Community Advisory Group (CAG)
Hudson River PCBs Superfund Site
Meeting Notes
Thursday February 5, 2008
1:30 PM – 4:30 PM
Colonie, NY

Members and Alternates Attending: Phil Dobie, Robert Goldman, Robert Goldstein, Manna Jo Greene, George Hodgson, Bill Koebbeman, Anthony Maresco, Warren Reiss, John Reiger, Julie Stokes.

CAG Liaisons Attending: David King (USEPA), Deanna Ripstein (NYSDOH), Kristen Skopeck (USEPA).

Others Attending: Brian Anderson (BakerCorp), John Basile (Village of Stillwater), David Boyajian (Town of Waterford, counsel), Melanie Chapman (E&E), Robert Conway (NPS), Craig Crist (Town of Waterford, counsel), Justin Deming (NYSDOH), Mike Deso (Bakercorp), Patrick Douri (Behan Communication), Kevin Farrar (NYSDEC), Joe Finan (NPS), Doug Fischer (USEPA), Joanne Fowler (E&E), David Gargill (Harper's Magazine), Gary Klawinski (E&E), Jeremy Magliano (NYSOAG), Larisa Romanowski (E&E), David Rosoff (USEPA), Steven Sweeney (NYSCC), Frank Tironi Jr. (Town of Halfmoon), Lloyd Wilson (NYSDOH).

Facilitators: Ona Ferguson, Patrick Field.

Members Absent: Dan Casey, Shawn Connelly, Cecil Corbin-Mark, Chris DeBolt, Mark Fitzsimmons, Richard Fuller, Gil Hawkins, Preston Jenkins, Betty Koval, John Lawler, Aaron Mair, Roland Mann, David Mathis, Dan McGraw, Merrilyn Pulver-Moulthrop, Judy Schmidt-Dean, Lois Squire, Mindy Wormuth.

Next meetings: The next CAG meeting is scheduled for March 24.

Action Items

- Anyone can submit public comment on the Revised Community Health and Safety Plan (CHASP) and/or Consent Decree Modification.

Welcome, Introductions, Review of December Meeting Summary and Action Items

Facilitators welcomed everyone to the meeting, and the draft of the December meeting summary distributed in CAG folders was approved with no changes. All presentation slides from the meeting can be seen at: http://www.hudsoncag.ene.com/documents.htm.

Revised Community Health and Safety Plan (CHASP)

David King, Director of the EPA Hudson River Field Office, presented on the revised Community Heath and Safety Plan (CHASP), which was prepared by GE. A public comment period is now

underway, and EPA must approve the final document. The Phase 1 CHASP is intended to address potential hazards to the public in-river and at the processing facility.

A sediment sampling CHASP was developed and submitted for public input in 2002 and a revised CHASP was developed in 2003 that covered the remainder of the project design field work. The latest revision to the Phase 1 CHASP (2009) includes new provisions to protect drinking water supplies (consistent with the consent decree modification, see description below) and updates project team and emergency response contact information.

Additionally, the revised CHASP clarifies what will happen at private water intakes. The recommended approach includes providing bottled water at GE's expense to those people drinking water directly from the river or using river water in their homes. During an evaluation of 250 private water users from Fort Edward to Schuylerville, 26 private water users and three commercial users were identified. Of the 26, two were river water drinkers and five were household users. The two homes where people were drinking from the river had poor quality well-water due to minerals etc. and no filtration system. The evaluation identified river water intakes south to Troy. Residents between Hudson Falls and Fort Edward are on the public water system. GE has been following changes in land ownership since 2007 and will inform any new property owners at these sites of the situation as needed. No commercial farmers were found using river water in that area, though seven such farmers have been identified further down the river.

CAG members and members of the public asked a few clarifying questions.

Consent Decree Modification

David King (EPA) presented on the modification to the consent decree between GE and the federal government, published January 26, 2009. The Department of Justice is accepting public comments on the modification through February 25. This modification does not include any changes to the construction of the dewatering facility or the performance of Phase 1 dredging. The modification stipulates (a) how drinking water will be protected (b) makes water quality monitoring plan adjustments and (c) includes minor changes to administrative requirements, such as notices and submissions.

Drinking Water Protection – During Phase 1, GE will pay the lesser of $7 million or all of the costs incurred by EPA for the design and construction of the waterline for Waterford and Halfmoon and the design, construction, use and maintenance of a Granulated Activated Carbon (GAC) filtration system for the Village of Stillwater's water supply wells. EPA will pay Waterford and Halfmoon's increased costs of obtaining water from Troy during any period in which PCB resuspension standards are exceeded or when there is insufficient time to get water monitoring results before water from the dredge location reaches a water supply intake. GE will also pay up to $750,000 in Phase 2 if Waterford and Halfmoon have to switch to Troy Water to offset the difference in the cost of water. EPA estimates that the overall cost difference in Phase 2 for providing Troy water to Halfmoon and Waterford will come to about twice the $750,000 GE has agreed to pay. When the towns have to switch to water from Troy, EPA will cover the cost of the switch.

EPA will own the waterline from Troy to Halfmoon and Waterford during the project, and so they will be responsible for any problems during that time. EPA will be operating Stillwater's granular

activated carbon (GAC) well water filtration system. EPA intends to have the GAC system in place before dredging begins. EPA agrees that the long term solution that makes the most sense for Stillwater's water supply is a permanent new water system and EPA will be pursing that with GE.

Water Quality Monitoring – Two different monitoring methods will be used to monitor PCB resuspension, depending on the proximity of dredging to water intakes and the river flow. Lloyd Wilson described the two methods:

1. The congener/Modified Green Bay method measures specific PCB congeners, and each detected is added to the total. This method analyzes approximately 100 options and takes more time than Method 508.
2. Method 508/the Aroclor method looks for a pattern of PCBs among only four or five options and so has quicker turnaround time from the lab than does the congener method. Aroclors are common mixtures of PCBs that were sold in the US and used by GE.

The congener/Green Bay method will be used at all times. Method 508 will be used in addition to the Green Bay method at Thompson Island when a faster turnaround time is needed for monitoring results. When the river is flowing at a rate greater than 8000 cfs (cubic feet per second), monitoring will be adjusted to reduce the water collection period from 24 to 12 hrs. When the river is flowing at a rate greater than 8000 cfs, or if the dredging is near water intakes, the 508/Aroclor method will be used as well as congener/Green Bay method. When neither of those conditions is present, just the congener/Green Bay method will be used. If flow reaches 10,000 cfs or greater, dredging operations will be shut down.

There will be monitoring at near field monitoring stations in order to make sure the monitoring is in the right place and to adjust speed/timing of the dredging depending on turbidity. Near field monitoring is a performance indicator, and will be carried out 100m upstream from dredging and 100m and 300m downstream. These stations will look at turbidity continuously and will gather total suspended solid numbers every six hours plus a 24-hour sample of metals and suspended solids, but will not sample for PCBs. Boat transects will also occur near dredging twice a day, each transect will include two samples and will have instantaneous results on measurements such as metals, total suspended solids and turbidity.

Far field monitoring for PCBs will occur a mile downstream, at Thompson Island Pool. The goal of this monitoring is to measure the collective impact of the entire group of up to nine dredges that may be dredging at any one time. Far field monitoring station results indicating exceedance of the PCB or metals drinking water standard would trigger a halt to dredging. There may be some co-analyzed samples at the far field stations that use both the Aroclor and the congener method.

CAG discussion focused on whether representatives of the Department of Health (NYDOH) felt the modifications ensured adequate protection of public drinking water, costs, the sampling methods and when each will be used, whether there are PCBs in the Troy public water supply, and state and federal standards. Members of the public asked about the state and federal standards and DOH approval. NYDOH representatives Lloyd Wilson and Deanna Ripstein both stated that the modification reflects input from NYSDOH through review of draft documents, provision of comments, and meetings, and that they believe that public drinking water supplies will be adequately protected. They also noted that they are comfortable with the modified monitoring systems. Mr. Wilson described federal and state standards (both of which have 500ppt PCB

drinking water standards). New York State has a 90ppt surface water standard, which has to do with exposure risk of drinking two liters for many decades and a one in a million cancer risk per population. Mr. Wilson also said NYSDOH does not know if there are PCBs in the Troy public water supply. CAG members would like EPA or DOH to find out about levels of PCBs in Troy water.

Public Water Supply Baseline Sampling Results

Lloyd Wilson presented the results of a NYSDOH public water supply baseline sampling effort. The sampling was done using the congener method and was gathered to provide baseline data to help NYSDOH and others understand the effects of dredging on PCB levels and public water supply intakes. Starting in 2008, NYSDOH tested seven public water intake systems from Schuylerville (approximately 14 miles from Fort Edward) to Poughkeepsie (approximately 118 miles from Fort Edward). They asked the labs they worked with to use a detection level of 5.5ppt, which is very sensitive. The labs also had to meet a performance boundary (with a confidence interval, generally +/- 10 or 20%).

The NYSDOH testing occurred from May-November 2008 and used both the Aroclor/Method 508 and the congener/Green Bay method. Both methods were tested with very low ppt detection limits. NYSDOH tested raw and finished water in towns, and found that all public water supplies have PCBs in both their raw and finished water, and that all results were well below the federal and state drinking water standards of 500ppt. Stillwater had the highest average concentrations of PCBs, and their levels were about twice as high in the summer as in the winter. Stillwater's finished water had higher PCB levels than the raw river water. EPA does not yet know the cause of that contamination; one hypothesis is that there is contaminated soil in the aquifer. Higher levels of PCBs are associated with high flow and high turbidity, as well as with higher water temperatures (i.e. summer). Both Waterford and Halfmoon have recent history of non-detects using Method 508 at commercial labs with detection limits between 100-250ppt.

Using both the Aroclor/Method 508 and congener/Green Bay method allowed NYSDOH to compare the two methods. They found the results matched very closely, excluding a few outliers. NYSDOH will provide data and results to the water sample suppliers with a one-page explanation of the findings. Water suppliers received their individual results the same week NYSDOH did.

CAG members asked clarifying questions about the two sampling methods, discussed the Stillwater PCB levels and possible causes, and suggested that NYSDOH look at the Chelsea pump station in New Hanburg. A CAG member also noted that local communities appreciate that the CD modification helps address clean water concerns of nearby communities and that they hope it signals a renewed focus on other issues of community concern such as floodplains, agricultural land, safe well water, removal of contaminated sediment from the boating channel, quality of life issues for nearby residents and assistance establishing fair value for the dewatering facility. A member of the public asked if PCBs are generally insoluble, as stated on GE's website, and was told by Lloyd Wilson that yes, they are generally insoluble.

Brief Updates

In-River Support Facilities – David King (EPA) described two additional in-river support facilities that will be needed during the dredging project (1) an equipment staging area, and (2) a location for staging clean backfill materials. The equipment staging area will be located on property owned by GE on Route 4 south of Durkeetown Road. GE's contractor is currently considering a site on the Moreau side of the river for the backfill staging area that is owned by Georgia Pacific. A CAG member requested that EPA work to encourage possible future trail use on these sites.

Waterline – David Rosoff (EPA) reported that the waterline from Troy to Waterford and Halfmoon is approximately 70% complete, and is on schedule for completion the first week in April. CAG members inquired about the possibility of using the access roads for trail access and were told by EPA that they are owned by the cities of Mechanicville and Halfmoon.

Floodplains – David Rosoff (EPA) presented on the floodplain sampling that was conducted last season on approximately 280 properties in "use areas" within the 100-year floodplain. See the CAG meeting summary from December 9, 2008 for more information on this sampling effort. The results are still coming in. Once the results have all been evaluated, they'll be used to supplement a large scale Remedial Investigation/Feasibility Study (RIFS) to come up with a long-term remedial approach. Planning is underway for additional sampling to follow up on use areas and to sample some new use areas and agricultural lands, as requested by the CAG. There will be more to report on at upcoming CAG meetings. CAG members asked about results from individual wells, which have not been sampled at this time, and noted that it would be good to have some baseline data on that prior to dredging. Deanna Ripstein commented that if people have concerns about their wells they can ask NYSDOH to evaluate the situation. A CAG member noted that the "Historic Saratoga--Washington on the Hudson Partnership" has areas along the river where they anticipate development within the next decade. NYSDOH indicated that they are willing to discuss and take a look at those sites for possible contamination. All this data is being put into one database for the Remedial Investigation of the entire floodplain system.

Fish Advisory Outreach – Deanna Ripstein said that NYSDOH has released a request for proposals on the topic of outreach around fish consumption advisories. Proposals are due March 18.

Committee Business

2009 Meeting Schedule and Location – CAG members reviewed and discussed the proposed 2009 meeting schedule, highlighting challenges with the proposed March date and the August date (because of the Washington County Fair). A CAG member suggested holding meetings in the old Schuylerville High School, which has been purchased by the Town of Saratoga.

CAG Agenda Topics: CAG members suggested the following topics for upcoming meetings: a report from the Washington County Economic Development and Tourism Committee, in-river logistics about barge and recreational boat traffic, and navigational dredging. David King (EPA) mentioned that GE will likely need to do some access dredging in some shallow places where they will be working, including in the channel going into the yacht basin.

Adjourn

The meeting was adjourned at 4:30pm.