

**Hudson River PCBs Superfund Site
Community Advisory Group**

**Meeting Summary
March 25, 2004
12:30 pm to 3:30 pm
Saratoga Spa State Park**

Members Attending: Chris Ballantyne, Dan Casey, Cecil Corbin-Mark, Mark Fitzsimmons, Richard Fuller, David Gordon, Manna Jo Greene, Harry Gutheil, Sean Kirker, John Lawler, Paul Lilac, Roland Mann, Merrilyn Pulver, Rich Schiafo, Judy Schmidt-Dean, Lois Squire, Julia Stokes, Jock Williamson

CAG Liaisons Attending: Mark Behan (GE), Bill Daigle (NYDEC), John Dergosits (NYSCC), Kevin Farrar (NYSDEC), Doug Garbarini (EPA), Joan Gerhardt (GE), John Haggard (GE), George Pavlou (EPA), Deanna Ripstein (NYSDOH), Leo Rosales (EPA), Steven Sweeney (NYSCC), Susan Taluto (NYDEC)

Others Attending: Danielle Adams (EE), David Adams, Dan Ball, Kathleen Bartholomay, Lee Coleman, Fred Ellerbusch (TOSC/NJIT), Joe Essenter, Thomas Field, Steve Fisil, Joe Gardner, George Hodgson, Donald King, Pamela Lacy, JoAnne Loughry (EE), Robert Manz, Robert Smith

Facilitators: Larry Dixon, Patrick Field

Members Absent: Gil Hawkins, Aaron Mair, Dan McGraw, Barbara Sweet

Key Action Items

1. CBI will work offline with CAG members to flesh out a prioritized list of key activities/documents for the TOSC grantee to consider within his work plan.
2. EPA will get back to the CAG on their outreach plan for communities suitable for or recommended to host dewatering facility(ies) from April 2004 until the final selection by the end of 2004 and beyond. CAG member suggestions included: have a public comment period when sites announced; develop clarity of process for working with selected host communities to minimize site-specific impacts.
3. EPA will look into establishing public/community meetings/forums to understand community concerns around other impacts not taken into consideration by the QLPS, including economic and social impacts.

4. CBI/E&E will get copies of the “conceptual only” dewatering facility graphic example to CAG members in hard copy.
5. The CAG will consider presentations involving multiple perspectives to be done jointly.
6. CBI/E&E will make available hard copies of PowerPoint presentations at CAG meetings.
7. Members of the CAG felt it would be useful to visit another river dredging project to get a better understanding of the process. EPA will inquire on a few local sites to see if there will be dredging soon, and determine if there is funding available for such a field visit within the next couple of months when the weather turns warmer.
8. The CAG requested that EPA explore, along with GE, how best to address community concerns about potential impacts on local voluntary services due to community health and safety plans, prior to release of the document.

Convening of Meeting

The meeting began at approximately 12:30 pm. The facilitator welcomed the new CAG member for the Upper Hudson communities, Mrs. Judith Schmidt-Dean, who will be taking the place of Sharon Ruggi and the new CAG Member for the Mid-Hudson Environmental Groups, Manna Jo Greene, taking the place of Tim Sweeney. A moment of silence was observed to remember NG Kaul, who passed away last month.

Reviews

February Draft Summary. The facilitator reviewed the February meeting summary, solicited the CAG for corrections, and noted areas to be corrected. The CAG then finalized the summary.

February Key Action Items (number correspond to the particular Key Action Item).

1. EPA identified the Cumberland Bay Project as a similar dredging project in the region. Although dredging has completed in the area, EPA will inquire whether members of the community would come to a future CAG meeting to answer questions and concerns about dredging. EPA will continue looking for a suitable site and try to schedule a site visit.
2. EPA is in the process of developing a revised schedule of roadmap activities that will include more on public activities and be available in April.

3. EPA provided a list of newspapers it typically notifies regarding public meetings.
4. The CAG provided guidance on key activities/documents it would like the TOSC grantee to address.
5. CBI and EE updated the CAG email list.
6. CBI revised the ground rules and updated it to include the role of liaisons.
7. EPA noted that the water-based facility evaluation is not a separate and distinct document that will be released to the public. Water-based facility considerations will be noted in the draft facility siting report due this spring.
8. CBI is working with the CAG subcommittee to develop a proposal for a CAG website.
9. EPA's Regional Administrator's Office provided written notice to acknowledge receipt of petitions delivered regarding facility siting.
10. DEC and EPA will be presenting at this meeting a summary of key projects and how they link to one another in sequence.
11. TOSC coordinator reviewed materials pertinent to the DEC and EPA issues and will offer advice to the CAG on these issues in this meeting.
12. EPA announced it is exploring, along with GE, how best to address community concerns about potential impacts on local voluntary services due to community health and safety plans, but has nothing to report at this time.

Facility Siting

EPA announced a change in the process of determining sites for Phase I and II dewatering facilities. The original plan was to announce the suitable sites that could host Phase I in April (seven sites in total) and make a decision about who will host the single Phase I facility, and then to do further review and announce the Phase II recommended sites later in August. However, as the design phase has continued, EPA has learned that there is an interdependency on the design of the facility and where it will be located, and that to maximize flexibility and design quality, EPA decided to approach the process differently.

Rather than seven, EPA noted that some five sites are likely suitable for Phase I and II, and that EPA will be announce these in April. From these five sites, EPA will also announce a smaller number of recommended sites to host the dewatering facility(ies) for both Phase I and Phase II work. EPA stated that there will be a 60-day public comment period that starts the end of April, and EPA will also go to the listed communities to meet with them to better explain the situation and understand and address concerns.

A CAG member asked: once the sites are narrowed to the recommended X number, will the other sites be permanently removed from consideration? EPA noted that as work proceeds, although it is not their intention and it is very unlikely, theoretically, final design or implementation issues could require EPA to revisit sites previously thought less

desirable, but still suitable. The agency did note that it is their strong goal that this does not happen. A member of the CAG inquired if the change was linked to core sampling of dredging sites, to which EPA responded that to an extent, but it is not the sole criteria and that there are a number of other important drivers considered, including the transportation issues, types of dredging, engineering standards, locks and water-transportation, and Quality of Life Performance Standards (QLPS). A CAG member noted that QLPS should be a prime consideration of EPA when making decisions, not one last in a list of criteria. EPA also clarified that the ROD does not talk about any particular type of dredging, and explained that whatever type chosen will be a function of the circumstance and situation.

CAG members voiced a number of concerns around the public comment period and the new process. Because the final comment period will be in spring and the recommended sites will not be determined until fall, those communities listed as a recommended site will not have an opportunity to have a final say in the matter, some CAG members stated. It will be difficult for communities that have been chosen to host a site to explain to EPA its strongest concerns unless there is a comment period after they have been notified. These members asked EPA to hold a second public comment period when the final sites are announced in the fall of 2004. Another CAG member noted that different communities will have different features that may impact how the QLPS are adhered to. If the design of these facilities is already complete, then there will not be any room for adjustments once the host communities are determined. Differences in process and dredging of different sites will have different impacts on different communities. Won't each host community be able to negotiate further tailored quality of life standards? EPA explained that the QLPS are universal: noise levels and PCB levels for children are the same anywhere. As the project moves forward, EPA would work with the communities to understand the QLPS. EPA also noted that the community health and safety plan would require public input throughout and could help address specific community concerns. EPA will get back to the CAG on their outreach plan for communities designated as recommended to host a dewatering facility from the period of April 2004 until the final selection by the end of 2004. Suggestions included: have a public comment period when sites announced; develop clarity of process for developing secondary QLPS that may be negotiated with selected host communities.

A member of the CAG explained that it would be useful for EPA to discuss with communities other impacts not included in the QLPS, such as economic and social impacts, as well as the possibility of contingency funds. EPA will look into establishing public/community meetings/forums to understand community concerns around other impacts not taken into consideration by the QLPS, including economic and social impacts.

Draft Conceptual Design of a Dewatering Facility

EPA presented a concept of what a dewatering facility would look like for mechanical and hydraulic dredging. A draft, not-to-scale conceptual graphic of a generic facility was presented. Hard copies of the graphic will be available at the next CAG meeting. It was noted that the facilities are still in the conceptual stage and it is therefore impossible to say how large the area will be. The presenter did not state that the site size is expected to be in the range described in the ROD.

The presenter noted the following:

Mechanical dredging. Dredged material would be brought by barge and off-loaded at the facility. Rocks and debris would be separated by size and placed in an area to remove water from sediment. The sediment and other dredged material would be stabilized, put in temporary holding, and transferred to railcars for removal. Water drained from the materials would be taken to a water treatment plant. All soil piles would be appropriately covered. Backfill would be brought in by railroad and taken by barge to replace the dredged material from the river. Any vehicles leaving the facility would be washed before leaving the premises.

Hydraulic dredging. This process is very similar to mechanical dredging, but uses a pipeline to bring dredged material into the facility rather than a barge. This process uses more water, so there is a need for more water holding devices. All soil piles would be appropriately covered as well in this design.

NYDEC and EPA Projects

New York Department of Environmental Conservation (NYDEC) presented on the Ft. Edward and Hudson Falls projects, while EPA presented on the Phase I dredging and how it sequences in with the NYDEC projects. Presentation materials will be made available on the Hudson EPA website, as well as at the next meeting.

NYDEC Ft. Edward Project. For a copy of the presentation, please go to www.epa.gov/hudson/cag. Please note that this project was undertaken last year in 2003.

NYDEC Hudson Falls Project. For a copy of the presentation, please go to www.epa.gov/hudson/cag. Please note that this project was released in a ROD by DEC just this spring of 2004.

The CAG asked questions and made comments after the presentations.

- Some CAG members noted that the presentation should have noted some of the significant problems and described lessons learned from the project. From the community's perspective, this project had numerous difficulties and these were not reflected in the presentation. A CAG member suggested that in the future it would be helpful for presenters to consider doing presentations that involve multiple perspectives be done jointly whenever possible. From DEC's perspective, they stated that they prepared their presentation in response to a request to present on the remedial programs at the plant sites from the point of view of how the schedules for the plant site remedial programs were "sequenced" with schedule for the river remedial program. They did not intend their presentation to be a thorough review of the project at Ft. Edward.
- A question was raised regarding spikes of elevated PCBs at monitoring stations during the project. DEC noted that two problems were responsible for these spikes, and both related to the failure of the protective bladders that are designed to separate the water and material being remediated from that of the rest of the river. There were two separate times when multiple bladders failed from breaking or rolling. NYSDEC showed graphs of PCB concentrations and mass flux over time to allow the CAG members to compare the measurements made during the #004OU outfall remediation with past years.
- CAG members asked: how long does it take to turn around sample taken from the monitoring stations? DEC noted that for this outfall project there was a several day turnaround time from when samples were taken and when the lab obtained results. This turnaround time can be shortened, but it gets to be substantially more expensive to monitor PCB levels in near real-time. CAG members noted that in areas where the river provides community drinking water, it would be beneficial to have a fast turnaround time for lab results in events where problems occur and/or dredging is happening.
- The CAG inquired about the possibility of recreational access on these sites, especially since access roads were built to do the remediation. In some cases, this gives great access to the river, and if it were cleaned up could be useful for recreation purposes. For the Ft. Edward site, NYDEC said there is still more work to do in order to understand the PCB problem in the bedrock and to complete the remedial effort in the area of the former outfall. For the Hudson Falls site, GE owns the site and would have to make any decision regarding public access once remedial work was completed. More generally, EPA noted that it is preparing to do an assessment of potential shoreline contamination all along the river and could provide opportunities for public input on future uses of such areas.
- A CAG member asked if the drilling and work for the DEC ROD project at Hudson Falls would lead to further contamination. The TOSC grantee noted that the technology and ability to drill is available, but more needs to be understood about the contingencies to ensure that drilling does not release other PCBs. These would normally be considered in the final design of the remedy. NYDEC noted that the tunnel proposed in the ROD for capturing contamination below the

river bed is 60 feet below the river and that it would take an very unusual set of circumstances for water to get into it and even if it did, due to water flow, the contamination would likely move into, not out of, the tunnel.

- DEC noted that the ROD was just issued and GE is reviewing it. No agreements or commitments have been made at this time regarding the implementation of the ROD.

EPA Timing and Sequencing

EPA presented on how Phase I dredging sequences in with the NYDEC projects. For a copy of the presentation, please go to www.epa.gov/hudson/cag.

The CAG asked for the TOSC grantee's opinion on the matter of sequencing of source cleanup at the Hudson Falls site and dredging. The TOSC advisor stated that he reviewed both EPA and NYDEC's presentations before the meeting and liaised with both agencies. Of particular note was the issue of where PCBs come from: do they originate from the sediment or seepage, and how do you differentiate where they came from. After reviewing the ROD and peer reviewed material, the TOSC advisor concluded that you can differentiate the PCB source. The sampling indicates that a smaller percentage of PCB contamination monitored from the river stations comes from the source and the majority and remainder comes from release of PCBs already in the sediments to the water column. Therefore, sediment removal (dredging) should not be predicated alone on the Hudson Falls removal. Contamination is coming from the river itself in greater quantities, and thus, to reduce risk and further, future sediment to water contamination, dredging should proceed. The TOSC advisor stressed that everyone should pay close attention to how and when the projects will be implemented. Ideally, the sooner that the source area is cleaned up too, the better.

The following points were raised.

- Some expressed strong concern that cleanup of the source area is not preceding prior to the dredging, that they have stressed this issue for years, and stated they believed this was committed to many years back. They expressed concern that all of the time, money, and disruption to the community caused by dredging would be for naught if the sediment were recontaminated.
- EPA noted that the ROD did indicate that the two projects – dredging and source area work by DEC – would not necessarily proceed in sequence, but might very well proceed in parallel. EPA noted they are technically confident that the can proceed with both projects in parallel.

Updates

A member of the CAG from Saratoga County explained it has secured the services of an environmental consulting firm to review the QLPS, and the comments were submitted to EPA, who replied they have been received and responses are being considered. Major concerns included:

- Urban noise standards were used though most areas where work will take place are in rural settings.
- The duration of noise levels is significant. Loud noises for one day are one impact. Medium to loud noises for many months is another.
- Noise standards do not reflect the quality of life lost for those who live or recreate on or near the river.

EPA expressed a willingness to discuss its responses with Saratoga County before final release of the QLPS.

Agenda Item Ideas

Time was set aside for the CAG to provide ideas on future agenda items. Those suggested include (*italics likely items for April meeting*):

- The CAG requested information on why the City of Pittsfield, MA received \$10 million
- Engineering performance standards (May)
- *Treatability Study Work Plan (update)*
- *Facility siting report (if available in time)*
- *Final Quality of Life Performance Standards*
- *Preliminary Remedial Design for Dredging*
- *Revised Road map (will be available as handout and to include public comment/input points)*
- Natural Resource Trustees (TBD)
- Flood plain investigation and proposed next steps (May)
- Remnant deposits update (TBD)

Public Comment

Joe Essenter commented on possible alternative experimental methods to clean up the Hudson through electrocution.

A member of the public inquired to NYDEC if PCB levels will be reduced immediately when the tunnel is completed. NYDEC replied that the full effects will not be seen immediately, but PCBs will be drawn down significantly over time.

Next Meeting

EPA requested that the April meeting be changed from the 4th Thursday of the month to April 29 to accommodate Earth Day on April 22 and the release of the Facility Siting Report. A quick poll by the facilitators indicated that most CAG members could accommodate this change. The facilitators will contact the CAG via email to get more input. Saratoga Spa State Park works for most CAG members as a meeting space.

The meeting adjourned at 3:35 pm.