Community Advisory Group (CAG)
Hudson River PCBs Superfund Site
Final Meeting Notes
Thursday, April 13 2006
1:00 PM – 4:00 PM
Administration Building
Saratoga Spa State Park
Saratoga Springs, NY

Members and Alternates Attending: Chris Ballantyne, Cecil Corbin-Mark, Ken DeCerce, Philip Dobie, Manna Jo Greene, Harry Gutheil, Jane Havens, George Hodgson, Roland Mann, David Mathis, Rich Schiafo, Judy Schmidt-Dean, Julie Stokes.

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

Others Attending: John Anthony (Maximillian Technologies), Adam Ayers (GE), Scott Blayia (GE), Mike Elder (GE), Alan Ellsworth (NPS), Kevin Farrar (NYSDEC), Bob Gibson (GE), Keith Giles (Greenman-Pedersen, Inc.), John Haggard (GE), Andrew Inglis (GE), David Keehn (NYSDEC), Tom Kryzak (Air and Earth Consulting), James Kudlack (Controlled Extraction Technologies), Roberta Kudlack (Controlled Extraction Technologies), Daniel Milewski (Ecology & Environment), Sheri Moreno (GE), Andrew Timmis (D. A. Collins Companies).

Facilitators: Patrick Field, Ona Ferguson.

Members Absent: Dan Casey, Richard Fuller, Mark Galough, Robert Goldstein Gil Hawkins, John Lawler, Aaron Mair, Dan McGraw, Merrilyn Pulver, John Reiger, Lois Squire.

Key Action Items:

- The Technical Subcommittee will meet again prior to the 4/27 CAG meeting to continue their review of the FDR, specifically contracts 4-6 and the CHASP.

Welcome, Introductions, Meeting Summary Review

Participants away from the table were invited to introduce themselves, and the March 2006 Meeting notes were approved by the CAG with the addition of (a) a few sentences on the March economic development morning meeting, and (b) a note that a CAG member stated interest in viewing the project as an opportunity for building beach and boat launches.

EPA announced that comments on FDR contracts 1-2 are due April 24 and that the comment period for FDR contracts 3-6 and the CHASP has been extended 30 days to May 24. EPA noted that they have not yet agreed to GE's proposal to shift the project start date to 2008.

Overview of the Final Design Report (FDR)

John Haggard of GE presented an overview of the FDR. He started by introducing his GE staff and noting their skills and contributions to the complex report. He also noted that GE will be opening a Fort Edward office.

The FDR follows from three legal agreements between GE and EPA: one for GE to do sampling, one for GE to do the design engineering, and one for GE to implement the design. This final agreement, the consent decree, is lodged in Federal court and is waiting to be entered.

GE is currently in the stage of contracting for the six separate bid packages. GE expects all bids to be submitted in the next 1-2 months, and is working on property access and other agreements that will need to be in place. These agreements will be for leasing property in the Energy Park; for rail transport; for the landfill outside of New York State; and with the Canal Corp. Great effort has already been underway to prepare for construction. GE has taken over 50,000 samples, inventoried wetlands and cultural resources, monitored water weekly since 1991 and monitored fish annually. GE has instituted the HudsonWorks Program to enable local companies to participate in the project, and contractors are already accessing the database of local resources. GE has also developed a draft Emergency Response Plan and the Community Health and Safety Plan (CHASP).

Based in part on comments received on the Intermediate Design Report (IDR), GE made changes that appear in the FDR. These include decisions to build a new access road to alleviate traffic through the village of Fort Edward; to keep the Fort Edward Yacht Basin open when possible during dredging; to do construction of the facility during daylight hours, to operate the rail yard during the day whenever possible; to free up the space for the planned public marina in Moreau; to leave intact many natural buffers (trees) and create soil berms to reduce noise and visual impacts at the dewatering facility; and to improve traffic flow at Lock 7.

<u>Site Construction</u>
GE's presented an overview of Phase 1. It includes the need to create a major industrial facility sized to support the entire project from "the ground up." Phase 1 is the first year of dredging and will likely occur over the six months from May through October, using up to eight mechanical

clamshell dredges at a time and up to 30 one-way lock trips daily. There will be on-going monitoring, backfill when necessary, and habitat replacement. The creation of the two-mile long access road from Route 196 will require construction of a bridge and culverts. There will be 3 miles of security gate, including perimeter to keep equipment safe and interior fencing to keep the PCB area secure. The site requires excavation, grading and structural fill to make it level, especially under the rail yard. Geomembranes will be installed to serve as a liner under the parts of the site where PCBs will be handled.

GE will be constructing lined basins for storm water collection with the capacity to handle a 100-year storm. Any rainwater that falls on the site will be treated. Utilities will be managed through seven sub-stations, and will include water, water for fire and hydrants, electricity and sewer. Roads and work areas will be paved with a total of 55,000 square yards of pavement.

In the sediment dewatering plant, first coarse then fine materials will be removed. Coarse materials will go to a staging area. Fine materials will be pumped through the filter presses and will be put in white balloon-like structures. These structures will be managed inside with carbon absorption systems and air filtration. Miles of pipes and 12 custom filter presses in the one dewatering plant building will make this possible.

The water treatment plant will be in another building. It will be able to process two million gallons of water a day. The rail yard will have five new miles of tracks. Approximately 450 gondola cars (each 57' long and carrying up to 110 tons) will be needed for the project. Trains will be 81 cars long. There will also be a road built along the track for inspection of trains. The 1500-foot long wharf along the shore will require that the canal be widened by 65 feet to keep river navigation safe. The project marina was shifted from the proposed NYSDEC boat launch property. The project marina will take up 550 feet of shoreline, and will have the capacity to dock 30 support boats. It will not handle any dredge sediments and will include four mooring posts.

<u>What's Ahead?</u>
For the facility will be constructed, the consent decree needs approval from federal court, the FDR needs to be approved by EPA, agreements with property owners and landfill and rail operators need to be in place, contractor work plans need to be approved, and special equipment needs to be manufactured. The first step in the construction will be site preparation and the creation of the access road. This construction could begin this fall, and equipment will be being ordered simultaneously. After construction and prior to dredging, GE will be testing the dewatering system using clean material. GE will also be upgrading the landfill that will receive the contaminated material so that it will be able receive 81-car trains, and setting up greenhouses and planting 100,000 plants for habitat restoration after dredging.

<u>Next Steps for GE</u>
GE will work with EPA to respond to comments on the Final Design. GE will select contractors, and work to reach agreements with property owners and landfill and rail operators. Upon approval of the consent decree and Final Design, GE will award contracts, order equipment, and begin construction.

Technical Subcommittee Comments on the FDR

George Hodgson reported to the CAG on a meeting the Technical Subcommittee had with EPA on April 5 to review the FDR. The committee noted a group of improvements in the FDR as compared with the IDR. These include:

- Reduced need for structural fill
- The air filtration system for filter cake storage
- Storm water systems are self-contained
- Full rail-loading capacity, where originally there was less than full capacity
- Changed access road
- Daylight hours for loading

The committee noted the following facility issues, in FDR contracts 1-3:

- Data availability: what data will be available to the public for review?
- Full covering of all processing and storage facilities. There is a concern about the volatilization of PCBs and a desire to cover the coarse debris storage are as well as the storage of the fine material
- Schedule: concern about the delay in start time.
- Navigational dredging between Locks 7 and 8.
- Noise. The group would like to see data tables that were omitted in the paper copy of the FDR. They are curious about the table on equipment and sensitive receptors. *GE replied that they are currently working on this data and are hoping to show it to the Technical Subcommittee when completed.*
- Traffic: The group would like to see the DOT level of service analysis. What is traffic like now? What is traffic expected to be during the project?
- Diesel Emissions Reduction: several large projects across the country require the use of diesel emissions reduction technologies, including ultra low sulfur diesel (ULSD) and diesel retrofits in order to reduce emissions from diesel construction and other vehicles. This could be especially good at the dewatering facility to reduce worker and neighbor health impacts from the project. The committee would like GE to provide these emissions reductions strategies.

CAG members had several comments and questions in response to John Haggard and George Hodgson's presentations. Responses to CAG questions are in italics. Several CAG members noted their appreciation to GE for making this presentation, for bringing a team to answer technical questions, and for showing the CAG how the FDR addresses community concerns.

<u>Resuspension</u>

- How will resuspension monitoring work? What monitoring might take place to look at near-field resuspension? If PCBs get by the silt curtains, what happens? Is a snapshot at one mile south enough? There should be closer monitoring immediately downstream of the dredging. *GE: We will ensure to look at any new PCB contamination in the near-field as well as miles downstream.*

- CAG members requested a better briefing on real-time monitoring on incidents upriver at the next CAG meeting. *GE: No real-time PCB monitoring technology currently exists. GE would like to hear if it does exist, and is working to develop this. The turnaround time on samples is 24 hours currently. There will be, however, real-time turbidity and other data.*
- Are sediments contaminated with dioxin? If resuspension of PCBs is recorded one mile downstream of the dewatering facility, how will the release be prevented from going further downstream? Each work area should be completely contained, whereas the final design says that no areas will be contained except one acre near Griffin Island. How will GE address these concerns? *GE: in Phase I, the entire east side of Griffin Island will be cordoned off. Contractors have been given resuspension regulations that are five times more stringent than EPA's current regulations. Phase 1 is a test to see if the process and technology can reach these standards, but since such a large-scale environmental dredging project hasn't been done before, everything isn't known up front. If the project exceeds certain resuspension limits, (a) the project will stop, (b) we will find out why there is an increase in contamination, then (c) we'll work with EPA to determine what to do next.*
- Remember there are several municipal water treatment plans downstream. *GE: It takes take 2-4 days for PCBs to get from Fort Edward to Halfmoon, based on recorded flow rates.* Halfmoon expressed the need for a procedure in place for obtaining funding/mitigation if they have to shut down the water intake that uses carbon and use another system when necessary.

Additional Information Requests

- We would like additional information on the construction inspectors' qualifications, especially on handling archaeological findings.
- Is there a spill prevention plan? We would like to see that and the storm water management plan. *GE: A storm water pollution prevention plan is required, and the contractor is required to put this in place.* CAG members want to review this plan and provide public comment.
- Is there a mitigation plan for lighting impacts?
- Is there a system for dealing with unexpected cultural resources that get dug up during dredging? *GE: the Unanticipated Discovery Plan is under development.*

PCB Volatilization

- It is great that small particles will be stored in contained facilities that can filter air before it is released. GE should maintain the pressure and have the filter run routinely to keep PCBs removed from the water from moving into the air.
- We remain concerned about areas on the dewatering site and on the water where there are exposed sediments. If exposed sediments are not covered, the sediments keep giving off PCBs, which increases the global PCB burden. Covering these sediments is simple and common sense, and will mean the air under the tarp can come to equilibrium with the sediments, rather than PCBs continually volatilizing into the air. When barges are done working, GE should put tarps over the sediments to reduce volatilization.
- Why is there an open area between the fine and coarse material storage areas? *GE: this is just open space; there are no plans to use it at this time.*

- How volatile are PCBs, and how does that work? *A CAG Member responded: Volatilization moves across a differential. If there is low concentration in the air, then wind or high concentration in a wet pile will increase volatilization. If the material is covered, it prevents continual release from the sediment into the air. GE: volatilization of PCBs is low compared with that of gasoline or acetone. The modeling GE did was based on barges, soil piles, etc, which dictated which controls are necessary to meet the performance standards. In wind and high concentration areas, there is the potential for high emissions. If there are exceedences of the standards, GE will put in wind screens. Monitoring will happen around the perimeter of the dewatering facility and at the shoreline.*
- Is there any chance of volatile organic compounds (VOCs) from PCB volatilization? *GE: not that we know of.*

Power Outages

- What is the power source for the water treatment? *GE: the National Grid, with electric motors for water treatment and the dewatering plant, and diesel for movement of vehicles, tugs, etc.*
- What happens if there is a power outage? *GE: dredging would stop, which means that during a power outage there is not the overflow problem that happens with sewage (which is continually generated). Key safety systems will run on backup diesel generators, but otherwise the project would stop processing.*

Emission Control Technologies

- What is the estimated amount of diesel pollution during construction and during operation? *GE: We have inventoried the estimated diesel emissions and are not expecting to exceed any air quality standards. We don't know the ULSD availability in this area. ULSD is usually required in cities with air pollution problems.* If GE decided to be a market for ULSD, distributors would provide it to them, a CAG member stated and offered information from experiences in NY City.
- Would GE consider requiring emissions control technologies in bid specs for contractors? *GE: we are open and will talk to the contractors, but each situation and piece of equipment is different with the contractors. GE will meet the requirements of the project.* CAG members urged GE to require retrofits on construction and off-road machinery on site, given that the dewatering facility is so close to the local community. Several noted that mitigation should be based on precaution and prevention, not on modeling.
- Please consider diesel emissions controls because they will benefit the community. Please put these in wherever possible. *GE: We will do our best.*

Other

- Who makes the capping decisions in the field, and based on what criteria, about whether an area will be filled, backfilled, or capped and the number of dredge passes required before capping?
- Some asked for more sensitive monitoring: (a) advanced bio-monitoring in the water for resuspension – something Congressman Hinchey stands behind, (b) be sure air monitoring equipment and procedures are as sensitive as they should be or they will get 'non-detect' readings when they shouldn't.

- What is the prevailing wind? *GE: From the south.*
- Why was the access road put along an otherwise scenic waterfront? *GE: Because EPA asked that we put it there. EPA: the Canal Corp and Fort Edward requested the road be put in that location so that it can be used as an access point to Lock 8 after the project is complete.*
- What is the timing from here to construction start date? *Once the final design and consent decree are approved, Contracts 1 and 2 could be awarded as early as June 24 and Contracts 3-6 could be awarded as early as July 19.*
- What will the near-shore dredging and the navigational dredging between Locks 7 and 8 look like? *GE: Those details are not yet known.*
- Will there be host agreements with the communities around the landfills, and what types of communities are around the landfill site? *GE: the landfill is a commercial, permitted facility that accepts waste from anywhere. GE is currently developing an agreement with the landfill owners, and so will not discuss details.*
- Can the feeder canal handle the additional water that will be used between Locks 7 and 8? What happens if a lock breaks down? *GE: We are working closely with the Canal Corp. If a problem arises, we'll address it.*
- There needs to be excellent communication with the community and boaters during dredging.

CAG Administrative Issues

The CAG updated its membership in the following ways: The CAG approved Betty Koval as the new agricultural representative. Saratoga County clarified that Ken DeCerce, Harry Gutheil, and John Lawler are members, and that George Hodgson is their alternate. The CAG approved Robert Goldman as a commercial boating member and David Mathis as a recreational boating member.

Adjourn

The meeting was adjourned at 4:00pm.