

## Community Advisory Group (CAG) Meeting

### Hudson River PCBs Superfund Site

June 25, 2025 (Saratoga Town Hall | Schuylerville, NY | 1:00 p.m. – 4:00 p.m.)

#### Meeting Summary

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#### MEETING IN BRIEF

The Community Advisory Group (CAG) for the Hudson River PCBs Superfund Site met in-person at the Saratoga Town Hall in Schuylerville, NY, on Wednesday, June 25, 2025. EPA gave presentations on the Upper River floodplain investigation, Five-Year Review next steps, and provided brief updates on the Powerhouse & Allen Mill deconstruction and Lower River investigations. EPA responded to follow-up questions from CAG members as each topic was discussed.

Presentation slides and materials for this and previous CAG meetings are available on the CAG's website: <https://hudsoncag.wspis.com/documents.htm>.

#### FOLLOW-UP ITEMS

- EPA will discuss with NYSDOH/NYSDEC a possible approach for further informing nighttime anglers about the fishing restriction in the Upper Hudson.
- EPA to continue coordinating with GE and NYSDEC on Old Champlain Canal and support for Schuylerville projects.
- EPA to post updated GIS maps showing cap and remnant deposit locations.
- NYSDOH to add link to fish sign survey to their Hudson River Fish Advisory website.
- CBI to reach out to State Parks about participating on the CAG as a liaison.

#### NEXT MEETING

- The next CAG meeting has not yet been scheduled. The CAG discussed holding another in-person meeting in the Lower Hudson in the fall (targeting Sept/Oct).

#### DISCUSSION NOTES

##### Welcome and Introductions

Ona Ferguson, facilitator from the Consensus Building Institute (CBI), reviewed the agenda and welcomed all participants to introduce themselves. At the request of a CAG member, the agenda was rearranged to begin with the Floodplain Investigation update.

## Presentations and Discussion

### Floodplain Investigation

#### **Old Champlain Canal coordination**

- A CAG member said the Village of Schuylerville wants to bring the Old Champlain Canal back to its original depth. Funding is a challenge for the Village and they are looking for further support with their development plans.
- EPA encouraged further discussions and coordination among the Town, Village, NY State, EPA and General Electric (GE).
- GE is the responsible party for the PCBs in the Upper Hudson River. EPA recognizes the economic opportunity tied to further use of the Old Champlain Canal including making the canal deeper for recreational use and improving water flow/drainage.
- EPA is working to accelerate the floodplain cleanup work so there are fewer temporary fixes and more permanent actions.

#### **Presence of PCBs in Upper Hudson floodplain**

- A CAG member asked about the concentration of PCBs in the Old Champlain Canal and what levels trigger special handling. EPA said most samples have low levels of PCBs single digit (parts per million).
- In the floodplain study area, concentrations above 10 parts per million (ppm) in areas people use require specific considerations, e.g. short-term removal actions, such as soil covers, until permanent solutions are put in place.

#### **Actions on private property (STRAs, property transfers, covers vs. signs)**

- EPA shared that about 75 short-term removal actions (STRAs) have been done to date.
- A CAG member asked how EPA determines whether properties get covers or warning signs. EPA said this decision made based on how frequently and how the area is used in collaboration with property owners.
- EPA tracks changes in property ownership/use and tries to reach out to new owners where covers or signs have been placed or may need to be placed in the future due to changes in use.
- EPA wants people to be able to use and/or develop their properties without limitation caused by the possible presence of PCBs. EPA, NYSDEC, NYSDOH and GE are working closely with property owners.

#### **Timeline for long-term floodplain cleanup**

- EPA began the risk assessment process, which is part of the Remedial Investigation/ Feasibility Study (RI/FS), over a year ago once data collection was mostly complete. The risk assessment process typically takes three to five years. This is because multiple seasonal sampling events are required for the Ecological Risk Assessment, then data analysis takes an additional year. EPA is looking to do work in parallel to keep the schedule as efficient as possible.

## Five-Year Review

### **Intent of the Five-Year Review**

- The Five-Year Review process is intended to assess the protectiveness of the cleanup; not to explore alternative cleanup options or strategies.
- While the five-year review can identify issues, resolving any issues is a different process and can involve technical and legal considerations.

### **Data collection and assumptions**

- EPA needs eight or more years of data after dredging to draw science-based conclusions about the rate of recovery in fish. EPA now has eight years of data with the 2024 data set and is moving forward with evaluating if they have enough years of data to calculate reliable trends. If not, EPA will report out to the CAG and the public and follow the same process with the 2025 data (9<sup>th</sup> year of data).
- A CAG member asked what is meant by a “reliable trend” in reference to the data. EPA said there are standard tests to assess the level of confidence in data. The addendum will include a technical memo that talks about how EPA tested the reliability in relation to the number of years of data. This project is unique in that it looks at species-weighted average PCB concentrations in fish (as specified in the project’s Record of Decision, or ROD) and that can make comparing data sets to assess confidence more complex.
- A CAG member asked what fish recovery rate was included in the ROD. EPA said there is not a specific number in the ROD and that EPA is looking at fish recovery in various ways including at each collection station and each species.

## Upper Hudson Special Studies

- A CAG member asked about the findings of dissolved and particulate phase studies. EPA said that the majority of the load (PCBs moving downstream) is in the particulate phase during high flow events. Under low flow most of the PCBs that move downstream are in the dissolved phase.
- EPA said there is no anticipated change in the fish sampling program in the Upper Hudson. Project staff are looking for consistent year-over-year data collection. EPA may consider additional sampling in various other areas between the current collection stations in the future. EPA knew the rate of recovery would not be consistent for every fish species in every area, but the special studies are meant to help explain why some areas and species are recovering better than others.
- A CAG member asked how EPA identifies cap locations and/or makes location information available to the public. EPA said they have GIS maps and will make them available on the EPA site webpage. NYSDEC plans to make them available as well. EPA has simple PDF maps showing the cap locations that will also be posted on the EPA site webpage soon.
- A CAG member said they noticed a decline in the number of people fishing and keeping the fish during the day, but there are a significant number of fishermen at night in some areas in the Upper Hudson. The member recommended an increase in

late-night enforcement of fishing restrictions. EPA reminded the CAG that fishing in the Hudson is allowed and a great recreational activity/sport but people should be mindful that it is catch and release only in the Upper Hudson. EPA will discuss with NYSDOH/NYSDEC a possible approach for further informing nighttime anglers about the fishing restriction in the Upper Hudson.

#### Hudson Falls Powerhouse & Allen Mill

- A CAG member asked what criteria and regulations are in place for handling the material that is removed during deconstruction of the buildings. EPA said GE has been disposing of PCB-contaminated material for more than a decade. Staff works with NYSDEC to characterize waste and determine if it's hazardous under TSCA. The vast majority has been treated as hazardous waste. EPA and NYSDEC are working closely with GE and National Grid to be sure deconstructed materials are disposed of appropriately.
- A CAG member asked if any mobile non-aqueous phase liquid (NAPL) has been observed behind the back wall of the Powerhouse. EPA said sheens have been observed in the trench, which are constantly being pumped and sent to the on-site treatment plant.

#### Lower Hudson River Investigations

- An audience member said that NYSDEC and the state would like a Lower Hudson River RI/FS; the Superfund site is 200 miles and all of it deserves to be studied.
- A CAG member agreed that studies done under an RI/FS would allow for more accountability and less delay.
- A CAG member recommended including the state parks department in the coordination of any Lower Hudson River studies and as a liaison on the CAG.
- A CAG member asked whether other PRPs could be identified by the unique signatures in their PCBs. EPA indicated that more complex congener analysis is being done on samples from the Lower Hudson which will be helpful in identifying the source of the PCBs.
- A CAG member recommended conducting a new fish study, given that fish populations have changed since the last study in the 1990s.
- A CAG member noted that the Lower Hudson is 150 miles long. Therefore, EPA should consider breaking it up into smaller units. EPA said this is one of the first steps they are taking and that there are several natural breaks where this makes sense (i.e. where gravel turns to silt, where saltwater meets freshwater, etc.).

#### New York State Department of Health (NYSDOH) Fish Advisory Sign Pilot

- A CAG member flagged that fishermen with limited English proficiency would not be able to read advisory signs and noted that subsistence fishers tend to be less likely to have smart phones capable of scanning the QR codes on the signs. DOH said they've translated most materials into many languages.
- A CAG member warned that using QR code scans as a measure of success may be a skewed indicator because the signs with QR codes have less information on them

and subsistence fisher people tend to be poorer and likely less apt to have a smart phone. It was noted that the signage does not rely on QR Codes alone and has written information (various languages) and symbols to assist the angler. One of the goals of the signage is to get the viewer to go to the NYSDOH website where more information is provided (this is done with the QR code and the website reference on the sign). Since there is limited space on the sign it needs to be basic and clear to the viewer.

- \*Note there was a follow up conversation for CAG members to continue the discussion about the advisory sign work being done by NYSDOH.

## **WRAP UP AND CAG BUSINESS**

- The next meeting will be primarily focused on the Lower Hudson River. Date and venue are TBD. Currently targeting September/October and hosting it at SUNY OCC in Newburgh.
- There will be a virtual meeting later in the fall to discuss Upper Hudson River fish data.
- CAG to consider inviting State Parks to join as a liaison and participate when appropriate.

## **MEETING PARTICIPANTS**

### **CAG Members & Alternates**

CAG Members: Jen Benson (Hudson River Sloop Clearwater), Dan Carpenter (Village of Schuylerville), Scott Croft (Hudson River Boat & Yacht Club Association), Rich Elder (Rensselaer County Department of Health), Drew Gamils (Riverkeeper), Dan Jeanson (Hudson River Valley Greenway), Pam Landi (Washington County), Ashley Leemans (Washington County Soil & Water Conservation District) David Mathis (Recreational Boating), Kate Morse (Hudson River Crossing Park), Althea Mullarky (Scenic Hudson), Ian Murray (Town of Saratoga), Julie Stokes (Schuylerville Area Chamber of Commerce)

CAG Alternates: Jonathan Clark (Scenic Hudson), Gopika Muddappa (Albany County Planning), Linda Von der Heide (Rensselaer County Economic Development & Planning)

### **CAG Liaisons & Facilitators**

Danielle Adams (WSP), John Brodt (Behan Communications), John Davis (NYS OAG), Ona Feguson (CBI), Abby Fullem (CBI), Gary Klawinski (US EPA), Angela Martin (NYS DOH), Leslie Morlock (NPS), Larisa Romanowski (US EPA), David Tromp (NYS DEC)

### **Others**

Emily Abbati (NYS DEC), John Armitage (NYSDEC), Joe Battipaglia (US EPA), Chris Bradley (WSP), Margaret Byrne (US FWS), David Chernack (Scenic Hudson), Margaret Dioddi Bauer (Hudson River resident, Green Island NY), Kevin Farrar (consultant to Scenic Hudson),

Therese Gillis (Hands Off the Hudson), Rachel Kish (NYS OAG), Gabrielle Krupa (Albany County Stormwater Coalition), Maxine Lautenberg (Town of Saratoga Councilwoman), Patrick Pagano (NYS DEC), Jennifer Phillippe (NPS) Denise Piechnik (NYS DEC), Jonathan Rich (Scenic Hudson), Thomas Sweck (NYS DOH), Chris Weiman (US EPA), Audrey VanGenechten (NYS DOH), Ronna Wells (Saratoga National Historic Park), Grant Whittington (WSP), Matt Wiener (US EPA), James Woods (NYS OAG)