

Community Advisory Group (CAG)
Hudson River PCBs Superfund Site
Meeting Summary
Thursday February 17, 2011
1:00 – 3:45PM
Saratoga Springs, NY

Members and Alternates Attending: Phil Dobie, Rich Elder, Rob Goldman, Manna Jo Greene, Jane Havens, Tim Havens (for Sharon Ruggi), Christine Hoffer, George Hodgson, Christine Hoffer, Richard Kidwell, Ed Kinowski, Bill Koebbeman, Roland Mann, David Mathis, Tom Richardson, Lois Squire, Julie Stokes.

CAG Liaisons Attending: Danielle Adams (Ecology & Environment), Mark Behan (Behan Communications for GE), John Fazzolari (Ecology & Environment), Joan Gerhardt (Behan Communication for GE), John Haggard (General Electric), David King (USEPA), Gary Klawinski (USEPA), Deepali McCloe (Ecology & Environment), Joe Moloughney (NYSCC), Deanna Ripstein (NYSDOH), Larisa Romanowski (USEPA).

Others Attending: Eva Balasova (Consensus Building Institute), Jay Bridge (Tetrattech), Nathan Carleton (Applied Ecological Services), Dave Cheyney (resident), Lee Coleman (Daily Gazette), Justin Deming (NYSDOH), Thais Dombrowske, Robert Gibson (General Electric), Chris Gunsten (Great Lakes Dredge & Dock Co.), John Hamilton (Saratoga Soil & Water Conservation District), Tom Kryzak (Air and Earth, LLC), Sharon Leighton (NYSCC), Dave MacDougall (D.A. Collins), Michael McGowan (USEPA), Bryan Miner (USACE), Tim Need (Peckham Materials), Patrick Palmer (NYSDOH), Dan Reh (resident, Stillwater), David Rosoff (USEPA), Adela Salame-Alfie (NYSDOH), Will Shaw (NYSDEC), Andrew Timmis (D.A. Collins).

Facilitators: Ona Ferguson, Patrick Field.

Members Absent: Cecil Corbin-Mark, Darlene DeVoe, Mark Fitzsimmons, Richard Fuller, Robert Goldstein, Gil Hawkins, Aaron Mair, Althea Mullarkey, Bill Peck, Merrilyn Pulver-Mouthrop, Sharon Ruggi, Rebecca Troutman.

Next meeting: The spring CAG meeting will be scheduled to occur before dredging begins.

Action Items:

- Manna Jo Greene and facilitators – Circulate notes from the TAG pre-meeting.
- CAG Members – review notes from TAG pre-meeting and give Manna Jo Greene suggestions of contractors or technical questions to include.
- CAG Members – communities with property on the river slated for development should contact Dave Rosoff at EPA for information.
- CAG Members – anyone willing to join the admin committee should let the facilitators know.
- Christine Hoffer and facilitators – continue to seek an agricultural representative.
- Facilitators – continue to reach out to agency heads with an invitation to the CAG, including the Attorney General's Office and the new head of the Canal Corps.
- Facilitators – reach out to NYSCC, Attorney General and NRD re: navigational dredging information to share with or present to the CAG.
- EPA – present on TAG/TASC at next CAG meeting.

Welcome, Introductions, Review December Meeting Summary

The facilitator welcomed everyone to the meeting. The draft December meeting summary was approved with a few edits for clarity. All CAG meeting handouts and presentation slides are available within one week of CAG meetings at: <http://www.hudsoncag.ene.com/documents.htm>.

Mike McGowan, of EPA Region 2, introduced Larisa Romanowski, the EPA Field Office's new Community Liaison.

EPA's Dredge Project Update

David King, USEPA, gave an update on the overall project. His slides can be seen at <http://www.hudsoncag.ene.com/documents.htm>. Since the December 2010 meeting, GE has decided to carry out Phase 2 of the dredging project. Dave's presentation highlighted the following themes:

Phase 2 will include the following changes from Phase 1:

- Adjusted dredge prisms based on improved Depth of Contamination (DoC) data information.
- Removal of at least 95% of PCBs in dredging areas.
- Achieving the ROD requirement of 1ppm Tri+ PCBs prior to backfilling. If more than 6ppm Tri+ remain after one dredge pass, a second dredge pass will be required.
- 11% maximum backfilling excluding special consideration in bedrock, clay and structural areas.
- Limiting dredge passes to two, and placing 3-6" of backfill cover to limit resuspension.
- A goal of closing certification units (CUs) quickly.
- A productivity rate of 350,000 cubic yards of sediment removed.
- Resuspension standards adjusted at far-field monitoring stations.
- GE maintaining caps in perpetuity (in Phase 1 the requirement was 33 years).

Drinking Water – Halfmoon and Waterford will stay on Troy water through the entire project, even in the off-season. Stillwater is on a carbon filter system, and Dave noted that EPA is looking into working with Stillwater on a local water connection. If resuspension reaches 500ppt, project managers will determine how to change operations, rather than shutting them down as required in Phase 1. Resuspension rates of 500ppt for 5 of 7 days will likely trigger shut down. Issues related to agricultural or communities using river water will be considered in quality of life studies.

Studies and Model – Special studies are underway to gather more data, including diagnostic testing of far-field stations, characterization of Dense Non-Aqueous Phase Liquids (DNAPL) in dredged sediments, surface sediment sampling, PCB release due to dredging in near-field, PCB losses moving down river, sediment/PCB loading from tributaries, and PCB deposition outside dredging areas. EPA is reviewing GE's model. If the baseline makes sense, it will be used to look at resuspension and load standards.

CAG members asked some clarifying questions. They noted concern about navigational dredging. Dave noted that in Phase 2, areas where PCB levels of 1ppm or less are attained, dredging will stop at that depth. If two dredge passes do not reduce PCB levels to 1ppm or less and capping is required, GE will dig to 14' of depth prior to capping so capping does not prevent future dredging in the navigation channel.

General Electric's Dredge Project Update

John Haggard, GE, gave GE's update on the project. His slides can be seen at <http://www.hudsoncag.ene.com/documents.htm>.

Timing & Scope – Phase 2, scheduled to begin in May 2011 once the locks open, is a project to dredge approximately 2.4 million cubic yards (cy) of sediment from a 40 mile stretch of river at a rate of 350-500Kcy per year. Unlike 2009, in which dredging began slowly and ramped up, GE plans to start the

2011 season at full production speed and maintain that rate. The 2011 season will run from May-November, operate 24 hours a day, 6 days a week, and has a goal of dredging 350Kcy (3,500cy per day). Dredging will take place South of the Rt. 197 bridge to the Rt. 4 general support property, and will generally occur from the north to the south. There will not be dredging in the eastern channel of Rogers Island. The off-site disposal process will be similar to that of 2009.

Changes from Phase 1 – Efforts to improve production and efficiency will include reductions in the number of dredge passes, faster close-out of certification units, improvements at processing facility to increase barge offloading capacity, stopping dredging when rock or clay is encountered, improved understanding of PCB DoC (80% of the area has complete cores for DoC, versus 50% before, and data is being collected on areas having incomplete cores). GE will increase river monitoring near dredges to better understand PCB redeposition.

Contracting – Contract development accounts for much of the work currently being performed by GE. Contracting began in summer 2010, when many firms were prequalified and is currently underway. GE is close to having dredging, railroad and landfill contracts in place. Contracts will be granted for: (a) dredge operations, backfilling, capping, (b) operation of processing facilities, (c) operation of rail yards, (d) rail transportation and railcars, (e) disposal facilities to accept waste, (f) shoreline survey, (g) monitoring, (h) processing facility improvements, and (i) habitat reconstruction.

Work Plans and Design 2011 – In March, GE will submit a final design for 2011 dredging to EPA. It will describe the work that will be done and will include the results of fall sediment sampling. Implementation workplans are under development, including the Community Health and Safety Plan, the Monitoring Quality Assurance Project Plan, the Transportation and Disposal Plan (indicating where the dewatered material will go and how), and the Performance Standard Compliance Plan (which describes how GE will comply with all performance standards including quality of life and engineering standards).

April Activity – In April, equipment will be procured in preparation for dredging. There will be activity at the Rt. 4 general support property (east shore), the processing facility wharf, the work support marina (west shore), and the backfill staging / loading area in Moreau. In Phase 1, at times there were over 100 pieces of equipment in the river simultaneously. To manage this effort, all vessels in the river will be tracked and guided by GPS. Other pre-dredge activities will include tree removal and trimming, talking with landowners, shoreline surveys to identify docks/issues, installing docks at support marinas, moving vessels from Troy after locks are open, and testing and calibrating equipment on land and in the river.

Equipment – The same type of equipment used in 2009 will be used in Phase 2. There will be 4-6 dredge platforms, which is fewer than in Phase 1, which had three separate simultaneous dredge areas. Excavators will be mounted on flexifloats and dredges anchored with spuds. All tugboats will be able to raise their wheelhouse (so the front of a barge is visible) or to lower it (to clear bridges). Experienced, certified captains will operate 15 tugboats. Sediment will be loaded to barges of varying sizes to be moved to the dewatering facility.

Habitat Planting – In 2010, GE's efforts to replant plant species were challenging. There was difficulty getting plants to propagate in the main stem of the river. GE worked with DEC and NYSCC to address issues at the time, and will likely be doing about three more weeks of replanting from Phase 1 in 2011.

Community Outreach – GE will go door to door in areas near 2011 dredging activity to talk with residents, and will hold a community meetings in April about 2011 dredging with Fort Edward and possibly in Moreau or Hudson Falls. GE will also continue to update their project website (www.hudsondredging.com), release newsletters and web videos, work with NYSCC on Notices to Mariners, staff project/information hotlines (518-792-4087 & 888-596-3655), and manage www.hudsonworks.net, the system whereby local businesses can offer their services.

CAG members discussed the following topics in response to GE's presentation:

- *Recreational Boaters* – In 2009, communication with recreational boaters worked well, with chief lock operators communicating via radio with boaters and no congestion problems.
- *Local Jobs* – Per Mark Behan, approximately 60% of Phase 1 employees were from the region.
- *Safety* – A CAG member inquired about the steps GE is taking to ensure worker safety. Working in a river can be dangerous, and in 2009 while the project did generally very well on safety, one worker did die. Per John Haggard, safety is GE's number one priority, and to that end GE will both work closely with contractors who have staff on the river to ensure good information and communication and work closely with local first responders.
- *Quality of Life Performance Standards* – A CAG member indicated interest in commenting on the QoLPS. GE and EPA did a technical evaluation of these in the fall simultaneous with Engineering Performance standards. There will be, however, opportunity for input on the plans for implementing QoLPS prior to dredging. The schedule and format for this input has not been determined.
- *Monitoring* – Long-term monitoring of river water and fish (both up and downstream of dredging) are ongoing and will continue for years to monitor the impact of dredging.
- *Communication* – A CAG member would like to know how property owners including those in agriculture will be notified if resuspension rates exceed 500ppt.
- *Volatilization* – A CAG member noted that there were multiple air exceedances during 2009 dredging, and asked how exceedances would be prevented in the future to reduce both the global burden and the burden on the community. Per Dave King and Gary Klawinski, in Phase 1 monitors were located adjacent to dredge areas and not by receptors (peoples' homes), thus the monitors indicated high concentrations that EPA believes did not reach residences. In Phase 2, monitoring will focus on receptors. Air modeling may help identify times when controls and best management practices (BMPs) should be put in place to reduce both global burden and the community. BMPs for reducing volatilization include: giving priority to offloading barges with higher-contaminated materials so they don't have to wait to off-load, placing less contaminated sediments on top of sediments with higher contamination, wetting sediments (with water that is then treated at the dewatering facility), and placing sediments evenly in barges to reduce air flow over taller piles. John Haggard noted that certain areas of Phase 1 were affected by the use of engineering controls, such as sheet piles and rock dikes, restricting flow through these areas. These low flow river areas tended to have high rates of volatilization, and there will be fewer of these in Phase 2. CAG members raised the option of covering sediments in barges. John responded that most of the time barges will be being loaded and unloaded, so the barges could only be covered in transit. If barges aren't waiting to be offloaded, transit times should be fairly quick, thereby reducing the opportunity for volatilization.
- *PCB Persistence* – CAG members asked about PCB persistence. Dave King said PCBs do not have a half-life. Manna Jo Green described research showing that over 30 years, ~10% of PCB molecules in sediments were less chlorinated (and so bio accumulate less in fish), but that they were still PCBs and did not otherwise break down.

Floodplains Investigation Update

Dave Rosoff, EPA, gave an update on the Floodplains Investigation. His slides can be seen at <http://www.hudsoncag.ene.com/documents.htm>. The floodplains work is required by the 2002 Record of Decision (ROD). EPA and GE are evaluating PCB contamination in the floodplains, where the river floods outside of the channel between Fort Edward and Troy. The soil sampling results are being used as part of the Remedial Investigation (RI). As information is gathered, the team is determining whether interim response actions are needed in residential and recreational use areas. In the future, a remedy will be selected in a separate Floodplains ROD.

Since 2000, EPA, NOAA and GE have collected approximately 5,000 floodplain soil samples up to 24" deep on 395 properties. 50 short-term interim response actions have been completed on 44 properties. GE maintains the caps, checking them several times a year and repairing erosion or damage. Use area sampling is almost completed. In general, areas that flood more frequently (low-lying areas) have the highest PCB concentrations, and concentration generally decreases further from the river. In areas with >10ppm, GE has completed interim response actions, including temporary caps and signage. Those areas have been temporarily covered pending a decision about a long term and permanent remedy through the RI/FS process. Areas that are signed but not capped include places like canoe launches with less frequent use.

Next steps in the 2011 season are to cap/sign more areas, and to evaluate additional properties. GE and EPA are discussing the next steps for a Remedial investigation (RI). These include human and ecological health risk assessments and an RI report that presents potential remedies. After that is released, EPA will review the Feasibility Study (FS), select a remedy, and release a draft plan. Lastly, a ROD would be made for that remedy selection. EPA hopes that the RI will be completed in 2011 or 2012.

CAG members discussed the following topics in response to the floodplains presentation:

- *Individual Sites* – A CAG member asked if EPA could share information on specific sites. While EPA does not share data on individual sites for privacy reasons, landowners and public entities may choose to share information with the public about their sites. CAG members with plans for developing land near the River should contact Dave to discuss the potential for future sampling on particular sites to determine whether interim action is needed.
- *The Historic Saratoga-Washington on the Hudson Partnership* – Tom Richardson invited Dave Rosoff to attend a Partnership meeting to discuss future plans and floodplains contamination.
- *Movement of Contaminated Soil* – EPA educates property owners not to dig in areas with higher PCB concentrations, but there haven't been any special limitations placed on landowners to date. All landowners must apply for permits to modify shorelines, and soil above 50ppt PCBs must be disposed of in a TSCA (Toxic Substances Control Act) landfill.

Other

Report on Action Items from December CAG Meeting

- Follow up on invitation to Agency Leadership – EPA Region 2 Administrator Judith Enck has indicated her willingness to attend an upcoming CAG meeting pending scheduling. The facilitation team continues to reach out to OPRHP (or SHPO), DOH, and DEC. CAG members recommended sending an invitation to the Attorney General's Office to keep sending a staff member to CAG meetings, and to the new head of the Canal Corps.
- Fish Sampling Plan - In 2002-2003, DEC reviewed the sampling plan. Based on the scope and size of the sampling plan proposed and ongoing then, DEC judged there would be no population level impacts to the resource, as the Hudson is a large and productive water in that vicinity. As stated in an email from DEC (Feb. 2011), the agency believes there is no reason to change the original assessment: the sampling being conducted does not have population level impacts on the fishery. A CAG member noted that nighttime in-river work can look suspicious to the public. Another attendee responded that the fish may be more available for sampling at night.
- Information Requests – The floodplain presentation requested occurred at this meeting. EPA is sharing Depth of Contamination and estimated project timeframe as available.
- Clearwater Peekskill Anglers Study – The final report will be posted on the Clearwater site in coming weeks. Manna reported that Clearwater sought 150 people to respond in the 2010 fishing season but there were only 80 respondents. The results show that many people in the lower Hudson do not know about or are ignoring fish consumption advisories and are eating the fish. The study was done bilingually, and the next step is to have it peer reviewed.

- DOH Grant – Deanna Ripstein reported that DOH currently has no plans to do biomonitoring of people in the mid- or lower Hudson. A biomonitoring program is being designed for the Great Lakes region. A 2008 study done by the Mt. Sinai School of Medicine and EPA on people who report eating fish from the Lower Hudson is available online or from Deanna. DOH is focusing on Lower Hudson education and outreach about fish consumption advisories, and expects to receive \$1M shortly from GE to fund that work during Phase 2.

Summary of TAG Grant Pre-Meeting – Manna Jo Greene reported on the pre-meeting held before the full CAG meeting about the Technical Assistance Grant awarded to Clearwater for \$50K over three years. Participants developed a list of questions that they may want answers to. Manna and Ona will circulate the pre-meeting notes. Everyone is invited to email Manna at mannajo@clearwater.org with suggestions.

Navigational Dredging – Rob Goldman shared a marine newsletter page describing NYSCC’s position that now is the time to address navigational dredging. He noted that commercial transportation providers who hit shallow areas as they move equipment are likely resuspending contaminated sediment and sending it downriver. Will Shaw (DEC), Dave King and several CAG members discussed what will and will not be dredged in Phase 2 and the barriers to dredging by NYSCC (cost of disposal under state regulations on contaminated sediment). The CAG requested that the facilitators see if the Attorney General’s Office, the NRD Trustees or the NYSCC will present on this topic in the future.

CAG Business

CAG Meeting Date – The spring CAG meeting is scheduled to occur before dredging begins.

Future CAG Meeting Topics – CAG members requested the following agenda topics for future meetings:

- Volatilization – A discussion of air exceedences, volatilization and best management practices.
- Navigational Dredging – Information from the NY Attorney General’s office, NYSCC, and/or the Natural Resource Damage Trustees (possibly including contents of a poster session entitled “the Hudson River Remedy and the Implication for Restoration” they gave at a conference.)
- Modeling – More information on the computer model mentioned by Dave King.
- TAG/TASC – An overview of the TAG and TASC (EPA agreed to present at the next meeting)

Admin Committee – The facilitators noted that the admin committee, a small group of CAG members who help plan meeting agendas and guide the facilitators as needed between meetings, is mostly inactive. Any CAG members interested in assisting with this should contact the facilitation team.

CAG Membership Update –Facilitators noted the following new CAG members and their seats:

- Saratoga County – Supervisors Ed Kinowski, Bill Peck and Tom Richardson
- Tourism and Economic Development – Christine Hoffer, Washington County Tourism
- Labor – Phil Dobie (shifting from Alternate to Member)
- Rensselaer County – Rich Elder, Rensselaer County Department of Health
- Town of Fort Edward – Darlene DeVoe, Town Grant Coordinator and Village Trustee
- Stillwater – Supervisor Ed Kinowski (note: Ed is filling two CAG seats)
- Agriculture – Still vacant. Christine Hoffer will assist in that outreach.

Adjourn

The meeting was adjourned at 3:30pm.