

June 23, 1995

Ms. Carol Hemington
Technical Assistance Grant Coordinator
U.S. Environmental Protection Agency
Region 2
290 Broadway
New York, NY 10007

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Klara B. Sauer

**Re: Application for Hudson River PCB
Technical Assistance Grant**

Dear Ms. Hemington:

Enclosed is Scenic Hudson's application for a technical assistance grant (TAG) for the Hudson River PCBs site. The TAG will be used to hire a technical advisor who will strengthen our participation, as citizen environmentalists, in the Hudson River PCBs Reassessment. We expect that the technical advisor's scientific expertise and familiarity with the CERCLA remedial action process will elevate the comments we provide to EPA on reassessment documents and the information we provide to our supporters and other concerned citizens.

In the thirty day period following public notice of Scenic Hudson's intent to apply for the TAG, no groups contacted us to request consolidation. Scenic Hudson has a long history of cooperating with other environmental groups interested in the Hudson River PCB site. Our intention it to keep these groups (e.g., the Hudson River Sloop Clearwater) up to date on the technical advisor's work and important outcomes of the Hudson River PCBs Reassessment.

Scenic Hudson submitted this application package to the New York State Budget Office for review. In particular, the application was mailed to Mary Ellen Sampson (518) 474-1605 on June 22, 1995.

Please call me at (914) 473-4440 with questions or comments. Thank you.

Sincerely,

Joshua Cleland
Environmental Associate

9 Vassar Street
Poughkeepsie, NY
12601-3091
914-473-4440
FAX 914-473-2648

/rmm
Enclosure

cc: Mary Ellen Sampson, NYS

10.6309

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Construction <input type="checkbox"/> <input checked="" type="checkbox"/> Non-Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED June 23, 1995		Applicant Identifier	
3. DATE RECEIVED BY STATE		State Application Identifier			
4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier			
5. APPLICANT INFORMATION					
Legal Name: Scenic Hudson, Inc.			Organizational Unit: NA		
Address (give city, county, state, and zip code): <div style="text-align: center;">9 Vassar St. Poughkeepsie, NY</div>			Name and telephone number of person to be contacted on matters involving this application (give area code) <div style="text-align: center;">Joshua Cleland (914) 473-4440</div>		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): <div style="border: 1px solid black; padding: 2px; display: inline-block;"> 1 3 - 2 8 9 8 7 9 9 </div>			7. TYPE OF APPLICANT: (enter appropriate letter in box) N		
8. TYPE OF APPLICATION: <div style="text-align: center;"> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision </div> If Revision, enter appropriate letter(s) in box(es) <div style="display: flex; justify-content: space-between; font-size: small;"> A. Increase Award B. Decrease Award C. Increase Duration </div> <div style="display: flex; justify-content: space-between; font-size: small;"> D. Decrease Duration Other (specify): </div>			<div style="font-size: small;"> A. State H. Independent School Dist. B. County I. State Controlled Institution of Higher Learning C. Municipal J. Private University D. Township K. Indian Tribe E. Interstate L. Individual F. Intermunicipal M. Profit Organization G. Special District N. Other (Specify) Nonprofit Citizen Organization </div>		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-left: 200px;"> 6 6 - 8 0 6 </div> TITLE: Superfund Technical Assistance Grant			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Technical Assistance at the Hudson River PCB site		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Hudson River from Hudson Falls, NY to New York City			9. NAME OF FEDERAL AGENCY: U.S. Environmental Protection Agency		
13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF:			
Start Date	Ending Date	a. Applicant 19 (NY) b. Project NY: 1 - 22, 26; NJ: 5, 12			
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?			
a. Federal	\$ 50,000 .00	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: <div style="text-align: center;">DATE <u>June 23, 1995</u></div>			
b. Applicant	\$ 12,500 .00	b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW			
c. State	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?			
d. Local	\$.00	<input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No			
e. Other	\$.00				
f. Program Income	\$.00				
g. TOTAL	\$ 62,500 .00				
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.					
a. Type Name of Authorized Representative <div style="font-family: cursive; font-size: 1.2em;">Klara B. Sauer</div>		b. Title Executive Director		c. Telephone Number 914-473-4440	
d. Signature of Authorized Representative Klara B. Sauer				e. Date Signed 6-23-95	

BUDGET INFORMATION - Non-Construction Programs

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Technical Assistance	66-806	\$	\$	\$	\$	\$
2. Grant at: Hudson River PCBs			See detailed budget in TAG Application Statement Section 2(B)			
3.						
4.						
5. Totals		\$	\$	\$	\$	\$

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	Technical Assistance	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total
	(1)	(2)	(3)	(4)	(5)	(6)
a. Personnel	\$	See detailed budget in TAG Application Statement		\$		\$
b. Fringe Benefits		Section 2(B)				
c. Travel						
d. Equipment						
e. Supplies						
f. Contractual						
g. Construction						
h. Other						
i. Total Direct Charges (sum of 6a-6h)						
j. Indirect Charges						
k. TOTALS (sum of 6i and 6j)	\$	\$	\$	\$		\$
7. Program Income	\$	\$	\$	\$		\$

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. Technical Assistance at: Hudson River PCBs	\$	\$	\$	\$
9.	See detailed budget in TAG Application Statement Section 2(B)			
10.				
11.				
12. TOTAL (sum of lines 8 - 11)	\$	\$	\$	\$

SECTION D - FORCASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 16,660	\$ 4,165	\$ 4,165	\$ 4,165	\$ 4,165
14. NonFederal	4,160	1,040	1,040	1,040	1,040
15. TOTAL (sum of lines 13 and 14)	\$ 20,820	\$ 5,205,	\$ 5,205	\$ 5,205	\$ 5,205

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16. Technical Assistance Grant at: Hudson River PCBs	\$ none	\$ none	\$ none	\$ none
17.				
18.				
19.				
20. TOTAL (sum of lines 16-19)	\$	\$	\$	\$

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges: NA	22. Indirect Charges: NA
23. Remarks:	

ASSURANCES — NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

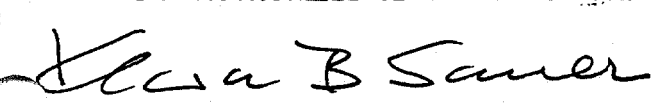
NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U. S. C. §4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C. F. R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U. S. C. §1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U. S. C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U. S. C. §6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a - 7), the Copeland Act (40 U.S.C. §§276c and 18 U. S. C. §§874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 or OMB Circular No. A-133, Audits of Institutions of Higher Learning and other Non-profit Institutions.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

10.6314

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		TITLE	
		Executive Director	
APPLICANT ORGANIZATION		DATE SUBMITTED	
Scenic Hudson, Inc.		June 23, 1995	

PROJECT NARRATIVE STATEMENT

Section 1 (Group Qualifications)

A. Group Eligibility

1. Do any of the following categories apply to your group? No (yes/no) If the answer is yes, check the categories below that apply and provide a detailed explanation.

____ Are any members of your group potentially responsible parties (PRPs)?

____ Was your group established by a PRP?

____ Was/is your group sustained by a PRP?

____ Was your group established by, or is it presently sustained by, any of the following:

____ a corporation that is not incorporated for the specific purpose of representing affected individuals at the site?

____ an academic institution?

____ a political subdivision?

____ Does anyone in your group have financial involvement in a PRP (as other than an employee or contractor)?

- ____ 10,000
2. How many members are in your group? ____ Is it made up of a coalition of groups? No (yes/no) If so, how many, and how did the groups come together? If not, how was your group formed?

Please see TAG Application Statement attached, Section 1(A), Numbers 1 and 2.

Section 1, cont.

B. Responsibility Requirements

1. **Administrative and Management Capabilities:** Please briefly describe the organizational structure of your group in the space below. (Describe roles and responsibilities of members, particularly members who will be responsible for financial management of the grant and directing the activities of the contractor.)

Please see TAG Application Statement attached,
Section 1(B), Number 1.

2. **Resources for Project Completion:** What resources are available to your group to help complete the TAG Project? (Include any plans that your group has for in-kind contributions or for fund-raising and obtaining cash.)

Please see TAG Application Statement attached,
Section 1(B), Number 2.

Section 1, cont.

- 3. Performance Record:** Please describe your group's past performance with satisfactorily completing projects and contract. (If your group has no past experience, EPA will evaluate the description, budget, and schedule you provide in Section 2 of this application.)

Please see TAG Application Statement attached,
Section 1(B), Number 3.

- 4. Accounting and Auditing Procedures:** What procedures does your group plan to use for recordkeeping and financial accountability related to the grant? Please identify the member of your group who will maintain your financial records.

Please see TAG Application Statement attached,
Section 1(B), Number 4.

Section 1, cont.

5. **Incorporation:** Is your group incorporated specifically for the purpose of addressing problems at this site? No (yes/no) If not, what steps is your group taking to incorporate for grant-related purposes?

Please see TAG Application Statement attached,
Section 1(B), Number 5.

6. **Drug-Free Workplace Policy:** Does your group promise not to engage in illegal drug-related activities while carrying out activities using TAG funds? Yes (yes/no)

C. Group Issues and Objectives

1. **Health Considerations:** How many group members have experienced health effects from contamination at the site? unknown Describe actual or potential health threats the site poses to individual group members and the efforts members of your group have undertaken to resolve or make known these health concerns.

Please see TAG Application Statement attached,
Section 1(C), Number 1.

Section 1, cont.

- 2. Consolidation/Representation:** Describe the number and diversity of affected community organizations and individuals represented by your group, highlighting the ways in which your group represents individuals affected by the site.

Please see TAG Application Statement attached,
Section 1(C), Number 2.

- 3. Tasks for Technical Advisors:** Please describe how your group intends to use your technical advisor to interpret technical Superfund information.

Please see TAG Application Statement attached,
Section 1(C), Number 3.

- 4. Information Sharing:** How does your group intend to share information collected with grant funds with the larger community?

Please see TAG Application Statement attached,
Section 1(C), Number 4.

Section 1, cont.

5. Economic/Environmental Considerations: How many group members have experienced economic/environmental impacts from contamination at the site?

unknown: Please describe the actual or potential economic harm or loss of environmental amenities the site has imposed on individual group members, and efforts group members have undertaken to resolve or make known these concerns.

Please see TAG Application Statement attached,
Section 1(C), Number 5.

Section 2 - Statement of Work for the Technical Advisor

A. Statement of Work: Please identify the technical advisor(s)' tasks for each phase of the Superfund process. For each of these phases, please note what the technical advisor will do, the estimated amount of time needed to complete each task, and specific documents, reports, or other tangible work products you expect the technical advisor to produce.

Please see TAG Application Statement attached,
Section 2(A).

Section 2, cont.

B. Detailed Budget: Prepare a budget for the technical assistance project. Indicate the tasks to be completed by the technical advisor, the estimated number of hours, and the cost for each task (including travel costs). Use footnotes to explain assumptions made in the budget (such as hourly rate of advisor or adjustments for inflation). This budget should identify everything that you expect to purchase with grant funds.

The budget should show the amount of the group's matching contribution separately from federal funds. Note that the grant funds (usually 80 percent) plus group contribution (usually 20 percent) must equal the total project costs; grant funds cannot exceed 80 percent of project costs for any budget period. In your statement, be sure that you differentiate cash expenditures from in-kind contributions. Also, include explanations of the assumptions made in calculating the value of in-kind contributions.

Please see TAG Application Statement attached,
Section 2(B).



United States Environmental Protection Agency
Washington, DC 20460

Certification Regarding Debarment, Suspension, and Other Responsibility Matters

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Klara B Sauer

Typed Name & Title of Authorized Representative

Klara Sauer, Executive Director

Signature of Authorized Representative

Date

June 23, 1995

☐ I am unable to certify to the above statements. My explanation is attached.

CERTIFICATION — DRUG FREE WORKPLACE ACT OF 1988

The recipient certifies that it will provide a drug-free workplace by:

- (a) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the recipient's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) establishing a drug-free awareness program to inform employees about:
 - (1) the dangers of drug abuse in the workplace;
 - (2) the recipient's policy of maintaining a drug-free workplace;
 - (3) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) making it a requirement that each employee engaged in the performance of the project be given a copy of the statement required by paragraph (a);
- (d) notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the award, the employee will:
 - (1) abide by the terms of the statement; and
 - (2) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such convictions;
- (e) notifying the Award Official within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction;
- (f) taking one of the following actions, with 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
 - (1) taking appropriate personnel action against such an employee, up to and including termination; or
 - (2) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

The recipient shall insert in the space provided below the site(s) for performance of work done in connection with the specific award

Place of performance (street address, city, county, state, zip code)

Scenic Hudson, Inc., 9 Vassar St.

Dutchess County, Poughkeepsie, NY 12601

Typed Name and Title of Authorized Representative
Klara Sauer, Executive Director

Signature of Authorized Representative

Date 6-23-95

Klara B Sauer

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award of documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Klara Sauer, Executive Director

Typed Name and Title of Authorized Representative

Klara Sauer

Signature of Authorized Representative

6.23.95

Date

TECHNICAL ASSISTANCE GRANT (TAG) APPLICATION STATEMENT

This statement provides Scenic Hudson's narrative responses to questions included in the TAG application. This statement is organized according to the sections and questions contained in the blank application document supplied with the application forms. In particular, Section 1 answers questions relating to Scenic Hudson's qualifications for the Hudson River PCBs site TAG, and Section 2 provides the work plan for the technical advisor and a detailed budget for the TAG. Please contact Joshua Cleland at (914) 473-4440 with any questions regarding this statement.

Section 1: Group Qualifications

Scenic Hudson is a long-standing leader of grass roots efforts toward the restoration of the Hudson River. Since the 1970s, before the passage of Superfund, we have taken every opportunity to represent Hudson Valley citizen interests in PCB remediation:

- Acted as citizen representative to the Hudson River PCB Settlement Advisory Committee;
- Participated in virtually all public meetings and hearings regarding Hudson River PCBs;
- Monitored other PCB contaminated sediment sites in the U.S.;
- Amassed an extensive reference library of Hudson River PCB documents and other relevant information;
- Contributed to EPA's "River Voices;"
- Took part in New York State administrative hearings and provided expert witnesses on health and economic issues; and
- Assembled an alliance of 40 citizen environmental organizations dedicated to cleanup of the Hudson.

Part A of this section answers specific application questions regarding our eligibility for the TAG. Parts B and C describe our objectives and capabilities for a the TAG, and provide background on the human health, environmental, and economic issues motivating our years of commitment to a restored Hudson River.

A. Group Eligibility

1. Scenic Hudson is a non-profit environmental group founded in 1963 to protect, restore, and enhance the

environmental qualities of the Hudson River. Because Scenic Hudson was incorporated prior to the discovery of PCB contamination in the Hudson River in 1970, we do not claim to have incorporated for "the specific purpose of representing affected individuals at the site." However, the PCB contamination has been a dominant environmental issue for Scenic Hudson continuously for 25 years. As described in Section 1.C.2, Scenic Hudson represents many stakeholder groups including, fishermen, recreationalists, riverfront landowners, and citizens whose drinking water is obtained from the Hudson River, as well as citizens who value restoration of the Hudson River philosophically.

2. This application is submitted by Scenic Hudson, a non-profit environmental advocacy group dedicated to the protection and restoration of the Hudson River. Scenic Hudson was founded in 1963 and now has over 10,000 supporters who are deeply concerned about PCB contamination in the Hudson River. Since 1970 when widespread PCB contamination in the Hudson first came to light, Scenic Hudson has been a voice for those who live or work near the river, depend on its resources, or enjoy the Hudson's recreational opportunities. Scenic Hudson's activities in this regard include raising public awareness about Hudson River PCBs, representing supporters and members at public hearings, supporting pertinent scientific research, and providing outreach to citizens and fishermen affected by contamination of the Hudson River ecosystem.

Scenic Hudson has organized an alliance of about 40 organizations (see Appendix 1) in New York State that share our goal of restoring the Hudson River. Scenic Hudson communicates with these organizations through telephone calls, letters, and action alerts to ensure that interested organizations are aware of public meetings and pressing issues.

Scenic Hudson is supported in part by an invested endowment. None of this endowment is invested in stock of the responsible party (i.e., General Electric) or its subsidiaries.

B. Responsibility Requirements

1. Administrative and Management Capabilities.

Scenic Hudson is an incorporated non-profit organization with a board of directors and permanent staff of 17. The Executive Director, Klara Sauer, who has managed all Scenic Hudson programs since 1979, will be responsible for all aspects of the TAG. Ms. Sauer will be assisted by Environmental Director, Cara Lee, who will oversee day-to-day management of the TAG and serve as Scenic Hudson's designated representative for the purpose of signing all documents

related to the grant. Scenic Hudson's Bookkeeper, Linda Vittone will be responsible for financial oversight of the TAG.

2. Resources for Project Completion

To complete the technical assistance project, we will require the services of a technical advisor for duration of the Hudson River PCB reassessment. The total estimated budget for the entire project will be \$62,500. Of this amount, the federal share will be \$50,000. Scenic Hudson will match 20 percent of the federal share (i.e., \$12,500) with staff time and cash resources. Scenic Hudson is funded by the contributions of private citizens and foundations, and has a full-time fund-raising staff. Scenic Hudson's newsletter, the Scenic Hudson News, which regularly includes articles concerning PCB contamination of the Hudson River, will be used to inform the public about activities related to the TAG.

3. Performance Record

Scenic Hudson has an outstanding record of completing grant projects. In recent years, many Scenic Hudson initiatives have been funded by grants from foundations. Our demonstrated success at producing cost-effective, high quality products has helped attract continuing support from foundations including the Lila Acheson and DeWitt Wallace Fund for the Hudson Highlands, the New York State Council on the Arts, the Hudson River Foundation, and others. Attachment 2, Scenic Hudson's 1994 Annual Report, highlights many of our recent projects, as well as organizations that have supported them.

The Statement of Work (Section 2.A) describes in detail our proposed plan for use of a technical advisor's services. Section 2.B, presents a detailed budget for tasks included in the statement of work.

4. Accounting and Auditing Procedures

Scenic Hudson's financial management system complies with generally accepted accounting procedures. Scenic Hudson will establish and maintain a separate bank account and a general ledger for the sole management of the TAG. Bookkeeper Linda Vittone, will maintain all financial records related to the grant. These records will be stored in a central file at the Scenic Hudson offices. All project officers and staff will maintain project files containing all correspondence related to the TAG. The technical advisor will be required to maintain a telephone log and other records of expenditures and activities.

5. Incorporation

Scenic Hudson was incorporated in 1963. Information on Scenic Hudson's programs, as well as our current officers, directors, and staff, are identified in Attachment 2, our annual report for the 1994 fiscal year. Also, the annual report presents Scenic Hudson's Revenues and Expenses for the 1994 fiscal year.

6. Drug-Free Workplace Policy

Scenic Hudson guarantees that it will not engage in illegal drug-related activities while carrying out activities using TAG funds. Our certification of a drug-free workplace is attached.

C. Group Issues and Objectives

Scenic Hudson's objective for the TAG is to empower Hudson Valley citizen with technical expertise necessary to participate in the Hudson River PCB reassessment effectively. Because EPA's Hudson River PCBs Reassessment documents will be highly technical and lengthy, review and analysis of the documents will be a complicated and time consuming task. Compared with the responsible party, which employs technical experts to generate extensive comments on State and Federal site documents, affected citizens have limited technical resources. The TAG will provide affected citizens, as represented by Scenic Hudson, with increased ability to respond to the technical documents, thereby promoting a fair and balanced Reassessment process.

1. Health Considerations

The number of group members who have experienced health effects from contamination at the site is unknown. Although the New York State Department of Health has concluded in 1995 that the Hudson River PCB site poses a potential threat to human health, the delayed nature of PCB health effects and the large exposed population make it very difficult to quantify cases of impaired health related to the site. Below we describe the extent of contamination at the site and potential public health risk for Hudson River users.

From 1950 to the present, General Electric facilities at Fort Edward and Hudson Falls, New York released an estimated 0.5 to 1.3 million pounds of PCBs to the Hudson River. In 1989, the New York State Department of Environmental Conservation estimated that 250,000 pounds of pounds of PCBs remained in 40 hot spots above the Troy Dam. The PCB hot spots, which range in size from one-half acre to ten acres, continue to be a major source of PCBs for the entire Hudson River Estuary. By one estimate, the contaminated sediment hot spots are a source for 2,000 pounds of PCBs that

pass the Troy Dam each year.

PCBs are among the most toxic chemicals known. Their human health effects include cancers (e.g., breast, brain, skin), and non-cancer health effects, including immune system damage, male and female infertility, and birth defects. Similar health effects have been documented in animal species exposed to PCBs in the environment and the foodweb. Due to their chemical stability and low solubility, the PCBs released to the Hudson concentrated in sediments where they are a continuing source to the water column and the foodweb, including human consumers. Once ingested, PCBs are not easily removed from the body. PCBs concentrate in fatty tissues of humans and animals and persist at elevated levels in the bloodstream, thereby allowing continuous internal exposures. Dr. Harold Humphrey of the Center for Environmental Health Science in Michigan, found a direct correlation between the frequency and amount of contaminated fish eaten by humans and the presence and accumulation of PCBs to elevated levels in human blood.

Users of the Hudson River have been at risk of PCB health effects for approximately 45 years. PCB levels in 17 species of fish in the Hudson exceed Food and Drug Administration safety levels, and the New York Department of Health and DEC have banned consumption of all fish from Hudson Falls to the Troy Dam. All species except American shad caught from the Troy Dam south to Catskill, NY are unsafe to eat. For all but five species caught from Catskill to the New York Harbor, the Department of health recommends no more than one meal including fish from the River per month for men, and children women of child-bearing age should eat none.

The fish consumption advisory for the lower Hudson is directed at children and women of child-bearing age because PCBs are known to have greater impact on the developing organs of young children and the fetus. Further, PCBs are known to build up in women's bodies and can be passed on to the developing fetus and young children through breast milk.

Despite these fishing bans and health advisories, there are many who continue to eat fish from the river. Unfortunately, women and children, who are at greatest risk of PCB impacts, are often unaware of the risks because health advisory information is usually distributed with fish licences, and there is no guarantee that the message will reach other family members who eat contaminated fish. Moreover, fishing licences are not required for the Hudson River Estuary. Two surveys of Hudson River anglers showed that from 60 to 72 percent of recreational fishermen eat their catch or give it to others to eat. In addition, one-third of the fishermen interviewed in one of the surveys had eaten fish from the river within a week of the interview.

Based on a 1989 risk assessment, such fishermen who regularly eat half a pound of Hudson River fish per week have a 1 in 100 risk of cancer. The surveys also reveal that socio-economic factors significantly influence fish consumption: more low-income anglers were found to eat their catch, with 36 percent indicating consumption to be among the primary reasons they fish.

2. Consolidation/Representation

Scenic Hudson represent 10,000 citizens from communities all along the Hudson River. We represent fishermen, waterfront home owners, swimmers, boaters, and many others with a stake in a clean Hudson River. In addition, Scenic Hudson has a long History of working with other citizen environmental organizations in the Hudson River Valley (e.g., the Hudson River Sloop Clearwater). A list of about 40 such organizations is presented in Attachment 1. Scenic Hudson will communicate with supporters, other non-profit environmental organizations, and other individuals interested in the TAG project. In particular, we will invite interested parties to meetings to discuss results and findings of the technical advisor.

3. Tasks for Technical Advisors

The specific duties of the technical advisor are described in the Statement of Work (Section 2.A). In summary, the technical advisor will assist Scenic Hudson in the review and analysis of EPA's Hudson River PCB Reassessment documents for completeness and use of sound scientific data. The technical advisor may be asked to identify, gather, and summarize relevant scientific literature or other relevant documents. Scenic Hudson will use reports from the technical advisor to prepare comments on Reassessment documents and to prepare "plain English" updates for members, supporters, and all interested citizens.

Scenic Hudson has not identified a full list potential technical advisor candidates. However, we expect to seek an experienced individual or small firm with experience related to key technical areas related to reassessment documents (e.g., human and ecological risk assessment), as well as Superfund regulations.

4. Information Sharing

Scenic Hudson produces a quarterly newsletter, Scenic Hudson News, that regularly includes articles on Hudson River PCBs and is mailed to over 7,000 supporters. Progress and findings related to TAG projects will be described in the Scenic Hudson News. In addition, all final documents produced by the technical advisor will be sent to EPA to be placed in the information repositories established for the

site at a location accessible to interested community members (e.g., the Adriance Memorial Library in Poughkeepsie). As appropriate, Scenic Hudson will hold meetings or community forums to brief public on the Hudson River PCB issues including work products of the TAG.

When appropriate, Scenic Hudson will send action alerts or letters to the PCB alliance organizations identified in Attachment 1. For example, Scenic Hudson will notify these organizations in advance of any public meetings related to the TAG findings.

5. Economic/Environmental Considerations

Because of the exceptional nature and extent of PCB contamination in the Hudson River, it would be impossible to quantify all the economic impacts. However, there is evidence demonstrating societal costs (e.g., lost fisheries) in the millions, if not billions, of dollars. Scenic Hudson and other environmental groups, sustained for years by the donations of concerned citizens, have invested considerable effort and expense towards the restoration of the Hudson and its resources. In addition governmental agencies and the responsible party have made great expenditures in the analyzing the site and its impacts. Among our objectives for the TAG is to determine whether the potential remedial costs are reasonable in terms of restored resource values and avoided future administration of the site.

The best quantified economic impacts of the Hudson River PCBs are those on the commercial and recreational fishing industries. It is estimated that the annual loss to commercial and recreational fishing resulting from PCB contamination is \$40 million per year. In addition, the NOAA's Great Lakes Environmental Research Laboratory estimated in 1988 that the net present value of past and future fisheries losses to be from \$634 million to \$1.5 billion dollars. These estimates reflect the opportunity cost associated with fishing bans, but not the lost value of equipment and other capital investments of fishermen, or financial assistance from the State to displaced fishermen.

Other resource damages are not as well quantified. For example, we know of no study that has quantified the impacts of PCBs on the largest industry of the Hudson Valley, tourism. Contamination has caused boaters, swimmers, fisherman and other recreational users to avoid contact with the River for fear of contamination and long-term health impacts. The tourism impact is felt by many local businesses including marinas, restaurants, seafood wholesalers, sports equipment stores, and resorts.

In addition, PCB-contaminated sediments have the potential to interfere with commercial navigation on the

Hudson River. Sediments dredged in the maintenance of navigational channels must be tested and, at times, be handled as contaminated waste. This may halt or slow down the maintenance of navigational dredging projects. For example, PCB contamination has kept the New York State Department of Transportation (NYS DOT) from dredging Hudson River navigational channels near Roger's Island since 1980. Ultimately, navigational dredging impacts create a burden on businesses that depend on river transportation and creates excessive costs for NYS DOT and the U.S. Army Corps of Engineers. Stoppage of commercial navigation on the Upper Hudson River would have a serious negative impact on the economic viability of the upstate region.

Perhaps the loss most difficult to quantify is the end of a way of life for the independent commercial fisherman of the River and Long Island. These fishermen practiced a tradition handed down from colonial Dutch settlers. Because of the fishing bans and decreased demand for local fish, most of the fishermen have been driven out of business. A small number of traditional fishermen remain, but few are able to support their families solely from the fishing.

Section 2: Statement of Work for the Technical Advisor

A. Statement of Work

This section provides a detailed description of individual technical advisor tasks and their purposes. The technical advisor will provide expertise to support Scenic Hudson's participation in the Hudson River PCB Reassessment. Subjects of emphasis for the technical advisor will include assessment of human and ecological health risks, and evaluation of environmental remedial technologies. Specifically, the technical advisor will assist Scenic Hudson in reviewing and commenting on documents released under the Hudson River PCB reassessment. In particular, the technical advisor will analyze the EPA Reassessment documents for consistency, accuracy, the use of sound scientific approaches. As needed, the technical advisor will conduct literature searches and reviews to investigate technical issues raised by review of the Reassessment documents.

All reports and reviews completed by the technical advisor will be submitted to Scenic Hudson, and summaries will be published in the Scenic Hudson News. In addition, Scenic Hudson will provide EPA with copies of all the technical advisor's final workproducts for inclusion in the Hudson River PCBs Reassessment information repositories.

Specific technical advisor tasks associated with each portion of the Hudson River PCBs reassessment are described below:

Reassessment Phase 2 (Estimate: 300 hours, 58 percent)

Under Phase 2 of the Hudson River PCBs Reassessment, EPA will produce five reports, including:

- Report 1: data management;
- Report 2: data evaluation and interpretation;
- Report 3: preliminary model calibration;
- Report 4: ecological risk assessment; and
- Report 5: human health risk assessment.

The technical advisor will assist Scenic Hudson in preparing comments to EPA on each report, with special attention given to Reports 4 and 5. The technical advisor will be responsible for identifying data gaps and inadequately addressed issues. He or she will gather and summarize previously-published information relevant to data gaps and methodological shortcomings, and develop recommendations to EPA for final reports. The technical advisor will review models and risk assessment approaches for scientific objectivity and consistency with generally accepted environmental impact and risk assessment assumptions and procedures. Constructive and supportable alternative approaches or assumptions may be provided to EPA based on the technical advisor's findings.

Reassessment Phase 3 (Estimate: 100 hours, 19 percent)

EPA's phase 3 report will summarize low resolution coring data, archived sample analysis, and the feasibility study for the Hudson River PCBs site.

The technical advisor will prepare one report that summarizes the data findings and evaluates the feasibility study. The technical advisor's report for phase 3 will concentrate on the feasibility study. In particular, the technical advisor will complete a detailed analysis of the proposed remedies.

Proposed Plan (Estimate: 120 hours, 23 percent)

The proposed plan will state EPA's preferred remedial alternative for the Hudson River PCB site. The technical advisor will review the proposed plan and evaluate how the draft remedy would address risks to human health and the environment resulting from exposure to PCBs in the Hudson River. In addition, the technical advisor will evaluate the consistency of the proposed plan with the findings of previous reassessment documents.

B. Detailed Budget

The TAG budget, including Federal and matching shares, is presented in Exhibit 1. A detailed estimated of

the Federal share is presented in Exhibit 2.

Exhibit 1. Detailed Budget for Hudson River PCB TAG

Federal Share:

Labor (520 hours at \$80/hr.)	41,600	41,600
Travel	3,000	3,000
Meeting space	600	600
Other costs		
Telephone	1,000	
Postage	1,300	
Copying and printing	2,500	4,800

Federal Total: \$50,000

Matching Share:

Newsletter production/distribution	2,500
Labor*	10,000

Matching Total: \$12,500

GRAND TOTAL: \$62,500

* Includes administration, accounting, public meetings, review of draft documents, etc. Based on 500 hours with an estimated average hourly rate of \$20 (excluding overhead).

Exhibit 2. Detailed Budget for Federal Share

<u>Reassessment Phase 2</u>	<u>Hours</u>	<u>Labor Cost</u>	<u>Total Cost</u>	<u>Total Hours</u>
Report 1				
Review and analysis	15	\$1,200		
Report preparation	15	\$1,200	\$2,400	30
Report 2				
Review and analysis	25	\$2,000		
Report preparation	20	\$1,600	\$3,600	45
Report 3				
Review and analysis	25	\$2,000		
Report preparation	20	\$1,600	\$2,600	45
Report 4				
Review and analysis	50	\$4,000		
Report preparation	30	\$2,400	\$6,400	80
Report 5				
Review and analysis	60	\$4,800		
Report preparation	40	\$3,200	\$8,000	100
Subtotal:	300	\$24,000	\$24,000	300
<u>Reassessment Phase 3:</u>				
Review and analysis	60	\$4,800		
Report preparation	40	\$3,200	\$8,000	100
Subtotal:	100	\$8,000	\$8,000	100
<u>Proposed Plan:</u>				
Review and analysis	80	\$6,400		
Report preparation	40	\$3,200	\$9,600	120
Subtotal:	120	\$9,600	\$9,600	120
LABOR TOTAL:	520	\$41,600	\$41,600	520
Travel (four meetings in Hudson Valley)				
		\$3,000	\$3,000	
Meeting Space (4 meetings at \$150 per meeting)				
		\$600	\$600	

Other costs

Telephone	\$1,000	
Postage	\$1,300	
Copying, FAX, printing	\$2,500	\$4,800

GRAND TOTAL:	520	\$50,000	\$50,000	520
(Federal share)				

Attachment 1. Scenic Hudson's PCB Alliance

Albany Area Bassmasters
American Littoral Society
Beacon Sloop Club
Christ United Methodist Church
Citizens Campaign for the Environment
Citizens Environmental Coalition
Clean Ocean Action
Coalition for the Bight
Dutchess County Environmental Management Council
East Hampton Baymen's Association
Environmental Associates
Environmental Defense Fund
Federated Conservationists
Ferry Sloops
Hudson River Environmental Society
Hudson River Foundation
Hudson River Sloop Clearwater
Hudson Valley Greenway Heritage Conservancy
League of Woman Voters
Long Island Commercial Fishermen's Association
Long Island Sound Task Force
Mid-Hudson Bassmasters
Mid-Hudson Sierra Club
National Audubon Society
National Wildlife Federation
Natural Resources Defense Council
The Nature Conservancy
New Jersey Environmental Federation
New York Public Interest Research Group
New York State Commercial Fisherman's Association
North Shore Baymen Association
Orange Environment
Plaza Art Commission
Riverlovers
Sierra Club
SPARC
Staten Island Friends of Clearwater
Trout Unlimited
Walkabout Clearwater
WESPAC

Attachment 2. Scenic Hudson's 1994 Annual Report