

Community Advisory Group (CAG)
Hudson River PCBs Superfund Site
Final Meeting Notes
Thursday, April 27 2006
1:00 PM – 4:00 PM
Administration Building
Saratoga Spa State Park
Saratoga Springs, NY

Members and Alternates Attending: Chris Ballantyne, Dan Casey, Ken DeCerce, Philip Dobie, Joe Gardner, Rob Goldman, Robert Goldstein, Manna Jo Greene, Harry Gutheil, George Hodgson, Betty Koval, Roland Mann, David Mathis, Merrilyn Pulver, Rich Schiafo, Lois Squire, Julie Stokes.

CAG Liaisons Attending: Danielle Adams (Ecology & Environment), William Daigle (NYS DEC), Joan Gerhardt (Behan Communications), David King (USEPA), Deanna Ripstein (NYS Department of Health), Leo Rosales (USEPA), Dan Watts (NJIT).

Others Attending: John Anthony (Maximillian Technologies), David Brill (Saratoga Health & Medical Services), Lee Coleman (Gazette Newspapers), Charles Chillran (VMD-LCA), Jeff Edelstein (CBI), Alan Ellsworth (NPS), Bill Fuchs (NPS), Gary Klawinski (Ecology & Environment), Tom Kryzak (Air and Earth Consulting), James Kudlack (Controlled Extraction Technologies), Roberta Kudlack (Controlled Extraction Technologies), Dan Culligan (NYS CC), Lloyd Wilson (NYS DOH – BWSP).

Facilitators : Patrick Field, Ona Ferguson.

Members Absent: Cecil Corbin-Mark, Mark Fitzsimmons, Richard Fuller, Mark Galough, Gil Hawkins, John Lawler, Aaron Mair, Dan McGraw, John Reiger, Judy Schmidt-Dean.

Next Meeting: May 25, 1:00-4:00pm

Key Action Items:

- CBI will coordinate Canal Corps boat tours for the CAG.
- The Technical Subcommittee will have a conference call with EPA to wrap up discussions of the FDR and CHASP, including habitat.
- The Economic Subcommittee will have a follow up morning meeting on July 27th.
- Comments are due to EPA on Contracts 3-6 by May 24.
- Comments are due on the CHASP by May 24.
- The GE representative will transmit to GE CAG members' request that the Canal Corps have the capacity to dredge to 12' deep in the navigational channel and will look into the number of areas in the channel to which this would apply during Phase 1.
- The GE representative will look into if/why contract bid deadlines were extended.

Welcome, Introductions, Meeting Summary Review

Participants both at and away from the table were invited to introduce themselves. The meeting summary for the earlier April meeting was not reviewed due to the short turn around time between summary release and this meeting.

Overview of the Final Design Report (FDR), Contracts 4 to 6

Contracts 4-6 of the FDR are on the dredging, habitat, and rail yard operations. The Technical Subcommittee reported to the CAG on a meeting held with EPA the morning of April 27 to review the FDR. The committee noted their thoughts, concerns and ideas regarding these contracts.

Subcommittee Comments/Summary

- Archaeological Artifacts: interest in assuring that smaller artifacts are preserved.
- Noise: request that dredging near sensitive receptors will have reduced hours and be context specific.
- Water Treatment Chain: due to the volume of water being treated, carbon and bag filters will be used rather than UV (like at Hudson Falls).
- Dredging: the total suspended solid standard for the GE contractor is 1/10th that of the EPA standard, contracts are partly performance-based and partly prescribed by control technologies, and additional controls move from sheet piling to silt curtains with effectiveness monitoring. Concern that the approach is not preventative enough.
- Fish Monitoring: is ongoing by DEC, with levels generally very stable, and will continue during dredging.
- Oversight: DEC/EPA will take some percentage of split samples. The Quality Assurance Plan (with monitoring details) is due 30 days the consent decree is entered.
- Near Shore Dredging: concern remains about leaving PCBs behind. There will be more rigorous near-shore sampling done during dredging. The area will be dredged then sampled at 40 samples per 5-acre area. If the sample composite is below the residual standard, there will be no more dredging there. What is left behind will be quantified. There will be capping to meet the residual standards, as needed. If capped, GE is responsible for 30 years of operations and maintenance. A certification unit will get signed off on before GE can leave the area. More near shore concentrations data will be collected for Phase II.

Subcommittee Questions:

- Residual Standard: A CAG member asked that despite limited or insufficient data in the near shore for Phase I, would EPA ensure that the residual standard was met? EPA responded that yes, the residual standard, including the near shore areas, will be met.
- Water Treatment Chain: how will fine particulates from bag filters be disposed of?
- Dredging: what happens if contractors don't meet GE's resuspension standards? What does EPA oversight of GE, in turn GE oversight of contractors and contractor oversight of sub-contractors look like? Are the additional controls preventative enough?

- Health Effects: will there be any health effects during dredging to swimmers, boaters, and paddlers? Should there be notice to these public groups during dredging? Will there be additional monitoring for water supplies during dredging?

Subcommittee Requests:

- CAG would like the opportunity to review sediment and dust control, as well as storm water control plans issued by contractors to GE.
- Awaiting sensitive receptor info, which is forthcoming on CD, regarding noise.
- CAG/Saratoga would like to review any Traffic Plan that is developed.
- Cover barges holding sediment when dredging isn't underway.
- Near Shore Dredging: would like more data for near shore concentrations.
- Fish monitoring: identify networks of fishermen for rapid communication (overlap with and message to boaters too), and consider increase monitoring and posting during dredging.

The Technical Subcommittee has not yet had a chance to delve into their questions on the habitat contract, and will do so on a conference call with EPA prior to the May CAG meeting.

Capping

CAG members asked about capping. David King replied that certain areas of the river with many big stones that can't be dredged would have to be capped. The material used for capping will depend on flow velocity (for slower areas sandy/gravel will work, whereas in faster flowing area there will be sand with heavier gravel). No concrete will be used. Capping won't likely be a preferred option by GE because they'll have to monitor caps for 30 years and replace them should they be scoured out.

Navigation Channel Depth

Participants discussed the question of dredge depth in the navigation channel. 12' is the desired minimum river depth for the navigation channel according to the Canal Corps. There is concern from CAG members to make sure that contaminated areas in the navigation channel are dredged to the 12' depth. This request is a priority for Saratoga County officials.

The Canal Corps has difficulty dredging for navigation in contaminated sites because they don't have disposal capacity for the contaminated sediment. David King stated that any dredging in the navigation channel would not have backfill to avoid filling up the channel. If capping were needed, the design would state that with capping the river depth would be 12' or more. There are only a few small areas in Phase 1 in the channel that do not meet the dredge criteria. CAG members noted that at the morning meeting on Economic Development there was a high level of support for making sure that the Canal Corps doesn't get left with the task of dredging/disposing of contaminated sediment just to keep the navigation channel open.

EPA staff noted that they would look at which sites Canal Corps would still be prohibited from dredging after Phase 1 due to PCB contamination and will consider the situation. DEC noted that as the ROD states that PCBs will be left behind, navigational dredging done in the area would have to look more like environmental dredging. Canal Corps has to get DEC approval prior to navigational dredging.

CAG members and others want clarification of the roles and responsibilities between GE and the Canal Corps for costs, labor, disposal site, etc that might ensure that all dredging (navigational and environmental) can happen together.

Water Quality

The Department of Health's State Bureau of Water Supply noted that the state received money from EPA to do additional water sampling prior to dredging near communities that use the river as their drinking water source (namely Halfmoon, Waterford, Poughkeepsie and Rhinebeck). They will monitor prior to and during phase 1, thereby creating a background database that can be shared within a few months. EPA noted that they have asked DEC and DOH to visit Halfmoon to look at the water intake system, given Halfmoon concerns about potential intake of resuspended PCBs. CAG members thanked EPA for enabling DOH to do pre-dredging water sampling.

The Village of Fort Edward has applied for funding to put place a new water line over, rather than under, the river. In addition, in a data gathering effort, GE identified about a dozen private property owner intakes from the river, though the use of that water is not clear. DOH is currently checking with GE to learn how this list of intakes was developed, working find out what the water is being used for, and will then develop appropriate mitigation measures and notification procedures. Fort Edward asked that the CAG consider writing a letter of support for the creation of a water district for this area of the Town to help it update its aging system.

Report out from Economic Development Subcommittee

The Economic Development Subcommittee reported on its morning meeting. This meeting was the follow up to a conversation held just prior to the March CAG meeting, and was an opportunity for different groups to report on progress. These groups volunteered to figure out how they would coordinate updated message about dredging progress to recreational boaters and to develop the idea of a joint outreach effort on behalf of the region.

Representatives from several different groups noted progress and next steps:

- A group of Chambers of Commerce and Tourism Boards has met twice. They know of many avenues for information distribution already in place, and they will continue to work together informally, with Janet Kennedy (director of the Lakes to Locks program) as the point person. The group wants to be sure there isn't a "gloomy" message spread regarding boating and dredging. Their priorities going forward are to: (a) assess what outreach is currently occurring in the region, (b) to prepare a strategic marketing plan to which willing chambers will commit, (c) to prepare a message on dredging, and (d) to develop a longer term plan to educate people about the dredging.
- All the supervisors and mayors from Saratoga County met to develop a list of outcomes they'd like to see for their county. The meeting served to update these municipal and county leaders on the dredging project. Each group submitted a list of outcomes they

would like to see, and they are meeting again to figure out how to hire a grant writer to bring in money for these ideas. Many of these were consistent across entities, including:

- Develop a hike/bike corridor along the river
 - Create a consistent tourism message for the county
 - Dredge as deeply as needed in the navigation channel
 - Ensure bank stabilization
 - Preserve local artifacts
 - Install dry hydrants at the boat launches
 - Train emergency service personnel
- The Canal Corps will be making improvements to existing launches, and will help with collaborative marketing. They are currently concerned about the possibility that they will be unable to dredge contaminated areas to necessary depth for navigation due to challenges of costs and disposal for removing contaminated materials. The Canal Corps has a system that could show real-time where dredges are by using GPS.
 - EPA will be providing updated project information to the counties, the chambers of commerce, and the Canal Corps. The information it shares will be based on detailed work plans. It will do this through fact sheets, articles and advertising in newspapers, op eds in regional papers, and may even get a boat to use to get out onto the water. EPA will be providing a map each month at public marinas that shows where dredging will be occurring. EPA wants to make sure their mailing list is complete for people who want their updates.

These groups will set up the systems for relaying information, such as links between chamber of commerce and the Canal Corps websites, over the coming months so that when there is information to share there will not be a delay. EPA will look to the groups at the meeting to provide contact names at the primary organizations that EPA should reach out to, as well as details on what each organization needs in the way of length of text, type of facts, etc. The group recommended to EPA the following top ways to get out information: (1) NYcanal.com, a private boating forum (David Krauter proprietor), (2) "Boating on the Hudson," (John Vargo, manager), (3) VHF channel 13, and maybe 9 and 16: canal equivalent to the "highway advisory" in the form of a notice to mariners.

Community Health and Safety Plan

EPA gave a brief overview of the contents of the CHASP, released at the same time as the FDR. The CHASP addresses public safety, focusing on prevention. GE is currently having meetings with fire and police departments to develop responses for a range of emergency scenarios. GE's plan is to keep the public informed through monthly progress reports (on the amount dredged, monitoring results, any exceptions to the standards, and upcoming actions), having Joan Gerhardt serve as community liaison, having a hotline that is in operation 24 hours a day, having a project website (that lists the schedule, location of dredging, notice to mariners, etc), and maintaining a list serve and mailing list of people who want updates.

GE intends to be responsive to the public's concerns. It was noted that the public will be able to contact GE through the hotline, through mariner feedback at the locks, marinas and boat launches, and that all inquiries will be investigated and GE will report to the public about complaint trends. CAG members noted that GE should be sure to work to get all information out to those who don't have or use computers (so would not get email announcements or check a website). GE noted that they would be sure to mail monthly updates to those who request this. Other CAG members noted that GE should be sure to notify the daily and weekly newspapers, including all the local papers, and that there should be simple brochures about the project at all the Stewarts, for example, in the area. EPA mentioned that when announcements are sent out from their office concerning the project, they do distribute to all regional and local outlets.

Comments are due on the CHASP by May 24.

Brief Updates

Clearwater Sail: CAG members and alternates are invited on a special private sail from Rensselaer by the Hudson River Sloop Clearwater being organized for 10-1 on Saturday September 9. Cost will be \$30 or less, and children under 12 will be free.

Boat Tour: The Canal Corps has offered to take CAG members on two boat tours. One would be to look at the hydraulic dredging from locks 3-4, another would be to see lock 6, the Thompson Island Pool, and locks 7 and 8. CBI will help schedule these tours.

Consent Decree: The Department of Justice hasn't yet filed comments with the Court.

Contract Extensions: One CAG member asked why GE has extended the bid deadlines on its contracts. GE noted that they would look into this.

Adjourn

The meeting was adjourned at 3:00pm.