

**Community Advisory Group (CAG)**  
**Hudson River PCBs Superfund Site**  
**Meeting Agenda**  
**December 9, 2004, 1:00 – 3:30 PM**  
**Peebles Island State Park, Waterford, NY**

**Meeting Notes**

**Members and Alternates Attending:** Chris Ballantyne, Jean Carlson, Dan Casey, Ken DeCerce, Theresa Egan, Richard Fuller, Manna Jo Greene, Harry Gutheil, George Hodgson, John Lawler, Roland Mann, Dan McGraw, Merrilyn Pulver, Joe Gardner (for David Gordon), Lois Squire, Julia Stokes.

**CAG Liaisons Attending:** Bill Daigle (NYSDEC), Bill Ports (DEC), Tom Gentile (DEC), Doug Garbarini (EPA), Joan Gerhardt (GE), David King (EPA), Deanna Ripstein (NYSDOH), Leo Rosales (EPA), Marion Olsen (EPA), Steven Sweeney (NYS Canal Corp).

**Others Attending:** Danielle Adams (EE), Mark Behan (Behan Communications for GE), Bonnie Bellow (EPA), Eileen Hannay (Roopers Island Visitors Center, Ft Edward), Gary Klawinski (E&E), Tom Kryzak (Air & Earth Works),

**Facilitators :** Patrick Field

**Members Absent:** Cecil Corbin-Mark, Mark Fitzsimmons, David Gordon, Gil Hawkins, Aaron Mair, Paul Lilac, Judy Schmidt-Dean, Barbara Sweet.

**Key Action Items**

1. NYSDEC will give an update on the Hudson Falls site when the next design submission is due.
2. Schedule Noise and Odor Monitoring Dialogue morning before next CAG.
3. DEC will provide DEC's reference dose for risk calculations on air standards to Saratoga County and air monitoring data from the DEC project to Ft. Edward.
4. EPA to provide information on resuspension rates from the projects in New Bedford and Fox River.
5. EPA will provide the percent reduction in suspended sediments going over the Troy Dam once the dredging is complete.
6. Discuss community benefits and impacts in future morning meeting.

**Convening of Meeting**

The meeting began at 1:00 pm. The facilitator welcomed the CAG, and walked through the agenda. The CAG took a quick poll of who would be attending the Interagency Task Force meeting on 14 December in Saratoga Springs.

## **2005 CAG Preview**

EPA reviewed the work for 2005. The Dredge Area Delineation Report (DAD) is the biggest item for next year, expected in the winter. A number of other deliverables key off the DAD. This includes Habitat Delineation. Also expected are Phase I Cultural Resources report, Phase II DAD, and Phase I Target Area Delineation report (to specify dredge areas for phase I). EPA expects Phase I Dredging to happen north to South; this has not been confirmed yet, but is likely. The development of the CHASP is an ongoing process and EPA will be working closely with the communities over the next year. EPA will also report out on the floodplains sampling done this fall early next year. That was preliminary sampling, but there will be a report issued.

Members mentioned additional items for discussion in 05.

- Workshop-type informal meetings before the CAG meetings to address other QoL issues, including Air, Noise, Odor, Traffic, Health & Safety as well as continue on the air monitoring issues. EPA noted that having the ability to spend several hours on a topic is helpful.
- Ft Edward noted that they would establish a Town committee of some 15 people who have appropriate expertise to work with EPA on the CHASP development. It was noted that this CHASP needs to address QoL and also dispute resolution mechanism. Regardless of whether FE is chosen as a location, as it will suffer 80% of the impacts.
- There has been a group within EPA looking into the state of the art technologies available. Would like to see a workshop on innovative technologies as a morning topic.
- Labor issues/contracts should be on the agendas as appropriate and also may be useful as a morning workshop.

The CAG made comments on other process issues.

- The meeting frequency is sufficient and allows people to keep up to speed on issues and meet enough so that issues remain fresh in peoples' minds.
- Agenda development is fine as is.
- Meeting locations have been OK, but the CAG did express a range of views. Some feel most meetings should happen close to where the dredging occurs. Others believe that meetings should be better balanced across the stretch of river affected, including South of Albany at least occasionally.
- Some would like to see GE more active in the meetings.

## **Review of AM Air Monitoring Meeting**

George Hodgson provided a summary of the morning meeting on air monitoring.

- DEC presented on the use of the DEC guideline/standard, modelling assumptions and the risk management decision making process, etc. and reviewed its reasoning as to why DEC supports EPA's standard.

- EPA gave a detailed presentation on EPA's risk assessment process and how it came to the standard.
- CAG attendees expressed concern that the risk calculations do not include baseline conditions of workers who may have already been exposure to PCBs in the workplace for many decades.
- Some CAG members prefer the more conservative life-time exposure number of DEC at 10 nanograms per cubic meter versus the 110 nanograms per cubic meter monitored over 24 hours and estimated over the expected 6 years of the project.
- Some noted that environmental PCB exposures and contribution to global impacts should not be ignored.
- Some expressed concern about the recent DEC project and how that may bode for EPA work.
- Concerns were expressed about what EPA would do should there be an exceedance of the standard. It was noted that since these standards are based on a longer-term exposure, one exceedance does not pose an imminent health threat, but must be attended to.
- Some CAG members continue to seek at least 6 months baseline monitoring prior to operation of the dewatering facilities. EPA noted that 1 month might be likely. DEC noted that they are seriously considering 6 months to a year of such background monitoring, in part, to gauge any impacts to air quality before and after the project.
- Saratoga County asked for how EPA's standard for non-cancer standard compares to DEC's non-cancer standard. DEC offered to provide DEC's reference dose.

### **Site Tours and Information from Other Dredging Sites**

EPA presented information on the New Bedford site tour and showed a video and photos from the Fox River, Wisconsin dredging projects. Both use hydraulic dredging. EPA has copies of the Fox River video for those interested.

CAG members made the following comments.

- The odor at the New Bedford site was quite noticeable and unpleasant. It was mentioned that the organic decay from the oyster beds might have caused that smell.
- Noise and odors did not appear to be issues at all unless you were standing directly next to certain parts of the facility.
- Individuals were impressed with the cleanliness of the site and the general lack of complaints from citizens once the project was up and running.
- EPA noted that both these sites do not have QLPS.
- Some CAG members stressed the importance of getting it right so no complaints ever have to be made.
- The geotubes used at Fox River would likely not be usable at the Hudson site due to the quantity of dredging required. The New Bedford site is different also in that it has a desanding facility for the harbor sediments, an issue that won't likely occur on the Hudson project.
- Although there were no direct community benefits negotiated, per say, New Bedford had worked out that once the dredging is done, the dewater facility will become an active fish pier.

- The CAG requested information on resuspension rates from the projects in New Bedford and Fox River.
- The CAG noted they might be interested in inviting municipal officials or others on these projects once the Hudson design is further along.
- EPA was asked to provide the percent reduction in suspended sediments going over the Troy Dam once the dredging is complete.

### **Host Community Benefits**

A member provided a draft letter addressed to General Electric regarding compensation for impacts due to dredging, and particularly to community(s) hosting dewatering sites. The letter proposed a set aside of an additional 2% of the project costs in a “Good Neighbor” fund to help compensate the innocent people who will be affected by the project.

The following comments were made:

- Some noted that the process of receiving this draft was very concerning. It would have been preferable to receive a draft ahead of time.
- Some commended the member for taking the initiative and noted that this idea emerged at a previous CAG meeting in Albany. It was noted that not all members were in attendance at that meeting.
- Though the intent is highly desirable, placing a cap on community benefits is problematic. What if the impacts and/or opportunity costs are greater than the 2%?
- Some stated that it might be too early in the design to forward such a specific request.
- EPA does not have the statutory authority to press or require GE to assist communities who will be adversely affected by cleanup during construction and dredging.
- Any actual damage caused by GE could be addressed in civil courts.
- It is important to remember that we are all here because of a decision under Superfund. Superfund makes no provision for anything of this type. GE’s approach is to focus on cooperating with EPA to design the remediation that EPA has mandated, and not straying outside of the provisions of the superfund law.

After discussion, the CAG agreed that a future morning meeting discussion of this topic in the winter of 05 would be quite useful.

### **Other Items**

The following were noted:

- A member passed out copies of the “Green Times” and noted additional copies on watershed protection are available.
- The Ag Work Group’s next meeting is scheduled for January 5. EPA wants to try and find out where withdrawals occur along the river, if any, and will be directly polling some 35 owners.

- Facility Siting update: EPA's target is to make an announcement on Wednesday 12/15. Town Supervisors will have the heads up early in the day. There will be a fact sheet and summary of the site selection points. The summary of responses to comments received during the public comment period on Facility Siting will also be available.

### **Future Agenda Items and Adjournment**

The potential agenda items for the January CAG meeting are:

- Noise and odor monitoring morning discussion
- Dewatering Site Selection Update
- Dredge Area Delineation Report (DAD) if complete
- Update on flood plain sampling

The meeting adjourned at 3:35pm.