

**Community Advisory Group (CAG)**  
**Hudson River PCBs Superfund Site**

**Meeting Notes**

**Thursday, March 23 2006**

**1:00 PM – 4:00 PM**

**Administration Building**

**Saratoga Spa State Park**

**Saratoga Springs, NY**

**Members and Alternates Attending:** Chris Ballantyne, Dan Casey, Philip Dobie, Richard Fuller, Mark Galough, Joe Gardner, Robert Goldstein, Manna Jo Greene, Jane Havens, Roland Mann, David Mathis, Neal Orsini, John Reiger, Rich Schiafo, Lois Squire, Julie Stokes.

**CAG Liaisons Attending:** Danielle Adams (Ecology & Environment), John Callaghan (NYS Canal Corp), Bill Fuchs (NPS), David King (USEPA), Gary Klawinski (Ecology & Environment), Deanna Ripstein (NYS Department of Health), Leo Rosales (USEPA),

**Others Attending:** Scott Winter (IUOE Local 25), Jerry Dudding (GFD Patents), Tom Kryzak (Air and Earth Consulting), John Anthony (Maximillian Technologies), Alan Sternhoff (Maximillian Technologies), Takehiko Murayama (Rutgers University), Rob Goldman (NYS Marine Highway Transportation), Michelle Hayes (NYS Marine Highway Transportation), Pat Folan (Intracoastal Transportation), Lee Coleman (Daily Gazette), Pam Lacy (Boat Club), Colin McDonald (Times Union), Steve Harrison (Cable Arm), Chris Gunsten (Great Lakes Dredge and Dock), Andrew Timmis (D.A. Collins Companies), Ray Bergeron (Cable Arm), Colleen Coulligan, James Kalled (Controlled Extraction)

**Facilitators :** Patrick Field, Ona Ferguson.

**Members Absent:** Cecil Corbin-Mark, Ken DeCerce, Harry Gutheil, Gil Hawkins, John Lawler, Aaron Mair, Dan McGraw, Merrilyn Pulver, Judy Schmidt-Dean.

**Next Meetings (all at 1:00pm):**

April 5 – Technical Subcommittee & EPA, Albany

April 13 – CAG meeting on the FDR, at Saratoga Spa State Park

April 27 – CAG meeting on the CHASP & Economic Development work, at Saratoga Spa State Park

**Key Action Items:**

- EPA will bring the archaeological memorandum of understanding to the CAG if/when one is drafted.
- All should review any portions of the FDR to discuss at the 4/13 CAG meeting, paying particular attention to areas concerning the construction of the dewatering facility.
- The Administrative Subcommittee will look into membership issues and make recommendations to the CAG.
- The Technical Subcommittee will meet with EPA to review a list of issues they would like addressed during the discussion of the FDR and will report back to the CAG.

**Welcome, Introductions, Meeting Summary Review**

Participants away from the table were invited to introduce themselves, and the February 2006 Meeting notes were approved by the CAG with no changes.

As the FDR and CHASP were just released, participants discussed the review process and what exactly the FDR consists of. EPA shared the bid deadlines for the FDR: bid proposals on the first and second part of six contracts (the facility and railroad yard) are due in 45 days; proposals on the other four contracts are due in 90 days. These timeframes are in place in order to enable the September construction start date. EPA is looking closely at those parts of the FDR that are new or different from what was in the IDR. Their review of the first two contracts will happen over the next two weeks, and they encourage the public to do the same rapid review of these pieces and get their comments to EPA promptly. The CHASP has a bit more flexibility in terms of review time. EPA noted that they will be accepting comments on the FDR while the CHASP is subject to a more formal, 30 day public comment period.

CAG members asked EPA to take the necessary time to evaluate and take a hard look at the FDR. EPA has many experts reviewing specific sections of the document concurrently, which will help with review efficiency.

**Update on Cultural Resources**

John Vetter of USEPA gave an update on archaeological resources assessment for the Phase I Dredge Areas. Because the Energy Park site has had lots of prior disturbances, it was unlikely that any significant archaeological finds would be made there. In contrast, finds in and along the river banks were expected.

While the team anticipated finding battle related items in river, they also found vessel remnants suggesting the history of commerce and the movement of people and goods through Fort Edward, and have developed an inventory of these findings. The archaeological investigations are framed by the National Historic Preservation Act. The

Act requires that federal agencies avoid, minimize, or mitigate any adverse effects on cultural or historic resources. USEPA will use all three of these techniques in the phase 1 dredge areas. EPA has been working closely with state agencies and consultants on this research, expending considerable time, expense and use of technical expertise.

On land, the search has revealed several archaeological sites, some prehistoric that were buried under sediments from flooding. Where shoreline stability is an issue, avoidance is the preferred approach. There will be protocols and monitoring for places on the shore that dredging should avoid.

In the water, the team has used remote sensing and sonar to look at a wide area systematically and is now looking more closely at what was found. Of the ten documented underwater sites, three are designated to be avoided. Seven are in areas that cannot be avoided, and will be treated as debris. Divers will be sent out in summer 2006 to more completely document each of the 10 underwater sites. This documentation will help guide the mitigation efforts for resources that are lost due to dredging. Any off-site mitigation would be undertaken in the upper Hudson region. Possibilities may include making models, based on the additional underwater data gathering efforts, or excavating a similar resource in an area not being dredged and making those findings available to the public. The archaeologists must weigh, in each case, if the artifact would yield enough new information to make it worth excavating or whether a mitigation effort is the more feasible option.

There has been a consulting party group meeting approximately every six weeks at the Hudson River Field Office where the team disseminates info and discusses findings with the consulting parties. The archaeological work in the water should be done by the end of the summer of 2006 and EPA is hopeful that a memorandum of agreement can be developed and will be signed by GE.

CAG members had several questions or comments. Several asked if there wasn't technology available to excavate contaminated materials, to which EPA replied that the technology exists but the exposure risk is high and the techniques prohibitively expensive, so archaeologists balance the risk and cost against the potential of the resource to yield new and significant information. EPA agrees with GE's proposal in the FDR to handle seven of ten underwater sites as debris.

### **Dredging Technologies**

Scott Winter of IUOE Local 25 gave a presentation on dredging. He gave some background on Local 25, which does primarily dredging, overseen frequently by the Army Corps of Engineers. Scott showed some of a Modern Marvels video on dredging, which showed dredges that are much larger than those that will be used on the Hudson River in this project.

Mr. Winter noted the following.

- New dredge technologies use GPS, video, and sonar to increase the accuracy of dredging and data collected. Dredge operators have this technology accessible in real time as they do their work. This access to data has reduced overdredging because operators can essentially “see” what they are doing underwater, which makes the whole process more efficient, as less clean sediment is getting removed from the water.
- The more contaminated the materials dredged, the slower the project and the higher the cost.
- Techniques for containing resuspension were shown, and some answers were provided to CAG questions about mechanical dredging being chosen due to site characteristics.
- Cable Arm environmental dredges can leave flat surfaces underwater rather than the curved surfaces clamshell dredges leave behind.
- Environmental dredging with sealed buckets is cleaner than typical mechanical dredging where containment of contaminants is not a concern.

Mr. Winter noted three primary reasons that one would select environmental/mechanical over hydraulic dredging: (1) it requires that far less water be processed; (2) a pipeline running across the river could restrict navigation and other uses of the river; and (3) resuspension rates on environmental mechanical dredging are much better than those of hydraulic. The Canal Corp. disagreed with point two, noting that it uses sinkable pipelines for dredging in the Hudson every year without impeding river traffic. It was pointed out however that CC’s navigational dredging does not cover the extensive area that this cleanup will. Mr. Winter also mentioned that it isn’t possible to control resuspension with silt curtains around cutter heads on hydraulic dredges.

Several slides in the presentation addressed specific CAG questions. Among these questions and Mr. Winter’s answers:

- *What levels of noise can be expected from a 24/7 dredging project?* Larger dredges are quieter – like a diesel dump truck, in part, because they operate on a diesel-powered generator. Because dredging will be happening at a very deliberate, slow speed, most sound could come from vessels throttling up and down. Mr. Winter noted that this project’s dredges would be smaller, retrofitted vessels, which may be louder. The Noise Quality of Life Performance Standard was created to address these concerns.
- *What levels of pollution can be expected from this project?* Dredges and boats contain no dust, and their diesel emissions depend on how new the equipment is. Scows (barges) may contain a small level of dust though mostly the material being transported will be wet, and will not make fumes. Dust could be more of a factor on the land.
- *What levels of lighting can be expected from this 24/7 project?* Levels of lighting will range from porch lights to floodlights to spot lights on the various barges and boats and dredges. Only if the spotlights are shining directly at a home will the spotlights be a concern. The lighting Quality of Life Performance Standard was created to address these concerns.

CAG members offered some questions and comments.

- *Which company(ies) is likely to get the job?* Mr. Winter stated that there are about six major companies with extensive know-how on dredging and it was likely that one or more might get the work, though, of course, he could not and did not speak for GE and its selection process. He noted that all six major dredging companies hire union employees.
- *What can be done to mitigate noise?* Mr. Winter suggested that retrofits are possible if noise becomes an issue.
- It was noted that people look at companies for their safety history.
- It was noted that residents might like boat ramps and new beaches as positive outcomes and projects to be accomplished.
- One CAG member noted that this presentation suggests a tension for the CAG between the CAG's desire for local people to get jobs on this project and the many benefits of having experienced dredge operators.
- *Isn't the real noise concern inserting sheet piling, say, in the yacht basin? And, how many linear feet are going to be installed?* EPA noted that yes, this activity could exceed the noise standards and would review how best to mitigate this.

EPA noted that they will have people watching the real time dredging data, and that data will be public. EPA is currently trying to figure out what data the public wants, and would welcome comments on this in CHASP comments. There is likely to be enormous amounts of data, so it is important for the public to suggest which are most useful.

### **Technical Committee Update**

The facilitator updated the CAG on work done by the Technical Subcommittee. The group has developed a list of issues and questions that they believe the CAG feels needs to be covered in the FDR. These issues and questions were gleaned from numerous past CAG discussions, including the recent conversation with the Regional Administrator. The first priority among these is the railroad yard and dewatering facility construction (because bids on contracts 1 and 2 of the FDR are due back in 45 days where the other four contract bids have a longer time frame).

#### Schedule for FDR Review:

- April 5, 1:00pm – the Technical Subcommittee will meet with EPA to go through the issues list
- April 13 – there will be a CAG meeting on the FDR in order to allow dialogue before the comments are due. The deadline for the formal comment period on the CHASP is April 24 and EPA is also requesting comments on the FDR with in the same time frame.
- April 27 – there will be a CAG meeting on the CHASP and Economic Development work

A CAG member asked that the FDR comment period be extended. EPA responded that the 30-day input period for the first two appendices is constrained due to the contract

bidding process although there is likely some leeway in the review of the other four contracts. Although the comment period on the CHASP ends April 24, there will be additional time for input on the final version as it is not needed to be in place until the facility is actually up and running.

### **Economic Development Committee Update**

Julie Stokes updated the CAG on the work of the Economic Development Committee. On March 27 there was a 10:00 am meeting of representatives from groups interested in economic development along the Hudson during the dredging project. These groups included the Canal Corps, EPA, many chambers of commerce and county representatives. They brainstormed ideas for smooth river operations during dredging and for outreach to boaters. Many participants agreed to further develop action items and to return for another morning meeting on April 27 to report on their progress.

### **CAG Administrative Issues**

The NYS Marine Highway Transportation Company and the United Marine Division of the International Longshoremen's Association requested CAG seats by submitting letters to the CAG. The CAG requested that the Administrative Subcommittee consider these requests and get back to the CAG about whether a commercial boating seat should be added, and what posting process should be undertaken to let other groups know of the opportunity.

### **Adjourn**

The meeting was adjourned at 4:00pm.