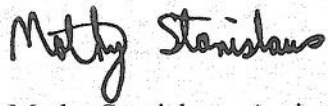
We are aware that the Commonwealth is concerned about how presentation of cleanup options to the NRRB might impact the ability for the Commonwealth's views to be heard. We want to reassure you that the presentation to the NRRB is an advisory administrative step in EPA's decision making process, designed to help EPA senior management better understand the cleanup options, and will not result in a "final" remedy decision by EPA or foreclose further discussions of the remedy with the Commonwealth. We believe that discussions with the Commonwealth will be more productive if, as a result of review by the NRRB, EPA senior management has the benefit of the experiences and perspectives from other EPA regions and headquarters. Accordingly, we will continue our present course with the NRRB process.

As you know, the Commonwealth has an opportunity to provide its views to the NRRB in the prescribed form on what you see as the appropriate course of cleanup. Though those letters were due at the end of June, we are extending the due date so that you may have more time to formulate your views. We look forward to receiving this response prior to the July 27, 2011 board meeting. In addition, consistent with the NRRB's practices, MassDEP, as a co-regulator, will be accorded the opportunity to briefly address the board on its perspectives (10-15 minutes). You have our assurance that the board will give your submittal its full attention.

EPA continues to proceed towards fulfilling its commitment in the court-approved consent decree that governs the process by which EPA will propose, select and finalize a cleanup decision. We have conducted an extensive outreach and community engagement effort over the past months and we have heard ideas and concerns about the river from hundreds of individuals and organizations throughout the Berkshires. We will continue the dialogue that is needed at both the state and local level. We understand that there are several deeply-held convictions regarding the appropriate course of action for this important resource and EPA is working diligently to ensure that it makes the best cleanup decision based on the consent decree and permit criteria while relying on sound science and ensuring a transparent process.

Subsequent to the NRRB advisory step, EPA will determine its proposed remedy and formally engage in the public comment process as set forth in the consent decree.

Sincerely,



Mathy Stanislaus, Assistant Administrator
Office of Solid Waste and Emergency Response



Curt Spalding, Regional Administrator
Region I