Pittsfield Economic Development Authority seeks to manage its own stormwater discharge

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PITTSFIELD -- The Pittsfield Eco nomic Development Authority is interested in managing the discharge of stormwater at the William Stanley Business Park of the Berkshires by itself.

The board has recently proposed to the U.S. Environmental Protection Agency that it be allowed to not renew its federal stormwater management permit, which has expired, because the requirements contained in the original document do not apply to the current condition of the 52-acre site.

"We wouldn't be able to meet [the requirements] from Day One," PEDA Executive Director Cory Thurston said.

The board has sent a letter to the EPA outlining its intentions, and is currently waiting for a response.

If the EPA reissues a permit for the business park under the standards contained in the original document, Thurston said it would hinder the development of the site because PEDA would most likely be required to construct a water treatment facility to manage stormwater runoff.

"If the permit was to be as onerous as we had interpreted it then potentially it could be a serious hindrance to future development, partly because there would be such a large expense to managing stormwater that we couldn't support development as an agency," he said.

PEDA is the quasi-public agency charged with developing the park, which is located on the site of General Electric's former power transformer facility. In 2005, PEDA inherited GE's federal stormwater permit, which was issued in 1997, when ownership of 26 acres of the site was transferred from GE to PEDA. At that point, the Stanley Business Park was legally considered an industrial site because several of GE's former buildings were still standing.

But since the original permit expired, all of the remaining buildings have been demolished and and the land has undergone extensive environmental remediation. According to board member Pamela Green, it took a long time for the EPA to address the renewal of PEDA's stormwater permit, but when the federal agency did "it was pretty obvious how onerous the burden was going to be."

"Our response was to withdraw our application under the premise that it no longer applied because we're vacant land not an industrial site," Thurston said, "and all of the connections that go back to GE with stormwater have been plugged or disconnected."

"It was remediated to the EPA's standards when we made the agreement in the first place, so for them to come in and impose standards higher than the contractural standards for our stormwater seems ridiculous," Thurston said.

If the permit is renewed under the original standards, PEDA's monthly costs for testing would increase from about $1,500 to more than $4,000 per month, according to Thurston. He said if PEDA does not receive a response from the EPA by the end of the calendar year, "my intention would be to stop the required reporting that we've been doing since 2005."

The stormwater than runs through the 52 acre site also includes runoff from 90 acres of city property that adjoins the business park. Due to the connection with the city, Thurston said PEDA may consider obtaining a stormwater permit from the EPA under municipal standards, which are not as stringent as the requirements for an industrial site.

When board member Gary S. Grunin asked at PEDA's most recent meeting what would happen if the EPA requires the agency to have a stormwater management permit, Thurston said, "we'll cross that bridge when we come to it."

"I don't believe they can do that," Thurston said. "There's 11 categories of industrial permitting and I don't believe we fall into any of those.

"With that said, I believe there will be some level of testing requirements and ongoing monitoring requirements even if it's under a minor category," Thurston said. "If nothing else, it's bought us some time and will lead to a better decision that's a cooperative one rather than one that's just arbitrary."

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