

Community Advisory Group (CAG)
Hudson River PCBs Superfund Site
Meeting Notes
Tuesday March 30, 2010
1:00 – 4:00 PM
Fort Edward, NY

Members and Alternates Attending: Phil Dobie, Richard Fuller, Manna Jo Greene, Richard Kidwell, Bill Koebbeman, Roland Mann, David Mathis, Althea Mullarkey, Lois Squire, Julie Stokes, Rebecca Troutman.

CAG Liaisons Attending: John Davis (NYSDOJ), Kevin Farrar (NYSDEC), Joan Gerhardt (Behan Communications), David King (USEPA), Joe Moloughney (NYSCC), Kristen Skopec (USEPA), Charles Sullivan (USNPS).

Others Attending: David Adams (SCEMC), Ashley Benjamin (TV8), Alan Bissel (Hudson Crossing Park & Champlain Canalway Trail), Marlene Bissel (Hudson Crossing Park & Champlain Canalway Trail), Jay Burgess (Scenic Hudson), Pat Dowd (Behan Communications), Stephen Davie (resident), Emily Donohue (the Saratogian), John Fazzolari (Ecology & Environment), Bob Gibson (General Electric), Tim Grady (Ecology & Environment), Jone Guerin (Ecology & Environment), Kris Hambrowski, Gary Klawinski (Ecology & Environment), Brian Nearing (Times Union), Nick Reisman (Post-Star), Larisa Romanowski (Ecology & Environment), Tom Ryan (NYS Thruway/NYSCC).

Facilitators: Ona Ferguson, Pat Field.

Members Absent: Andy Bicking, Cecil Corbin-Mark, Mark Fitzsimmons, Rob Goldman, Robert Goldstein, Gil Hawkins, Preston Jenkins, John Lawler, Aaron Mair, Dan McGraw, Merrilyn Pulver-Moulthrop, Sharon Ruggi, Mary Fran Wachunas, Mindy Wormuth.

Next meetings: The next CAG meeting will likely be in early June.

Action Items:

- CAG members - Draft letter inviting GE to present at a CAG meeting prior to the April 22 public comment deadline for the Peer Review.
- Joe Moloughney – Revise navigational maps to indicate CU number.
- Manna Greene – Draft questions which TASC support might help answer.
- Facilitators – Complete the CAG annual check-in.
- Facilitators – Ask the Peer Review Panel to present their report to the CAG.

Welcome, Introductions, Review October Meeting Summary

The facilitator welcomed everyone to the meeting. The draft December meeting minutes were approved without any changes. All CAG meeting handouts and presentation slides are available within one week of CAG meetings at: <http://www.hudsoncag.ene.com/documents.htm>.

Recent High Flow Event

David King, USEPA, discussed elevated PCB levels in the river during the March 23-27 high flow event. On March 23, river flow rates at Fort Edward went from 10,000 to 24,000 cubic feet per second (cfs) in a few hours. During the non-dredging season, water sampling occurs on a weekly basis, with a sample turnaround time of 21 days. The samples that identified the high concentration were taken on March 23 and the lab called GE on March 26, after their initial testing showed elevated levels of PCBs. During this high flow event, GE recorded 2,000ppt PCBs at the Thompson Island Station. GE then notified EPA and the towns downstream that take their drinking water from the River, so all key actors knew within a few hours. At that point General Electric (GE) also began sampling every six hours and expedited the turnaround of samples. The travel time of the river to reach the nearest downstream water intake was approx. 16-17 hrs.

GE continues to evaluate the data. Due to the high flows they have not yet been able to get out to inspect the water samples themselves. The raw (untreated) water at Waterford at its highest level during the high flow event was 211ppt, which is below the drinking water standard of 500ppt. Any increase would have been further reduced by treatment, so no river communities were consuming anything like the high levels recorded near the Thompson Island monitoring station. The Halfmoon Supervisor decided to switch to Troy water at this time, and EPA is temporarily paying that increased cost while they analyze the situation. The highest PCB levels recorded in Waterford during this high flow event (211ppt) is similar to the levels recorded during prior high flow events (2006), before dredging began (and for many years these levels would have been recorded as non-detect, since detection levels were set at approximately 200ppt).

CAG discussion focused on the following topics:

- PCB levels presumably increased during previous high flow events but were not being measured so people were not aware of it. This reiterates the importance of removing PCBs from the river.
- The drinking water standard for PCBs is based on chronic long-term exposure.
- The possible link between high flow events and PCB resuspension.
- The importance of recognizing that local people have been educated to understand that PCBs are harmful so are fearful of consuming water contaminated with PCBs. Efforts should be made to ensure that people's fears aren't raised unnecessarily by these high profile incidents when PCB levels in drinking water are actually no higher than they were before dredging and remain below the established drinking water standards.

Phase 1 EPA Evaluation Report Overview

David King, Director of USEPA's Hudson River Field Office, presented on EPA's Evaluation Report on Phase I. The slides can be seen at <http://www.hudsoncag.ene.com/documents.htm>. EPA believes the dredging process can be improved in Phase 2 to increase productivity, improve quality of life issues and decrease resuspension. This would include more accurate estimations of depths of contamination and more rapid offloading of sediment from barges. In addition to participating in the Peer Review process, EPA is currently doing archaeological research.

CAG members discussed the following topics in response to Mr. King's presentation:

NAPL Sheens: PCB oil sheens were encountered during Phase 1. Kevin Farrar of NYSDEC indicated that it is difficult to quantify the amount of NAPL in a given sheen. David King said EPA is working on determining how to best collect sheens when they appear, including using sorbent materials around dredge areas.

Modeling: EPA will not be rerunning the model but will be looking at the aspects of the model that look at load. The model from the late 1990s predicted a six to eight year half-life (fate and transport) for PCBs, but EPA is finding that the rate of decline is actually significantly slower than the model originally indicated.

Sampling: In response to questions about whether additional sampling will be conducted to better determine the depth of contamination in the remaining Phase 1 and Phase 2 dredge areas, David King explained that EPA is looking at that issue, and is considering requiring dredging to the estimated depth of contamination plus nine inches, or coring until there are two (2) six inch sections with 1ppm PCBs or less and then dredging to the bottom of the two clean cores. The goal is to have only one dredge pass and one residual pass, which requires accurate understanding of depth of contamination.

Capping: Thirty-six percent of the Phase 1 dredge area was capped. Capping was conducted in accordance with the Residuals standard. More capping was done than expected due to boulders and bedrock that preventing dredging to <1ppm and due to time constraints at the end of the season. EPA expects much less capping in Phase 2.

Backfilling: There was no backfilling in the navigation channel to a depth less than the required 12'.

Transparency: One CAG member expressed concern that EPA was not more forthright about the challenge of having to dredge and re-dredge the yacht basin and said that since the CAG was meeting regularly during that time, they would have liked to have had the opportunity to offer input.

Disposal: Additional disposal facilities are being looked at because the transfer of the dewatered sediment to the Texas disposal facility was impacted by a number of factors during Phase 1. Because the rail car unloader was never built at the facility, the bags containing dredged material often ripped during the unloading process. Since the railcars must be returned clean, this impacted turnaround time (five days vs. planned 48 hours).

Movement Downstream: One CAG members said the standard of allowing 1% PCBs permitted to go downstream may not longer be appropriate given the unexpectedly high contamination found during Phase 1. EPA is reviewing the load standard and anticipates changes for Phase 2.

CAG members requested of GE representatives that GE technical staff present to the CAG about their Phase I Evaluation Report and the conclusions they drew prior to the end of the public comment period (April 22). CAG members voiced their concern that GE and EPA have drawn very different conclusions from the same information and that GE has not met with the CAG to present their reasoning and answer questions. CAG members indicated that they want to fully understand how the two reports come to different conclusions. Joan Gerhardt and Bob Gibson told CAG members the GE report is on the GE website (<http://www.hudsondredging.com/>) and that GE welcomes questions by phone or email anytime, but that preparing for the peer review process has taken significant resources in past months.

Overview of Updated Navigational Maps

Joseph Moloughney, NYS Canal Corporation (NYSCC), presented updated navigational maps that show 2009 bathymetry. NYSCC is required to maintain the shipping channel to 12' depth, and generally undercuts 2' below that so they needn't dredge too often. The last full-scale dredge by the state was in the late 1970s, but dredging is now too expensive due to the cost of handling and disposing of PCB-contaminated sediment. The maps indicate areas where the channel is less than 12' deep, those in the planned Phase 2 dredge area, and the estimated volume remaining above 14' after Phase 2 dredging. The amount NYSCC wants dredged is one-fourth of the amount being dredged in Phase 1 and 2, but only 15% of the state's navigational dredging needs will be met in the two phases. CAG members thanked him for his useful presentation.

Brief Updates and Committee Business

2010 CAG Workplan and Meeting Locations: The next meeting will be in June, with the following one in August or September on the Peer Review and Phase 2.

CAG Membership Review Planning: The facilitators will do annual check in calls with CAG members to get feedback and ask who else could help represent interests missing at the table.

TAG Grant: Riverkeeper has decided not to apply for the TAG grant. Clearwater just sent a letter of intent to apply for the grant, triggering the timeline to advertise for others who are interested.

TASC Technical Assistance: The TASC program is shared by all EPA regions. If the CAG wants TASC assistance, they need to identify an issue area specifically. Kris Skopeck (USEPA) can submit a request on behalf of the CAG. Some CAG members indicated that they would be interested in applying for TASC to help understand components of the Phase 1 reports.

Peer Review of Phase I Evaluation Reports: Public comments are due April 22 on the Performance Standards. The next Peer Review meeting is the first week in May and is open to the public. Comments to EPA on the Quality of Life Standards and Community Health and Safety Plan are welcome anytime.

Adjourn

The meeting was adjourned at 4:00pm.