

Community Advisory Group (CAG)
Hudson River PCBs Superfund Site
Meeting Notes
Thursday May 28, 2009
1:00 PM – 4:00 PM
Fort Edward, NY

Members and Alternates Attending: Shawn Connelly, Chris DeBolt, Phil Dobie, Richard Fuller, Aaron Gabriel, Manna Jo Greene, Jane Havens, George Hodgson, Bill Koebbeman, Roland Mann, David Mathis, Althea Mullarkey, Merrillyn Pulver-Moulthrop, Julie Stokes, Rebecca Troutman.

CAG Liaisons Attending: John Davis (NYSDOJ), Joan Gerhardt (General Electric), Richard Harris (NYSCC), David King (USEPA), Deanna Ripstein (NYSDOH), Kristen Skopeck (USEPA).

Others Attending: Melanie Chapman (Ecology & Environment), Mike Cheplowitz (Ecology & Environment), Robert Conway (NPS-Saratoga NHP), Tom Cronin (Atlantic Testing Laboratories), Phillip Dean (Schuyler Yacht Basin), Peter Deering (Canadian Pacific Railway), Justin Deming (NYSDOH), Kevin Farrar (NYSDEC), Joanne Fowler (Ecology & Environment), James Jordan (Irving Tissue), Regina Keenan (NYSDOH), Richard Kidwell (Fort Edward Joint Fire District), Gary Klawinski (Ecology & Environment), Tom Kryzak (Air and Earth), Jeremy Magliano (NYSOAC), Joe Moloughney (Cohoes resident), Tom Nash (Irving Tissue), Nick Reisman (Post Star), David Rosoff (USEPA), Mary Ellen Russon (Fort Edward resident), Travis Trieng (resident).

Facilitators: Ona Ferguson, Patrick Field.

Members Absent: Andy Bicking, Cecil Corbin-Mark, Mark Fitzsimmons, Robert Goldman, Gil Hawkins, Preston Jenkins, John Lawler, Aaron Mair, Dan McGraw, John Reiger, Judy Schmidt-Dean, Lois Squire, Mary Wachunas, Mindy Wormuth.

Next meetings: The next CAG meeting was suggested for June 25.

Action Items

- CBI – make updated CAG list available with member names and organizations.
- EPA – consider request by several CAG members to measure PCB levels in water coming out of dredge bucket weepholes.
- GE – consider giving the technical presentation on the project at the beginning of CAG meetings rather than having EPA do it.

Welcome, Introductions, Review of March Meeting Summary and Action Items

Facilitators welcomed everyone to the meeting, and the draft of the March meeting summary distributed in CAG folders was approved with no changes. The system for distributing meeting materials to CAG members has been revised in an effort to reduce paper waste. All CAG meeting handouts and presentation slides will now be available within one week of CAG meetings at: <http://www.hudsoncag.ene.com/documents.htm>. CAG members or alternates who would prefer to have materials mailed to them should contact Joanne Fowler at the Fort Edward Field Office.

Project Update

David King, Director of EPA's Hudson River Field Office, presented an update on the dredging project. Dredging began with a ceremony on May 15. As of Saturday May 23, approximately 740 cubic yards had been dredged. A rock dike was built on the east channel of Rogers Island to keep resuspension low. GE has continued with debris removal and tree trimming and removal since the last CAG meeting. GE is doing extensive monitoring of the water and air. High river flow has slowed dredging progress at times. GE is on the river in this start-up phase earlier in the year than was anticipated in the 2002 Record of Decision. GE is watching river flows to determine when dredging is appropriate. In the west channel, at 6000 cubic feet per second (cfs) or less, large dredges can be used. Between 6000cfs and 7000cfs, smaller dredges can be used, and above 7000cfs, dredging must halt. EPA expects dredging to go into full production in June.

A 30' canal boat was found underwater. Champlain Maritime Museum and a contractor are doing diving to investigate the canal boat, which was not very intact.

The project has stayed within drinking water standards for PCBs, and they've had only one noise exceedence (69 decibels compared to a nighttime noise limit of 65). There have not been any equipment failures. There is a silt curtain in place in the East Channel to minimize sediment mobilization. Sampling is being done both inside and outside of the silt curtain at "near-field" stations that monitor for turbidity, metals and water quality parameters. PCB levels are measured at "far-field" water monitoring stations.

The amount of sediment removed during the project is measured on a daily basis by tonnage moved through the locks. However, the primary method for determining the amount of sediment removed is by comparing original depths (bathymetry) to post dredging depths and using that information to calculate in-place sediment volume removed. This is being done on a certification unit basis.

CAG questions centered on the following themes, with EPA comments and responses in italics.

- Air monitoring and filtration at the dewatering facility. *Monitoring is occurring upwind and downwind of dredging operations with both fixed and moveable monitoring stations. At the processing facility, there are five monitoring stations around the facility as well as contractor monitoring. The air inside the buildings is not currently monitored, but the filtration system is on. When people start going in and out of the building regularly, monitoring will occur. Also, workers wear dosimeters, especially in the buildings.*
- Timeframe for dredging in Phase 1, given an apparently slow rate of dredging to date (active dredging during 95 of 288 total hours). *The expectation was that little dredging would get done in May, so it is beneficial that the project could get up and running during that month. Also, the flow limit for the west channel around Rogers Island is 7000 cfs, so dredging can't occur there at those flow rates whereas in the main channel dredging can continue up to 10,000 cfs.*
- Timing of dredging in different areas, and when the dredges will move to the main channel. *Once the area around Roger's Island is dredged, which will be in several months, dredges will move to the main channel.*
- Dredges are not sealing around the debris they are bringing up. *This is causing some resuspension, but the debris needs to be removed in order for the dredges to get to the*

sediment below it. When debris is in the way, it has to be brought up before the sediment. EPA is working with GE and the operators to ensure good performance.

- Request that EPA sample the water coming out of the weepholes in the buckets for PCBs and let the CAG know the contamination levels.
- Comment: Even if there is some resuspension now, the goal is to stop the 500lbs of PCBs that are remobilized annually.
- Comment: The project is very technical and so has to be done deliberately and is going very well so far.
- Comments that the project seems to be making progress, even if it isn't perfect.

CAG members indicated a desire to hear regularly from EPA about how Phase I is going and what the project challenges are when they arise. One CAG member requested that at CAG meetings GE present the technical presentation about the project and EPA present the monitoring being done on behalf of citizens. Another member requested more public meetings be held in the evenings in communities near the dredging and more public notification of any dredging-related meetings.

Communication and Notifications During Dredging

CAG members discussed notifications of general dredging-related data, water exceedences, and accidents. The website hudsondredgingdata.com now holds performance standards data, including the results from air, water, noise and light monitoring. This information is available to everyone, and people are welcome to go to the EPA Field Office if they want additional data. David King, EPA, said the site is being continually refined, and that the function showing activity per certification unit has just been added and that the total hours of dredging will also be posted regularly. EPA indicated their appreciation for any ideas about how to make this information available to the public.

Joan Gerhardt, Behan Communications, discussed GE's communication with boaters. Boaters are being notified of dredging activities through flyers given to the lock operators that show where dredging is happening and how to communicate with vessel dispatch. Signage is also posted along the shoreline at Locks 6, 7 and 8 noting that the area is a work zone and has appropriate boating speed limits. The website also has a boater page that shows specifically where dredging is occurring. Rich Harris, NYS Canal Corps, stated that NYSCC is including dredging activity in the weekly Notice to Mariners that goes out via email and fax by noon every Friday and that they are considering handing out flyers at the entrances to the Locks. He said that so far NYSCC has not heard reports of recreational boaters inconvenienced by the project. Kris Skopect of EPA suggested that the data site could have a place to link to the Notice to Mariners.

Suggestions on communication from CAG members included:

- Provide information to boaters at Locks 3, 4 and 5 so boaters can plan their trips effectively.
- Distribute boating information to the chambers of commerce that would like to share information with the tourism industry.
- Indicate on the data website which days there is dredging and which days there isn't, so the public can understand how rates of resuspension correlate to active dredging.

One CAG member raised concerns about a message conveyed by the media that people who swim in the Hudson should wash afterwards, saying this message sends the wrong idea to the public. Deanna Ripstein, NYS Department of Health, said that the DOH provided good hygiene recommendations, which include washing after swimming because of bacteria, viruses and microorganisms in surface water (not because of PCBs). DOH also recommends not swimming near dredging because of possible bodily harm from interaction with the dredging equipment itself. The facilitator noted the importance for those putting out messages to the public to be very careful that the point of the message does not get lost or conflated with other points. Again, DOH stressed that the recommendations are typical of river use generally.

Regarding operator safety, Rich Harris, NYSCC, said that there is an air monitoring station near Lock 7 and that staff has been advised of precautions such as how to appropriately handle lines of vessels and washing hands and clothing, among other things.

Floodplain Presentation

David Rosoff, EPA, presented floodplain sampling results from land-based samples taken between Fort Edward and Troy/Waterford in areas of human use, including marinas. This work resulted in response actions on 15 areas in 2007, nine included caps. EPA did a survey of human use areas along river in summer 2007. In September 2008, GE agreed to do additional sampling, which was carried out in fall 2008. The data collected will be used in the Remedial Investigation of the floodplains. To date, GE and EPA have collected approximately 3,850 samples on approximately 350 properties. Presentation slides show sampling locations along the river. On 270 properties, sampling was done at 0-6 inches, 6-12 inches, and 12-24 inches. EPA did some sampling in addition to GE's sampling. The location of the properties is private so as to protect privacy of private landowners.

In 85% of the samples, the results showed <1ppm or non-detect for PCBs. Fifty-five percent showed non-detect. 11% of samples had concentrations from 1-10ppm, and 4% of samples had greater than 10ppm. EPA had previously taken action in locations with >10ppm contamination. On agricultural land used for farming, sampling showed <1ppm PCBs in the fields. All the agricultural intakes are south of Thompson Island, and analysis has shown that the 500ppt drinking water standard was adequately protective of farmers using the water for irrigation. The highest concentrations of PCBs were generally found in low-lying areas closest to the shoreline. PCB concentrations generally decreased as distance from shoreline increased and as distance from Fort Edward increased.

Part of the Remedial Investigation work will be to determine what the cleanup level needs to be, as there is no standard for soil contamination. This will include a risk assessment for animals and humans. In properties with >10ppm, EPA is evaluating short-term remediation actions. The results were submitted to EPA in a Data Summary Report. In May, EPA sent the results to individual property owners with a letter indicating likely next steps, including the possibility of more sampling in 2009. This summer, approximately 50 properties will be resampled to delineate results and approximately 60 new properties will be targeted for sampling. Efforts this summer will include additional sampling of agricultural land. GE is preparing a field sampling plan. GE and EPA will amend their existing Administrative Order of Consent for the summer 2009 sampling. EPA and GE

are discussing next steps in the Remedial Investigation. Additional sampling is expected to start in late June.

CAG questions centered on the following themes, with comments and responses in italics.

- Consider identifying those agricultural lands that are irrigated with river water. *Deanna Ripstein noted that plants can uptake some PCBs, and can be contaminated by contaminated soil or irrigation splashes onto the plant (these can be washed off before eating produce). Plants also have some air intake of PCBs, but the level is very small.*
- Pleased to hear about this data collection effort that can serve as a baseline in the future.
- Question about whether crops could be sampled for uptake of PCBs. *Kevin Farrar noted that NYSDEC is considering crop sampling in the Remedial Investigation planning effort.*

Fish Advisory

Regina Keenan, NYSDOH, reviewed the Department of Health's efforts to share important information on fish consumption with the public. Their goal is for everyone who eats fish to know, understand and follow state advisories and to communicate a balanced message that it is good to eat fish for health but certain levels of chemicals in some fish may be harmful, especially to sensitive populations. DOH advisories focus on how often can you eat fish, who should not eat it, how to cook and clean it to reduce exposure, and the locations where the fish populations are contaminated. NYSDOH updates their advisories annually. The details on the advisory can be found on the CAG website in the form of both a presentation and a handout (<http://www.hudsoncag.ene.com/documents.htm>).

Women of childbearing years and children under 15 should not be eating fish from the Hudson River. Trimming, skinning and cooking fish on a rack reduces the PCBs consumed by half. DOH's outreach includes written materials, fishing regulations distributed with fishing licenses, a toll-free number, a website, print adds and a listserv. They have posted signs in different languages with different messages. People below Bear Mountain Bridge are less aware of the advisories than those above, as are subsistence fishermen and those with lower incomes. DOH has a grant program to fund contractors to help them reach women, children, and low-income populations.

Brief Updates

Community Involvement Plan (CIP) – Kris Skopeck, EPA, said the revised CIP should be in hand by the next meeting.

Navigational Dredging – Several CAG members asked about any progress by GE, EPA, NYSCC, and NYSDEC on getting navigational dredging done during the current dredging process. They identified this as a serious economic development issue, saying the region has already lost one company upriver because the canals are too shallow and that they are losing commercial and larger recreational boating opportunities all the time. They are frustrated that the answer on this topic seems to generally be the Natural Resources Damage Assessment (NRDA) will address it. CAG members stated that, as they understand it, this generally this means in five to ten years when there

will no longer be environmental dredges in the river and the dewatering facility may no longer have the capacity to dewater dredge spoils. Maintenance dredging hasn't been possible for over twenty years, as the NYSCC doesn't have the capacity to do environmental dredging. They want this issue to be dealt with while dredges are in the river, as a practical matter. They said they need their state agencies to respond to these concerns CAG members are raising. Now that dredges are in the river they feel that they are being told that they can't talk about it.

Each of the identified agencies present were asked how they are going to work out an equitable agreement among all participants on this issue. John Davis, of the NYS Attorney General's office said the state has raised the issue with GE, but that he is not at liberty to discuss its status. CAG members suggested negotiations between state government and GE outside of the NRDA, and asked if there is anything CAG members could do to help bring resolution to this issue. It was mentioned that the NRD Trustees (which in this case include the Department of Commerce via NOAA and the Department of Interior and commissioners from DEC) could coordinate their response during an ongoing cleanup if that makes sense. Someone suggested that CAG members who care about this issue might work with the people who set policy rather than with those who might be negotiating.

Membership Updates – The CAG approved the following membership changes: Aaron Gabriel is the new agriculture representative. Andy Bicking and Althea Mullarkey are the new representative and alternate for Scenic Hudson. The CAG created three new seats: (1) Emergency Services/Public Safety – Fort Edward, filled by Richard Kidwell, (2) Emergency Services/Public Safety – Downriver, vacant, and (3) Academic/University, filled by Robert Goldstein for Pace University.

Wells Near the River – Justin Demming, NYSDOH, gave an update on DOH's ongoing well survey. They sampled drilled, dug and shallow point wells, and looked at water quality and how people are using well water. They began looking at wells from Stillwater north, focusing on wells that had the greatest chance of high impact from the river (e.g. dug wells on islands), and were testing for PCBs and coliform. The goal of the project was to generate data. They have sampled 17 wells to date. The results for the 15 wells for which they have results at this time are all non-detect for PCBs. Sampling results are being shared with the well owners. The next steps are to collect data on some wells below Schuylerville.

Committee Business

CAG Agenda Topics and Next Meeting: CAG members indicated a desire to meet in June and to be kept updated Phase 1 project successes and failures. Topics suggested included the operation of dredge buckets and watching some video or seeing dredging live.

A CAG member asked whether questions could be submitted in advance of the meeting and was told that questions can be submitted in advance and that people can call the Hudson River Field Office with questions at any time.

Adjourn

The meeting was adjourned at 4:00pm.