

Community Advisory Group (CAG)
Hudson River PCBs Superfund Site
Final Meeting Notes
Thursday, May 25 2006
1:00 PM – 4:00 PM
Administration Building
Saratoga Spa State Park
Saratoga Springs, NY

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

CAG Liaisons Attending: Danielle Adams (Ecology & Environment), John Callaghan (NYSCC), Doug Garbarini (USEPA), Joan Gerhardt (Behan Communications), Deanna Ripstein (NYSDOH), Leo Rosales (USEPA).

Others Attending: David Adams (Saratoga County EMC), Nancy Aungst (Ecology & Environment), David Brill (Saratoga Health & Medical Services), Jerry Dudding (GFD Patents), John Dutka (Mohawk Council of Yacht Clubs), Kevin Farrar (NYSDEC), Gary Klawinski (Ecology & Environment), Tom Kryzak (Air and Earth Consulting), James Kudlack (Controlled Extraction Technologies), Roberta Kudlack (Controlled Extraction Technologies), Pam Lacy (Resident, Officer of Castleton Boat Club), Daniel Milewski (Ecology & Environment), John Mulligan (Malcolm Pirnie), Bonnie Naumann (PostStar).

Facilitators : Jeff Edelstein, Patrick Field.

Members Absent: Dan Casey, Cecil Corbin-Mark, Mark Fitzsimmons, Richard Fuller, Mark Galough, Robert Goldstein, Harry Gutheil, Gil Hawkins, John Lawler, Aaron Mair, Dan McGraw, John Reiger, Rich Schiafo, Judy Schmidt-Dean.

Next meetings: There will be a boat tour on June 15, leaving from Lock 8 at 10:30 a.m. There will not be a June CAG meeting. The CAG will meet next on July 27, 1:00-4:00pm at the Fort Edward Fire House.

Action Items

- NYS Department of Health will report back in a few months on the status of private well concerns.
- EPA will report to the CAG in July on flood plain sampling results.
- EPA will be look into question of use of invasive species in habitat restoration plan.
- EPA will present to the CAG in July on comments received on the FDR for Contracts 3 to 6.
- CBI will distribute DEC's FDR comments.

- EPA will make the response to comments on the IDR available as soon as possible.
- DOH will make a copy of the water monitoring presentation available, and asks that people ask if they are unsure how to interpret the slides.
- EPA will identify in which document contingency plans related to agricultural water use and resuspension will be addressed.

Welcome, Introductions, Meeting Summary Review

Pat Field introduced John Dutka, who will be an alternate for David Mathis (representing Recreational Boating). John is the Commodore of the Mohawk Hudson Council of Yacht Clubs. He has been a boater for more than 40 years.

Public Water Supply Monitoring Program

Lloyd Wilson (NYSDOH) presented details about the monitoring plan for public water supplies. The major topics were background on the Hudson River, PCB measurements, frequency and location of samples, and status (funding, responsibilities). It was noted that there are 40 miles between dredging area and the water supplies.

The purpose of monitoring is to understand the effects of dredging on PCB levels at intakes, to ensure compliance with maximum water quality contaminant levels (MCLs), to provide data comparable to the in-river data, and to help develop contingency plans. The presentation included maps of the sampling locations and graphs of baseline water sampling results. There are natural fluctuations in PCB concentration measurements in water; concentrations tend to be higher when the flow rate is higher and when the water temperature is warmer. There are two accepted methods of analysis: the Aroclor Method and the Green Bay Method. The Aroclor Method measures via pattern detection. It is faster, cheaper and provides less data than the Green Bay Method. The Aroclor Method is required by NYS rules. GE uses the Green Bay Method for their current monitoring program. The Green Bay Method is congener-specific and is more specific but takes longer to perform than the Aroclor Method. It is conceivable that you may detect PCBs using the Green Bay Method that would register as a non-detect using the Aroclor Method.

DOH will coordinate their supplemental monitoring with GE's current monitoring program, to fill any voids. US EPA is providing the funding, and NEA, the same lab GE uses, is doing the lab analysis.

DOH has proposed conducting baseline monitoring using both methods of analysis, using both raw and finished water, starting in the summer of 2006. They would collect two samples per month in the Upper Hudson and one sample per month in the Lower Hudson from May through November 2006.

During Phase 1 dredging, samples would be collected everyday at Waterford and Halfmoon, with analysis performed on every fourth day (to save costs); limited sampling of 1 or 2 samples per month would be done at Poughkeepsie and Rhinebeck.

Currently, the monitoring program documentation is in progress, the logistics of securing EPA funding are pending, and meetings are scheduled with water suppliers, town officials and local health departments. As information is gathered, the plan may be amended to increase or decrease monitoring, and the data will be evaluated to determine monitoring needs beyond Phase I. Sample results will be shared.

CAG Discussion on Water Supply Issues Generally

CAG members offered some questions and comments:¹

Testing

- *Lower chlorinated forms of PCB dissolve more readily. Will testing be done for the full range?* Yes, the congener (Green Bay) method does that.
- *With air monitoring there was concern about non-detects. Is NEA lab equipped with the most sensitive equipment available?* We are using the NEA congener method because people want the sensitivity it provides. In theory the aroclor and congener methods can be equal, but in practice congener is more specific.
- *Why are some turnarounds 72 hours, others 24?* To conform to the Performance Standards; based on proximity to the dredging. Bakers Falls is north of the project area, so is just baseline monitoring. The first two [far field] monitoring stations are the closest downstream of dredging, so we want the shortest turnaround time for those. The second two [far field] monitoring stations are further downstream, so it is not as urgent. If serious detects are found at the early monitors, the later ones can be addressed.
- *Where could private well water be tested in advance of the process? How much does it cost?* It would be surprising if PCBs are making their way through the ground to private wells, because ground water flows into the river, not away from it. However, DOH is taking a conservative approach and is looking into the concern. Congener-specific analysis would cost around \$500/sample.

Agricultural Use

- *This looks like a comprehensive program for public water supplies; agricultural supplies, some of which take water directly from the river? Water is used both to irrigate plant roots and as frost protection through direct application to branches and leaves. We would like to see some baseline data on that, and would like to know what the plans are for overall monitoring.* There are public and private intakes in addition to wells. DOH is looking into the well issue, but is not yet ready to make a statement (will report out at an upcoming meeting). DOH and EPA are also looking into private intake issues. The Agricultural Working Group

¹ CAG questions and comments are in italics, answers are in plain text.

is working on both floodplains concerns and agricultural intakes used for irrigation, etc. A survey was sent out to agricultural property owners in the floodplains to gather information on how many intakes there are and where they are located, in order to assess potential risks related to dredging. Very few of the surveys were returned. A follow-up letter will be sent shortly from Washington County Soil & Water.

- *In order to get the farm community to release information for the study by the Soil and Water Conservation District, farmers need to know that if the water is found to be contaminated (a) other water supplies will be available, and (b) there will be a contingency plan in case it turns out that crops are contaminated. Where are agricultural concerns addressed. EPA will check into which document addresses agricultural concerns and report back to the CAG.*
- *Can anyone take from the river for agricultural use, or do they need a permit? Kevin Farrar (NYS DEC) will check into the regulations.*
- *There needs to be more information on whether natural ground water filtration is preventing PCBs from getting into wells.*

Education and Fish Consumption

- *Educating water users will take a lot of effort, as people don't pay attention to signs advising them not to eat fish from the Hudson. Per the consent decree, GE will provide money to DOH for fish advisories and education/outreach.*
- *There is concern that people are fishing illegally at night, when there are no conservation officers, and keeping and eating the fish. DEC should assign a couple of conservation officers to patrol at night from time to time. In the past, instead of patrolling at night, DEC tells citizens "if you see someone fishing illegally give us a call" but by then it's too late.*

Additional CAG Comments

- *Public outreach and education plan is primarily for water supply today – would like to see public education/outreach for fish consumption and water recreation.*
- *Fort Edward has very old water line in need of replacement and want to be sure that that line is replaced so re-suspended particles don't get into the pipes.*
- *Concern that 6 - 7 miles downstream is too far for the first testing. This refers to far-field monitoring. The first testing will always be in the near field, in the immediate area of dredging. Also, a special study (sediment traps) will be done during Phase 1 dredging to capture data on the areas between monitoring stations.*
- *Are people are bringing river water directly into their homes and, if so, how are they using it?*

Technical Subcommittee – Report Out on Further FDR Review

Manna Jo Greene presented a summary of the Technical Subcommittee (TSC)'s most recent review comments on the FDR. Key points were:

- Covering of materials: TSC wants coarser materials such as cobble and boulders taken to the dewatering facility to be covered to reduce volatilization.
- Habitat: Plan seems more engineering-driven than habitat-restoration driven. The plans are not sufficiently detailed or tailored to the upper Hudson River ecology, and they are based too much on modeling and not enough on field data. There were also concerns about oversight, conversion to different habitat types, replanting details and monitoring.

A question was raised about whether invasive species were actually going to be planted. EPA will look into this question but noted that it was likely this is an oversight and can be corrected. EPA will present to the CAG in July on comments received on the FDR.

Summary of EPA Final Comments on FDR Contracts 1 and 2

EPA, gave a brief presentation. The comment period closed April 24, 2006, and comments were sent to GE on April 25, 2006. The major topic areas of comments were: utilities, noise, storm water, waterfront and rail yard construction, and ongoing design elements. Most of the comments were on storm water management.

- *Utilities:* EPA is currently developing its response to a comment about connections to water, sewer and power.
- *Noise:* The installation of mooring posts (“dolphins”) at lock 7 is expected to generate noise exceedences. This issue is still being figured out; EPA has requested GE’s mitigation plan.
- *Storm water:* The biggest concern is in areas of the dewatering facility where there are hazardous materials. EPA submitted a number of clarifying questions to GE. DEC folks regulating storm water have worked out many issues in conference calls with GE.
- *Waterfront construction:* EPA believes that most of those issues have been worked out between GE and NYSCC.
- *Rail yard construction:* A few issues were identified. One issue was that GE was just going to build one track, and EPA wants an extra in order to be prepared for Phase II. Noise issues have been addressed.

GE moved their planned location for where boats are staged to accommodate EPA’s request. CAG members asked to see DEC’s comments on the FDR. DEC will circulate them via the facilitators. EPA didn’t send out the response to comments on the IDR because they were in the middle of addressing responses to the consent decree, and weren’t allowed for legal reasons to send out response to comments on IDR. EPA can get that together and will distribute them in June.

Adjourn

The meeting was adjourned at 3:30 p.m.