

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

Date: MAY - 2 2001

Re: April 20, 2001 Conference Call Between EPA and Representatives of the National Academy of Sciences Concerning the National Research Council Report on PCB-Contaminated Sediments

From: Douglas Tomchuk, Project Manager
Hudson River PCBs Superfund Site



To: File

On April 20, 2001 I participated in a conference call between representatives of the U.S. Environmental Protection Agency ("EPA"), and members of the National Research Council ("NRC") Committee ("NRC Committee") who were involved in writing the NRC's March 2001 report "A Risk-Management Strategy for PCB-Contaminated Sediments" (the "NRC Report"). The purpose of the call was to enable EPA to ask questions about the NRC Report, and to seek clarification of the report where needed. During the call, two issues with particular relevance to the Hudson River PCBs Superfund Site ("Site") were addressed:

1. Sediment resuspension during dredging

Citing a published study from 1978 (Nikai, 1978, cited in Herbich and Brahme, *Literature Review and Technical Evaluation of Sediment Resuspension During Dredging*, Contract Report HL-91-1, U.S. Army Corps of Engineers Waterways Experiment Station (1991)), the NRC Report (page 199) states that estimated sediment resuspension during hydraulic dredging is between 0.5% and 4.5% of the sediments dredged, and that estimated sediment resuspension during mechanical dredging is between 2.5% and 9% of sediments dredged. During the call EPA asked the NRC Committee members whether the study cited in the NRC Report represents the most current information regarding expected sediment resuspension during dredging. In response, Danny Reible (NRC Committee) stated that the resuspension estimates cited in the NRC Report are not based on the most current information, and that studies/information generated after Nikai, 1978, such as work by Don Hayes (Univ. of Utah), indicate that sediment resuspension rates during dredging may be significantly lower than the levels cited in the NRC Report. Dr. Reible went on to say that the information was not included in the NRC Report as it "...had not withstood the test of time." Despite the fact that the resuspension information presented in the NRC Report may be incomplete and potentially misleading, John Farrington (NRC Committee) did not believe that it was necessary for the NRC to issue any corrections to the NRC Report's discussion of sediment resuspension because he believes that the report already contains sufficient qualifying language relating to this issue. The NRC Committee members did not cite to any specific qualifying language in the report, however.

2. Community Involvement During the Hudson River PCBs Site Reassessment

During a discussion of community involvement in EPA's decision-making process at Superfund sites, Stephen Lester (NRC Committee) singled out the Hudson River PCBs Site Reassessment as an "exception" where EPA went beyond the community participation requirements of the Superfund law. As an example of EPA's community outreach efforts for the Hudson River PCBs Site, Mr. Lester cited the numerous (11) public meetings that EPA has held to take public comment on its proposed remedy for the Site, versus the single public meeting required by the Superfund law. In light of Mr. Lester's statement, Richard Caspe (EPA Region 2) asked why the NRC Report states that "[c]ommunity involvement was unsuccessful" for the Hudson River PCBs Site (NRC Report Table 4-1). Roberta Wedge (NRC Committee) responded that the cited statement on Table 4-1 was not intended to mean that the Hudson River PCBs Site Community Interaction Program was inadequate, but rather that community involvement for the Site was less successful in achieving a public consensus on the proposed remedy than was the Tacoma (Commencement Bay) community interaction program, to which Hudson River PCBs Site is compared in this table. Ms. Wedge indicated that the NRC Committee may revise the NRC Report's characterization of the Hudson River PCBs Site community interaction program in the bottom right hand panel on Table 4-1 to clarify that the Hudson River PCBs Site community interaction program was "less successful" in achieving a consensus among the community than the Tacoma (Commencement Bay) program. (Note: On April 26, 2001, Dennis Timberlake, ORD-Cincinnati, the EPA liaison to NAS on this project, informed Richard Caspe and other participants on the call that the NRC Committee had decided not to revise the language in Table 4-1 concerning EPA's community interaction program.)

Richard Caspe then asked whether the NRC also would correct the statement in Box 6-9 that "[t]he Hudson River community involvement process used by EPA does not appear to allow community involvement in any decision-making or even in problem-formulation phases and does not appear to be responsive to community needs and frustrations." Mr. Caspe indicated that this statement is factually inaccurate because, among other things, it does not consider the fact that EPA eliminated a local landfill from consideration in the Hudson River PCBs Site Feasibility Study in response to community concerns about such a landfill. This statement also seems inconsistent with Mr. Lester's praise of the Hudson River PCBs community interaction program. The NRC did not agree to make any changes to Box 6-9.