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USEPA HUDSON RIVER PCBs REASSESSMENT
REMEDIAL INVESTIGATION/FEASIBILITY
STUDY PUBLIC MEETING
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66 West 12th Street
New York, New York

January 31, 2001
7:06 p.m.

Minutes of a Meeting, before
Kristi Lamendola and MayLeen Cintron, Notaries
Public of the State of New York.

ELLEN GRAUER COURT REPORTING CO.
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1
2 MS. RYCHLENSKI: Good evening and
3 welcome. As I'm sure many of you know,
4 this is a meeting hosted by the U.S.
5 Environmental Protection Agency in order
6 to discuss our proposal to clean up the
7 PCB contaminated sediments of the upper
8 Hudson River.

9 This is one in a series of
10 meetings that we're holding in order to
11 take public comment and to answer your
12 questions. I'm just going to put down a
13 few ground rules before we get started
14 and just let you know a little bit about
15 what we're doing here.

16 My name is Ann Rychlenski,
17 community relations person from EPA for
18 this project and for other superfund
19 sites, although this one is kind of the
20 mother of them all. My colleagues are
21 here from EPA, and I'm going to
22 introduce them, they're sitting at the
23 table to my left.

24 Starting at the far left, the lady
25 there in blue is Marrion Olsen, she's

1
2 the environmental scientist at EPA who
3 specializes in human health risk
4 assessment. Next to her is Doug Fisher.
5 Doug Fisher is our counsel from EPA.
6 Next to Doug in the center there is
7 Mr. Richard Caspe. Rich is the director
8 of our superfund division. And then
9 next to him is Alison Hess, she's a
10 project manager on the Hudson River PCB
11 Superfund site. And last but not least
12 is Doug Tomchuk, project manager from
13 the PCB site.

14 Tonight there is going to be a
15 brief presentation on our proposed plan
16 and some of the things that we learned
17 during the course of the ten years that
18 we have studied the situation of PCBs in
19 the Hudson, and that's what you will be
20 hearing about. After the presentations
21 are done, we'll start taking public
22 comment and questions.

23 There is a public comment period
24 on this project. EPA is required by law
25 to take public comments whenever we put

1
2 a proposal out about cleaning up a
3 superfund site, and that's why we have a
4 stenographer here tonight, there will be
5 a record of this proceeding. So please,
6 when you come up to the microphones, if
7 you have a comment or a question, please
8 speak your name clearly, where you're
9 from, if you'd like, and any affiliation
10 you might have so that our stenographer
11 can hear you clearly and get a clear
12 record of this proceeding.

13 As I mentioned that there is
14 public comment that is taken, we have a
15 public comment period on this project
16 and this proposal that is open until
17 April 17, 2001. You can send your
18 comments in to Doug Tomchuk or Alison
19 Hess by mail, as long as they're
20 postmarked by that date. You can e-mail
21 your comments to us, we have an e-mail
22 address for that, and it is
23 Hudsoncomment, one word, dot region two,
24 one word using the arabic numeral two,
25 at EPA dot gov.

1
2 Tonight we have comment boxes
3 outside, if you want to make comments on
4 the large index cards and leave them
5 with us, we would appreciate it. Please
6 make sure that you sign your comments
7 and that you simply tell us where you're
8 from.

9 If you would like, you can come to
10 the mikes tonight, as I mentioned. In
11 order to do that, you have to fill out
12 one of these small index cards, and I
13 hope that you did so outside. If you
14 did not and you want to come to the
15 mike, I'm right down here in the front
16 row, I have index cards and pens, you
17 can come on over to me and fill one out
18 and we'll get you up here to the
19 microphone.

20 Just a little bit about the rules
21 for tonight. There are two ladies
22 sitting down here (indicating), Karen
23 and Florence. They are very, very nice
24 ladies. They are going to time you.
25 There is a two-minute limit on your time

1
2 at the microphone. Karen has signs.
3 The green sign means go, the yellow sign
4 means you've got 30 seconds, the red
5 sign means your time is up. Karen is
6 very gentile at first, she will be
7 gentile with you, I promise, but we do
8 expect you to keep within your time
9 limits, please, so everybody who has
10 something to say can get to the mike
11 tonight.

12 I guess that's about it. Yeah,
13 that's about it, I don't think I've
14 missed anything.

15 So without any further adieu, I'm
16 going to turn this over to Mr. Richard
17 Caspe, our division director from
18 Superfund that's going to talk to you
19 about the proposed plan. Thanks.

20 MR. CASPE: Thank you, Ann.

21 Good evening, and welcome. This
22 is our fourth public meeting to discuss
23 our proposed remedy for the Hudson River
24 Superfund Site. What we'd like to do
25 before we take comments is probably talk

1
2 for around a half an hour to give you
3 some sense of just where we are, how
4 we've gotten there, and from that then
5 we'll open up the comments, as Ann
6 suggested.

7 Let me start off by saying that I
8 put a map up here, I hope you can all
9 see it, it shows the whole Hudson River
10 site. The whole Hudson River site is
11 200 miles long, it runs from something
12 slightly above Rogers Island and Fort
13 Edward and runs down through the Battery
14 in New York City for a 200 mile stretch.
15 That's the length of the site.

16 The study area, on the other hand,
17 really, what we did the intensive study
18 on is the 40 miles above Detroit down,
19 which is basically slightly above
20 Albany, which is what we call the Upper
21 Hudson. That is a source area, that is
22 the area that contains the great amounts
23 of contamination and the highest
24 concentrations, less as acted sources
25 [inaudible]. That's where we

1
2 concentrated our study, and much of what
3 you're going to hear tonight, much of
4 what's in the study and the proposed
5 plan, in fact, relates to that.

6 Let me start off and say we've
7 completed a ten-year study. What have
8 we found out in those ten years? Well,
9 we found out that PCBs are serious
10 health -- they have serious health
11 impacts, and I guess recently we were
12 gratified to hear that the National
13 Academy of Science agreed with us. We
14 know that over one million pounds of
15 PCBs were discharged into the Upper
16 Hudson River; we know that PCBs are long
17 lived in the environment, they don't go
18 away, they don't degrade significantly;
19 we know that we have unacceptable fish
20 contamination in the Upper Hudson River
21 and in other parts of the river, as
22 well. In the Upper Hudson River we have
23 fish contamination levels that are
24 greater than 100 times what we would
25 consider to be acceptable.

1
2 We know that people are eating the
3 fish in the Upper Hudson River despite
4 fish advisories from New York State
5 which say eat none. The latest study
6 done by New York State Department of
7 Health in 1996 found that one in six
8 people that they interviewed, in fact,
9 had fish in their possession, and
10 roughly one in ten had more than one
11 fish in their possession. We know that
12 the birds and other animals are eating
13 the fish.

14 We know, if you look at this site,
15 go to the next line, please, Doug, we
16 took that Upper Hudson River and we
17 broke it into three sections. The first
18 section, the upper-most northern one is
19 what we call the Thompson Island Pool.
20 It's roughly six miles long and it is
21 the most contaminated portion of the
22 river. When you talk about hot spots in
23 the river, it contains 20 of the 40
24 historical hot spots.

25 We have a second section that runs

1 from Thompson Island Pool, which is the
2 bottom part of the Thompson Island Pool
3 through the North Uumberland Dam, which
4 is roughly five miles long. That's
5 pretty contaminated, as well, you know,
6 and has some problems in it, as well.
7 It contained 15 of the remaining 20 hot
8 spots.
9

10 Then we have that last section,
11 section three, which runs the last 29
12 miles from North Uumberland Dam on down
13 to the [inaudible] -- for the land
14 Detroit. That's around 29 miles long,
15 and that has five of the hot spots, of
16 the historical hot spot that is we
17 talked about.

18 We know that the water column, if
19 we measure the water column in that
20 first section from when the water comes
21 in at Fort Edward and moves on down to
22 the Thompson Island den, we measure the
23 concentrations of PCBs in the water, we
24 know that that goes up by over three
25 times as the water flows over that area;

1
2 it more than triples. And we know from
3 fingerprinting of the type of PCBs, that
4 it's the same PCBs that we find in the
5 sediment, we know that much.

6 We also know there's an upstream
7 source that the GE Hudson Falls plant
8 continues through fractured bedrock
9 underneath the facility to leak PCBs
10 into the Hudson River. We know that
11 significant and an important part of any
12 remedy we select, that certainly
13 dredging is half the remedy, and source
14 control, in our mind, is the other half.

15 We know that fish contamination is
16 there. The levels of contamination in
17 fish is nearly stable. If you look at
18 the last five to seven years and you
19 look at a -- and you look at the variety
20 of species in the area, you see that
21 fish contamination has not significantly
22 dropped. In one species it may drop one
23 year, but if you look at it over all as
24 a trend, you see no significant
25 reduction over the last five to seven

1
2 years.

3 We know that PCBs are not being
4 uniformly buried in the Upper Hudson
5 River, we know that a river may be net
6 depositional. But if you look at a
7 river, and it's a very dynamic
8 environment, we see areas where there's
9 deposition, we see areas where there's
10 erosion, and we believe that those
11 areas, as they move around, continue to
12 release PCBs into the environment.

13 We know that most of the
14 contamination is in the top nine inches,
15 in fact, it's not deeply buried in the
16 sediments. Of cores that we took where
17 we were looking for contamination in the
18 sediments, 60 percent of them show that
19 the highest levels of contamination were
20 in the top nine inches of the sediment.
21 We know that there are approximately 500
22 pounds a year of PCBs today flowing over
23 the Troy Dam into the Lower Hudson
24 River; we know that, as well.

25 We know we have good science as

1 far as what we're basing our
2 recommendations on. We've peer reviewed
3 everything we've done as far as the
4 science. We've had six reports peer
5 reviewed by five independent panels at a
6 cost to the EPA of over half a million
7 dollars as far as bringing in
8 independent scientists from around the
9 world.
10

11 We know the river is not cleaning
12 itself, as many say that it is. The
13 cleaning, the nature of the river, if
14 you look at the river today and you say,
15 wow, the river has gotten much better
16 than it was in the 1970s, that is
17 certainly true; there's a Clean Water
18 Act involved in doing that.

19 A lot of the improvement that we
20 see, the vast majority of improvement we
21 see has to do with the construction of
22 sewage treatment plants up and down the
23 river, as well as industrial facilities
24 up and down the river, as well, which
25 cut down discharges of bacteria, of

1
2 nutrients into the river by vast
3 amounts. And we know that there has
4 been a decline in the PCB levels since
5 1977, but if you look at the chart, if
6 you look at when those declines occur,
7 it's very telling.

8 You can say if you look at 1977,
9 look at that decline, it's a tremendous
10 decline. But if you look, once you get
11 to 1986, 1987, that decline is over, and
12 the reason it's over is for a good
13 reason. The decline you see early on
14 has to do with a series of events.

15 In 1973, the Fort Edward Dam was
16 taken down. As that dam was taken down,
17 there was a wave of pollution that was
18 released to the river, and we had had an
19 unstable environment then. We had
20 discharges of PCB into the river until
21 1977. We had a flood, a large flood in
22 1976, and we actually had navigational
23 dredging occurring in the river until
24 1979 which because the problem was not
25 fully understood at that time, there was

1
2 a continual serious of releasing of PCBs
3 into the environment.

4 We know these things. So where
5 has it all led us? Well, as we looked
6 for a solution to the problem, and we
7 certainly have a problem here, we could
8 not come up with a simple one. We used
9 a variety of tools. We looked at the
10 actual sediment and water column
11 numbers, as I mentioned before, what do
12 we actually have in the sediment, what
13 are we seeing in the water column. We
14 looked at actual fish data, fish data
15 collected by ourselves, by General
16 Electric Company, by New York State DEC,
17 and we developed a complex mathematical
18 model, as well, to try to predict what
19 would happen, responses to the river
20 from various different options.

21 We looked at all of that and we
22 came up with what we believe is a very
23 sensible, practical, common sense
24 approach to the problem, and that's what
25 I'd like to talk about briefly now. And

1
2 the remedy we came up with, what we call
3 target and dredging, I would point out
4 that why we call -- you know, some
5 people say 2.65 million cubic yards, how
6 can that be targeted? Well, it is a 40
7 mile long site of a river that runs 400
8 to 600 feet wide at different places.
9 If you could figure out how much you
10 could come out if you wanted to not
11 target the dredging, simply dredge to
12 remove everything, the numbers would go
13 up by a factor of 10 by order of
14 magnitude over that.

15 So we looked at the different
16 parts of the river. We looked at the
17 first river section, the river mile
18 one -- I mean section one, excuse me,
19 the six miles, the Thompson Island Pool.
20 There we looked and we saw a significant
21 impacts to fish as a result of what we
22 did. We could reduce by a generation or
23 two generations in some cases when fish
24 would be acceptable or more acceptable
25 for human consumption as well as

1
2 consumption by ecological receptors.

3 We looked at the same thing in the
4 second section, the section between the
5 Thompson Island Dam and Northumberland,
6 that five miles. There we saw a
7 combination of things. We saw large
8 masses of PCBs in some areas, and we saw
9 fish impact, as well.

10 We looked in the third section,
11 that last 29 miles, and what we saw
12 there, we looked specifically, well, at
13 each of the hot spots that we could find
14 to see whether they were erosional or
15 depositional, was there a threat that
16 these PCBs would move, or were those
17 PCBs really staying in one place. And
18 as a result -- and if we saw that it was
19 a depositional area where the PCBs were
20 largely stable, we chose to leave it
21 alone, we chose not to dredge it. On
22 the other hand if we saw that it had
23 eroded or likely would erode, we chose
24 to remove it.

25 So we came up with this targeted

1
2 remedy as we talked about, picked out
3 for each individual section for each
4 individual reason, and it included the
5 targeted dredging, the stabilization
6 then of the material, and transportation
7 of the material by rail out of the
8 Hudson Valley to an off-site landfill.
9 There are institutional controls, as
10 well, because the levels that would make
11 fish perfectly acceptable would not
12 occur for some period of time.

13 I will go back, I forgot to say
14 something. Probably it would be very
15 important certainly in this area, as
16 well, but another reason that we
17 remediated the last section of the river
18 and the others was that we felt we could
19 reduce the PCB loading over the Federal
20 Dam in Troy by approximately 40 percent,
21 so that 500 pounds a year that flows
22 over the dam into the lower harbor could
23 be reduced to around 300 pounds a year.

24 So we looked at that and we saw
25 that we wished we could have reduced it

1
2 by greater amounts, but we couldn't
3 really find a way of doing that, so we
4 came up with the remedy the
5 institutional control, minor to natural
6 attenuation attenuation, which is
7 actually watching the river bottom,
8 letting some sedimentation occur, and
9 seeing as time goes on when we could
10 actually reach perfectly safe levels in
11 fish and source control upstream, again,
12 which is half the remedy, it's an
13 important part.

14 The remedy came out to be 2.65
15 million cubic yards of dredging, which
16 would remove roughly a hundred thousand
17 pounds of PCBs from the upper river,
18 cost around \$460 million, and that would
19 be, if you invested the money now and
20 had it ready for construction,
21 construction would actually begin in
22 actually three years from August now.

23 The target dredging I talk of,
24 just to give you a number, I mentioned
25 before that the river is 40 miles long

1 and 400 to 600 feet wide, that's roughly
2 3,900 acres of river bottom. What we're
3 talking about here is disturbing less
4 than 13 percent of that 3,900 acres;
5 somewhat less than 500 acres of it is
6 what we're taking about. Keep the river
7 open to navigation for the entire time.
8 In fact, we'll help mariners and help
9 navigation because in order for us to do
10 it, we have to open channels up. So
11 we'll actually be doing some work,
12 roughly 200,000 cubic yards of work will
13 actually be improving navigation as we
14 move forward.

16 That's basically the remedy. I'm
17 sure there will be some questions as we
18 go further along.

19 The watering facilities, we'll
20 need two facilities to be water
21 material, I didn't mention that, one on
22 the upper end, one on the lower end.
23 Those would be there for the five-year
24 construction period that we're talking
25 about. People say we can't do it, but

1
2 we feel very comfortable that we
3 absolutely can do it in five years, and
4 we think, you know, we think that we can
5 demonstrate that.

6 Environmental dredging techniques
7 that will not release large amounts or
8 significant amounts of contamination
9 into the river. We can control that, we
10 can keep that down until we estimate at
11 the worst case less than 20 pounds a
12 year of PCBs into the river, which is a
13 very small number and actually would
14 be -- that would be overshadowed by the
15 amount we would be removing.

16 So that's our remedy.

17 I'd like to turn it over now to
18 Doug and Alison -- oh, I'm sorry, yes.
19 I'd like to show one other thing.

20 This is a graphic showing of just
21 what that 13 percent is. The red shows
22 where we're going to dredge; if it's not
23 red, we're not dredging. We're starting
24 off, this runs all the way down from
25 Fort Edward, starts off on the upper

1 left, and you could see that it runs to
2 the Thompson Island Dam and then to
3 north -- this river section one ends
4 here, river section two would end here,
5 and you can see by the amount of red
6 that in a contamination pool obviously
7 there is quite a bit of dredging,
8 roughly around two to three miles of
9 dredging that might be considered to be
10 almost bank to bank, but that's where
11 most of the contamination is.
12

13 Once you move past the Thompson
14 Island Pool, the amount of dredging
15 becomes much less, and by the time you
16 get into that third section, which is
17 the last 29 miles, you actually see very
18 little red, mostly blue, and so the
19 dredging --

20 Actually, you've got one more
21 slide on this, Doug, right?

22 Yeah, it shows, you can see just
23 how little red there really is and just
24 how targeted this approach really is.

25 Thanks, Doug.

1
2 With that, I'm going to turn it
3 over to Doug.

4 Thank you.

5 MR. FISHER: I just have a couple
6 of quick comments here to discuss what's
7 next.

8 We are here tonight talking about
9 our proposed plan, which is, you know,
10 Superfund -- which explains Superfund's
11 preferred remedy, EPA's preferred remedy
12 for addressing the site. We're
13 accepting public comment on that, we
14 accept that until April 17. After that,
15 after we receive all the public comment,
16 we sort through that and we make sure
17 that the remedy that we're selecting
18 addresses that public comment
19 appropriately.

20 We then make a Record of Decision,
21 that's the legal document which
22 documents the decision that EPA makes on
23 that, and that also includes a response
24 in the summary which responds to all the
25 significant comments made during the

1
2 public comment period. So after the
3 Record of Decision we move into remedial
4 design which, we are estimating to take
5 three years, so that we would start
6 construction later in 2004.

7 During the three-year time frame,
8 which some people have concerns over the
9 length of that, there's a lot to do.

10 The first thing is to continue some of
11 the monitoring that's been ongoing. We
12 have to better define some of the areas
13 that need to be remediated and continue
14 to monitor fish levels, as well as water
15 column during that entire time frame.

16 There's also a lot of contractual
17 and other agreements that need to be
18 worked out, such as with property
19 owners, disposal facilities, rail
20 transport. As Rich said, this is areas
21 used for navigation with the Canal
22 Corporation, so we have to make sure
23 that we coordinate with the Canal
24 Corporation to make sure that we do not
25 hinder any of the normal traffic in the

1
2 canal during the dredging
3 implementation.

4 There's also a concern about the
5 water supplies that draw water directly
6 from the Hudson, so we'll have to talk
7 and coordinate with the water suppliers
8 to conduct monitoring and to have
9 systems in place, you know, at our
10 facilities to monitor and also to notify
11 them and have contingency plans in case
12 there is any type of event that occurs
13 that we have a release from the site.

14 I will be talking about suspension
15 a little bit in just a second, though.

16 During this entire time frame we
17 also expect there to be source control
18 action occurring at the GE Hudson Falls
19 plant site. General Electric and
20 New York State GEC are working together
21 to implement a plan to alleviate the
22 flow of PCBs into the river from that
23 site. We consider it an upstream source
24 from where we are for most of this
25 project.

1
2 I just want to mention that in
3 1991 it was recognized that that was a
4 source, and a lot, a large load of PCBs
5 was released from the site then. There
6 have been numerous actions taken by DEC,
7 you know, under DEC authorities by
8 General Electric to reduce that load.
9 So most of that load has been reduced
10 where it's about three ounces a day
11 coming out of that plant site, but
12 that's still important to the overall
13 health of the river, you know.

14 Just in perspective, I just want
15 to say that about a pound to a pound and
16 a half of PCBs a day come out of the
17 Thompson Island Pool, so there are two
18 sources when you're looking down stream.
19 But there will be source control action
20 going on at Hudson Falls, and that
21 should be implemented before we actually
22 start our remediation.

23 Our remedial action we plan to
24 start in 2004 and expect it to take five
25 years to implement. The implementation

1
2 of the remedy, as I've just said, we
3 expect it to be done in five years.
4 We're designing it to be done in five
5 years. We're making sure that we have
6 the facilities that we need to handle
7 that type of load and to make sure that
8 that could be done. It's a reasonable
9 assumption.

10 We can look at other projects, see
11 what they have done, and this is larger
12 than a lot of the other projects. But
13 each individual portion of that has been
14 done, each individual portion of this
15 project has been done at other sites, so
16 it's just the collaboration of all that
17 into one implementation schedule that
18 needs to be done. It's not like it is
19 breaking new ground as far as that goes.
20 We have also consulted with dredging
21 experts from consulting firms and the
22 core of engineers, and they agree that
23 we can implement that in five years.

24 We have not decided whether to use
25 mechanical or hydraulic dredging.

1
2 Either way we will be using
3 environmental dredges so that we will
4 limit resuspension and limit the
5 impacts. If we do use mechanical
6 dredges, which are better in certain
7 situations such as shallow water, we
8 would probably need to use multiple
9 dredges. For hydraulic dredging, one of
10 the biggest limitations that we have is
11 the treatment of water, the capacity of
12 the water treatment system before it's
13 discharged, and that can hold up
14 production rates. But we plan to
15 exercise an appropriate water treatment
16 system to handle the capacity that we
17 need in order to implement the project
18 in five years.

19 One of the concerns that has been
20 raised with respect to this is
21 resuspension, the remobilization of
22 sediment during the dredging operation
23 and that being enchainment in the water
24 column and moving downstream, and of
25 course that sediment contains the PCBs.

1
2 Well, we plan to use environmental
3 dredges, as I said, to minimize
4 resuspension. Either use, hydraulic or
5 mechanical dredges, should be able to
6 limit that to within a range of
7 resuspension that would be acceptable.

8 I have up here that we have
9 modelled some of the resuspension and
10 have estimated 20.7 pounds per year
11 going over the Federal Dam from
12 resuspension, okay? Put that in
13 comparison with the current load of
14 about 500 pounds per year that go over
15 the dam, and take into account that
16 there's a lot of variability in that 500
17 pounds per year, just based on the flow
18 conditions of the year, how much water
19 is actually flowing in the water, how
20 much scour you have because of the flow.
21 So there's a lot of variability within
22 that, and we believe that the 20 pounds
23 per year is actually within the range of
24 normal variability. Clearly it's less
25 than was released during the non-events

1
2 in the late '70s, so we don't believe
3 that this is going to be a problem as
4 far as recontamination of the river.

5 In terms of concentrations, it's
6 about 700 grams of an increase at the
7 next dam down, that in comparison to the
8 Safe Drinking Water Act standard of 500
9 nanograms per liter, you can see that
10 it's a small increment, so that we
11 believe that that would not cause any
12 problem.

13 In addition, as a secondary line
14 of defense, we tend to use silk curtains
15 or silk screens which would block some
16 of the water flow, but the also sediment
17 from being transported downstream so
18 that you would have less sediment being
19 transported over the dam, and therefore
20 less PCB concentration.

21 I think the key thing here is that
22 even though we might have slight
23 increases in the local scale of PCBs
24 from implementing the remedy, that even
25 in the first year we would expect to see

1
2 reductions on an annual basis, because
3 what we're doing is removing the most
4 contaminated material first, those areas
5 in the Thompson Island Pool. We'll
6 generally be working from the top and
7 working our way down, downstream, and
8 those are the sediments that are leaking
9 a pound to a pound and a half of PCBs
10 per day, so that the net for the year
11 will probably be an overall reduction.

12 I'm going to turn it over to
13 Alison now who is going to discuss some
14 of the benefits of a river cleanup.

15 Thank you.

16 MS. HESS: Thanks, Doug.

17 I'd like to talk about some of the
18 benefits of the river cleanup.

19 First we have the current
20 situation. We know that people who eat
21 the PCB contaminated fish from the Upper
22 Hudson River face an increased risk of
23 developing cancer and other serious
24 medical conditions. PCBs are known to
25 cause cancer in laboratory animals and

1
2 probably cause cancer in humans. PCBs
3 also cause other serious medical
4 conditions, such as low birth weight,
5 learning problems, and a reduced ability
6 to fight infections.

7 The State Health Department since
8 1976 has issued an eat none advisory for
9 the 40 miles of the Upper Hudson River
10 for everybody. It's been illegal to
11 keep any fish caught from the Hudson
12 River. The advisory for the 150 miles
13 below, in the lower Hudson below the
14 Troy dam depends on fish species and
15 locations, but is eat none for children
16 under the age of 15 and women of child
17 bearing age, and we know, as Rich
18 mentioned, that people continue to eat
19 the fish.

20 In wildlife, PCBs are known to
21 cause serious reproductive problems in
22 mink and may cause problems for river
23 otter which eat a lot of fish in their
24 diet, also in birds that eat fish, such
25 as the bald eagle, the king fisher and

1
2 the great blue heron. No health
3 advisory can protect the wildlife that
4 live along the Hudson River and eat the
5 PCB contaminated fish.

6 GE stopped its direct discharge of
7 PCBs into the river about 25 years ago
8 in response to environmental laws, but
9 the PCB levels in fish remain
10 unacceptably high to this day. Why is
11 that? There is ongoing leakage of PCBs
12 from the GE plant at Hudson Falls, and
13 this contributes an estimated three
14 ounces per day of PCBs into the river.
15 But the main source of the PCBs is the
16 sediments at the bottom of the Upper
17 Hudson River north of Troy. These
18 sediments are now contaminated with an
19 estimated 200,000 pounds of PCBs, and
20 they leak pounds of PCBs into the river
21 each day.

22 As Rich mentioned, the EPA's
23 cleanup plan is targeted dredging to
24 remove the most contaminated sediments
25 of the Upper Hudson River containing

1
2 some 100,000 pounds of PCBs in
3 conjunction with additional measures to
4 control the PCBs that continue to leak
5 into the river at Hudson Falls.

6 There are some important, real
7 tangible benefits to human health and
8 the environment to this cleanup.
9 Removing the PCB contaminated sediment
10 will lower levels of PCBs in fish so
11 that people can safely use this valuable
12 resource, whether they depend on the
13 river for food or just want to enjoy
14 eating the fish that they catch. The
15 lower levels of PCBs in fish means a
16 reduced risk to humans and also the fish
17 eating animals along the nearly 200
18 miles of the Hudson River.

19 For the people in the Upper Hudson
20 River who currently the advisory is to
21 eat none, with cleanup it would be safe
22 to eat one fish meal every two months
23 about 20 years sooner, and one fish meal
24 every month about 30 years sooner than
25 if we only shut off the small leak.

1
2 This means 30 years of safely eating
3 fish from the river, again, whether for
4 recreation or as an important food
5 source for lower income people, and it
6 means protecting the fish-eating
7 wildlife who are currently at risk.

8 For the Lower Hudson, we're
9 looking at quadrifying the risk
10 reduction for people and wildlife that
11 eat contaminated fish, but we know that
12 removing the PCB contaminated sediments
13 in the Upper Hudson will stop these PCBs
14 from ever moving into the Lower Hudson.

15 The EPA is not alone in saying
16 that it's necessary to remove the PCB
17 contaminated sediments in the Upper
18 Hudson River. An interagency group of
19 scientists has reviewed our work, New
20 York State Department of Environmental
21 Conservation has stated that there's an
22 ongoing unacceptable risk to human
23 health and the environment posed by the
24 PCB contaminated river sediments. The
25 state supports active remediation aimed

1
2 at mitigating these risks, and EPA's
3 preferred remedial alternative is one
4 approach which would likely be
5 successful in significantly reducing the
6 risks associated with this site. In
7 addition, the federal resources, natural
8 resource trustees in December stated
9 that they strongly support the removal
10 of PCB contaminated sediments from the
11 Upper Hudson River.

12 Sediment removal is the only
13 cleanup action that would unequivocally
14 reverse future adverse impacts to the
15 Hudson River resources. Again, EPA is
16 not alone in saying that it's important
17 to remove the PCB contaminated
18 sediments.

19 We also agree that it's important
20 to reduce the ongoing leak of PCBs at
21 three ounces per day, and that's one
22 area where EPA and General Electric
23 Company agree.

24 Thank you.

25 Now I'd like to turn it over to

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rich.

Thank you.

MR. CASPE: Thank you. I'd now like to call congressman Maurice Hingy (phonetic) to the microphone.

MR. HINGY: Thank you very much, and good evening, ladies and gentlemen. First as a citizen of New York and the nation, I want to express my deep appreciation to the Environmental Protection Agency and particularly to the professional men and women of EPA who are responsible for all the work that has gone into this comprehensive, detailed and necessary report. We owe them a great debt of gratitude for the great work that they have done, and I thank you for it.

The Hudson River is a great treasure, and it has been recognized as such in many ways, most recently and importantly by the Congress of the United States and the President. The Hudson River is now a national heritage

1
2 area, so recognized for its great
3 contribution to the development of the
4 country.

5 One of the ways in which it
6 contributed to that development was as
7 the first principal artery of commerce
8 to the nation. It opened up New York,
9 and with the construction of the Eerie
10 Canal it opened up the west and it
11 enabled New York City to succeed in the
12 competition with Boston and Philadelphia
13 and other places to be the premier
14 financial and commercial center and
15 capital of the Nation.

16 In a real sense, New York City
17 owes what it is, its great success, to
18 the Hudson River. And now, New York
19 City needs to repay that debt and join
20 with all of us in working and supporting
21 the EPA in this project in making sure
22 that this project goes forward because
23 it is a difficult task, it faces great
24 adversity, it has great enemies. One of
25 those enemies, of course, is the agency

1
2 which was responsible for putting the
3 PCBs in the Hudson River in the first
4 instance, the General Electric Company.

5 If you travel to Albany, for
6 example, and go along the arteriole
7 along the river, you will see a very
8 large billboard which in a way, in a
9 sense itself is an insult to the
10 environment, its message even more so,
11 because the message says, "Let nature
12 clean the Hudson, not the EPA."

13 Now, GE, who sponsored that
14 billboard and pays for it, knows very
15 well that nature is incapable of
16 cleaning the Hudson of PCBs. PCBs are
17 not natural. PCBs are an insult to
18 nature; they exist nowhere in nature;
19 they are fabricated and they do not act
20 in natural ways; they do not dissolve
21 the way the General Electric Company
22 said they would at first; they are not
23 subject to deposition by sedimentation;
24 they escape out and they are now
25 involved in every aspect of aquatic life

1
2 up and down the river from the tiniest
3 iota up to the largest animals at the
4 top of the food chain, and that includes
5 all of us.

6 We are all, each of us, harbingers
7 of PCBs, and that will only continue as
8 long as those PCBs remain in the
9 environment. They must be taken out of
10 the environment and put in a place where
11 they can no longer have the effect that
12 they have on all the life that they have
13 affected.

14 This plan must go forward. We
15 want this plan to go forward because the
16 PCBs are contaminants, they are poisons,
17 and they poison life. They cut life
18 short and they make the animals that it
19 penetrates less healthy.

20 PCBs are carcinogens and have been
21 shown to be so in every test in every
22 animal, and we know that they are
23 probably carcinogens in men as well, in
24 women as well. They also affect the
25 immune system as we've heard, they

1
2 bioaccumulate, they concentrate in the
3 fatty tissue. In human beings, for
4 example, the only way that we know that
5 PCBs are able to escape from our bodies
6 is through mothers' milk, lactating
7 mothers discharge the PCBs through their
8 milk into the babies that they are
9 feeding.

10 This is an evil system, it's an
11 evil situation and it needs to be
12 corrected, and the only way that it can
13 be corrected, the only way that this
14 evil can be corrected is by following
15 the path that the EPA has outlined for
16 us.

17 This is not going to be an easy
18 thing because there are great enemies to
19 this project, as you know, and they have
20 launched a great propaganda campaign up
21 and down the river. They have spent
22 millions and millions of dollars to try
23 to convince people that it is not in
24 their best interest to rid the Hudson of
25 PCBs. But we know better, all of us I

1
2 think know better, and this project has
3 got to go forward.

4 So I thank you all for your
5 resolve, your resistance and your help
6 in helping the EPA and all of us get
7 this job done.

8 MR. CASPE: The next speaker is
9 Gordon Johnson, representing the
10 Attorney General Spitzer.

11 MR. JOHNSON: My name is Gordon
12 Johnson, I'm the Deputy Bureau Chief of
13 New York Attorney General Eliot
14 Spitzer's Environmental Protection
15 Agency.

16 The New York Attorney General's
17 Office strongly supports the efforts to
18 dredge sediments from the most
19 contaminated areas of the Hudson River.
20 Fish throughout the Hudson River, from
21 Hudson Falls to the Battery, are
22 contaminated with PCBs. Wildlife is
23 contaminated. Humans are exposed and
24 are also contaminated with PCBs. It's
25 time to address the problem.

1
2 We applaud the EPA and the staff
3 particularly of region two for the care
4 and thoroughness they have exhibited in
5 reaching this conclusion that it's time
6 to clean the river. We applaud EPA
7 commissioner John Cahill and his staff
8 for the time and effort that they have
9 expended in studying the river and
10 reviewing the EPA proposal.

11 Congress made a decision 20 years
12 ago and has repeatedly reaffirmed it
13 that there's a compelling need to clean
14 up toxic waste sites. Companies
15 responsible for contaminants must clean
16 them up, preferably by removing them.
17 The Hudson River, after a decade of
18 study, is long overdue for a cleanup.

19 Based on the extensive evidence in
20 the record and EPA's technical and
21 scientific review of the evidence, four
22 points are clear and should be
23 indisputable. Number one, PCBs cause
24 harm to humans and wildlife. Number
25 two, PCBs in the river sediment are

1
2 available to fish and other animals, and
3 from there could be ingested by humans.
4 Number three, the Hudson River is not
5 cleaning itself of PCBs, and unless PCBs
6 are removed from the river, the fish
7 will remain contaminated. Number four,
8 dredging the hot spots in the river will
9 remove large quantities of PCBs and, in
10 conjunction with the control of the
11 continuing discharges from the Hudson
12 Falls plant, will lead to major
13 improvements in the river.

14 These long-term benefits far
15 outweigh the limited short-term impacts
16 that may result. In addition, we
17 believe that based on long existing law,
18 it is fair and legal to require GE to
19 clean up its PCBs from the Hudson River.

20 For 20 years, companies big and
21 small have cleaned up their toxic
22 discharges under the Federal Superfund
23 Program and its state equivalents,
24 whether they legally discharged or not.
25 There's no reason to treat GE any

1
2 differently.

3 In any event, GE's discharges were
4 not, contrary to the common
5 misperception, always legal. To the
6 taxpayers who will have to pay for the
7 cleanup if GE does not, to the towns and
8 the industries who have done their share
9 already to clean up the river, and to
10 New Yorkers who long for a cleaner
11 Hudson, fairness demands that GE remove
12 its toxic waste from the Hudson River.
13 We save the river by cleaning it, not by
14 leaving it polluted.

15 Thank you for the opportunity to
16 present our views.

17 MR. CASPE: The next speaker is
18 Stanley Michaels of New York City
19 Counsel.

20 AUDIENCE MEMBER: He's not here.

21 MR. CASPE: Not here? Okay.

22 The next speaker is Gifford Miller
23 for the New York City Counsel.

24 MR. MILLER: Thank you.

25 I'll testify on behalf of Stanley

1
2 Michaels, as well as the chair of our
3 Environmental Protection Committee.

4 I'll just be brief.

5 Let me just say that this issue
6 has been studied to death, quite
7 literally, in the death of the Hudson
8 fisheries and the death of those who
9 have contracted cancer or other
10 debilitating illnesses as a result of
11 the PCBs that they ingested into their
12 system, and after all the studies, we
13 know the same thing that we knew when we
14 started, which is that PCBs are in the
15 river, that GE put them there, and that
16 we need to get them out because they're
17 causing untold damage to our population,
18 our wildlife and our environment.

19 We now have a plan to do it, and I
20 want to applaud the EPA for the work
21 that they have done in putting together
22 this plan. It's a good first start, and
23 we have to move forward with it.

24 But when I think about -- I have a
25 three and a half month old son at home,

1
2 and when I think about the children that
3 are living up and down the Hudson River
4 and who are receiving PCBs from their
5 mothers' breasts, it makes me almost
6 want to vomit, and I think that's
7 something that New Yorkers all across
8 this state and people across this
9 country can recognize.

10 Nothing less than moving forward
11 immediately and as quickly as possible
12 to remove these PCBs from our river so
13 that we can reclaim what is ours and
14 always was and has been taken from us by
15 General Electric is acceptable, so I
16 strongly urge the EPA, not only do I,
17 but counsel member Michaels and I have
18 introduced a resolution in the City
19 Counsel to express the desire of the
20 seven and a half million residents of
21 New York City that the EPA move forward
22 with this plan, move forward with it as
23 soon as possible, and we expect that
24 resolution to be voted on and adopted
25 just as soon, and we will be forwarding

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it to the EPA at that time.

Thank you all.

Let me just finish by saying I want to thank each and every one of you who took the time to come down here and to stay and to testify on their behalf, because your input is extremely important. We have a lot of work to do to make sure that this gets done because there are, sadly, at least in my view, some changes going on in Washington, but what we can't allow to change is this plan and what needs to be done, and we're going to keep fighting until it gets done.

Thank you very much.

MR. CASPE: Okay. If we can get to the next part now.

Just so you understand, please try to keep to the two minutes because we have 83 people who have signed up to speak. So 83 times 2 is 166, and that's almost -- you know, right there you got close to three hours, and it's already

1
2 eight and we have to be out of here
3 by --

4 What time, Ann?

5 MS. RYCHLENSKI: 10:30.

6 MR. CASPE: By 10:30. So let's
7 try to do it fairly quickly. I'm going
8 to call up people ten at a time so you
9 will know who you are and I'll try to
10 keep groups moving that way.

11 The first ten speakers are Tim
12 Gray, George Plimpton, a group of Shane
13 Broomes, Meliza Pena and Irene
14 Dominguez, Judy Schmidt-Dean, Robert
15 Kennedy, Jr., Dr. Sol Helligman, Alex
16 Matthiesen, Kent Correll, Sharon Ruggi,
17 and Patricia Daly.

18 MR. GRAY: My name is Tim Gray,
19 and I'm from Pittsfield, Massachusetts,
20 and I come from a community where GE
21 poisoned our community. A few years ago
22 we found out that they had filled in our
23 homes over the years with what they call
24 clean fill, but it turned out to be
25 laden with PCBs. They also polluted our

1
2 Housatonic River all the way down to
3 Long Island Sound, 155 miles of river.
4 The community rose up against General
5 Electric and demanded a cleanup.

6 Last year the EPA came to town and
7 helped us out with a 700 million dollar
8 settlement, and we began the dredging of
9 the Housatonic River, the first two
10 miles to remove the PCBs. They're
11 cleaning up close to 200 homes in
12 Pittsfield. There are about 50 things
13 that are being slated to be cleaned up.

14 I'm here to tell you that the
15 people of Pittsfield, Massachusetts
16 support the cleanup of the Hudson River,
17 and we hope that you get the same type
18 of settlement that we got and more.

19 Thank you.

20 MR. CASPE: Next speaker is George
21 Plimpton.

22 We've got a lot of shy people
23 here. There should be nine people here.

24 AUDIENCE MEMBER: He had to leave.

25 MR. CASPE: Okay.

1
2 What about the group of Shane
3 Broomes, Meliza Pena and Irene
4 Dominguez.

5 AUDIENCE MEMBER: We are all high
6 school students, we build [inaudible] --
7 from the boats [inaudible] -- and we all
8 believe that GE should clean up after
9 themselves. We want General Electric to
10 clean up the Hudson because it has
11 contaminated and poisoned our river.
12 There are approximately 1.3 million
13 pounds of hazardous PCBs in the river,
14 and I don't even understand why General
15 Electric is making up excuses about
16 cleaning up the river when there's
17 technology available safe enough to
18 remove and expose the PCBs in the Hudson
19 River.

20 AUDIENCE MEMBER: There are towns
21 along the Hudson River that drink the
22 water and eat the fish. The PCBs are
23 dangerous to both animals and humans,
24 and they're still sitting at the bottom
25 of 200 miles of the river and floating

1
2 through the air that we breathe.

3 AUDIENCE MEMBER: Through all of
4 this, we all have one question left to
5 ask: How long are they going to wait
6 before they clean up after themselves?

7 MR. CASPE: The next speaker is
8 Judy Schmidt-Dean, who is the chair of
9 our Citizen Liaison Group.

10 MS. SCHMIDT-DEAN: About 150 miles
11 north of here, the people of the town of
12 Stillwater are coming together tonight
13 to rally against dredging the Hudson
14 River. Joining them are the residents
15 of the town of Saratoga and my village
16 of Schuylerville.

17 These two towns have been linked
18 by history. The Saratoga-bound field
19 and the National Cemetery keep that
20 sense of our country's history in our
21 lives every day, and by a sense of
22 history, I also mean a sense of the
23 everyday life of the river. The sense
24 is knowledge, experience, and most
25 importantly, affinity for the river. In

1
2 these last ten years, you still have no
3 sense of that river.

4 Without that sense, how dare you
5 lower the FDA legal limit of two parts
6 per million of PCBs in fish to what by
7 your own model is an unobtainable level.
8 How dare you propose a plan that is
9 vague, that leaves more questions than
10 answers, that does not consider the
11 negative impacts that it will have on
12 the environment and the community. How
13 dare you totally disregard the
14 aggressive cleanup program that has been
15 going on since before this reassessment
16 even began. And finally, how dare you
17 propose a cleanup plan that is so
18 outrageously out of proportion to a
19 contamination that barely even exists.

20 The people in the towns of
21 Stillwater and Saratoga, people who have
22 a sense of the river, are telling you
23 tonight that they will not, under any
24 circumstances, accept this dredge
25 proposal.

1
2 MR. CASPE: Next speaker is Robert
3 Kennedy, Jr.

4 AUDIENCE MEMBER: He had to leave.

5 MR. CASPE: The next speaker is
6 Dr. Sol Helligman.

7 DR. HELLIGMAN: My question
8 involves, what happens with what is
9 taken out of the river? It's a matter
10 of we don't want it in our backyard.
11 Whose backyard are we going to put it
12 in, and whose aquifer is going to suffer
13 as a result?

14 MR. CASPE: I can respond to that
15 question by saying roughly two-thirds of
16 the material we consider that would come
17 out of the river can be disposed of in
18 non-hazardous waste, and one-third of it
19 will be hazardous waste.

20 What will be done is all the
21 material will be dewatered and
22 stabilized, and it will be shipped by
23 rail to the various different places.
24 If it's hard hazardous waste, it will be
25 shipped to acceptable facilities

1
2 probably somewhere out of state. The
3 place we used for pricing our proposal
4 was Utah. That doesn't mean that's
5 where it's going to wind up --

6 AUDIENCE MEMBER: Texas.

7 MR. CASPE: Texas, excuse me,
8 Texas is the place we used for pricing
9 the proposal. The place we used for
10 pricing the non-hazardous material was
11 up in the Buffalo area. It doesn't mean
12 that's where it will go, it just means
13 that that's what we used for pricing.

14 But it will be going to acceptable
15 facilities where we don't expect it to
16 have any impact on the environment.

17 The next speaker is Alex
18 Matthiesen.

19 MR. MATTHIESEN: Hello, thank you.
20 My name is Alex Matthiesen, I am the
21 Hudson Riverkeeper.

22 Before I start, I hope that the
23 EPA gives me the next few minutes here
24 because I'm going to speak on behalf of
25 two folks. The first is the widely read

1
2 and commendable Kurt Monaget (phonetic),
3 who is an author, as you all know, and a
4 lifetime resident of New York State.
5 This is a letter that was written by
6 Kurt, and he wanted to enter it into the
7 record.

8 When I and my brother Bernard
9 worked for General Electric in a decade
10 which followed the second World War, the
11 company's corporate responsibility bore
12 some resemblance to a decent human
13 being. Not only a prod of ambition, but
14 embarrassment, apologizing for some
15 obviously damaging thing that it had
16 done. To live near a General Electric
17 plant used to be like living near a
18 giant who respected you and wished you
19 well as a neighbor.

20 The analog of General Electric's
21 corporate responsibility is no longer
22 that of a person, but rather that of a
23 load of gravel. It is wholly
24 emotionless with the health of the area
25 from which they get their food and on

1
2 which they raise their children. The
3 General Electric is so reluctant to pay
4 for and help the repair of the damage it
5 has done to the Upper Hudson with PCBs,
6 however innocently --

7 And let me tell you Kurt's wrong
8 on that point, it was not so innocent.

9 -- which it can so easily afford
10 to do is a demonstration of
11 psychopathology so loathsome as to be
12 comparable with a hospital for the
13 criminally insane. Kurt ends on a
14 friendlier note by saying say hi to Jack
15 Welch if you see him. Kurt and his
16 brother used to actually work for
17 General Electric, so that was signed by
18 Kurt a few days ago.

19 With the time remaining, I just
20 wanted to point out a few things. I
21 think that GE has perpetuated an idea
22 that it was innocent of the knowledge of
23 how dangerous these PCBs were and, in
24 fact, it was innocent of illegally
25 dumping them. Well, both are not true.

1 I've got a letter here from
2 Monsanto Chemical Company, which is the
3 only company producing PCBs as far back
4 as, I think as early as the '30s. In
5 this letter dated September 20, 1955
6 that went to General Electric, it says,
7 Monsanto's position can be summarized in
8 this fashion: We know araplors
9 (phonetic), which are a trade name for
10 PCBs, are toxic, but the actual limit
11 has not been precisely defined. It does
12 not make too much difference, it seems
13 to me, because our main worry is what
14 will happen if an individual develops
15 any type of liver disease and gives a
16 history or araplore exposure. I am sure
17 the juries, the juries in a court of
18 law, I'm sure the juries will not pay a
19 great deal of attention to MACs. And
20 frankly I don't know what that means,
21 but it sounds honest to me.

22 But those folks were aware from an
23 early stage of how dangerous these
24 things were and what kind of legal
25

1
2 liability there were.

3 I'll read one more quick thing and
4 I'll be done. This is a letter from
5 General Electric to its electric utility
6 customers. After having received
7 warnings from Monsanto that this is a
8 very, very dangerous chemical, they sent
9 out a warning to some of their clients,
10 as well. It says, Monsanto has been
11 reviewing procedures to be sure that
12 these materials do not find their way
13 into land or water environment. General
14 Electric is in receipt of a letter from
15 Monsanto expressing its concern, and a
16 copy is attached for your information.
17 It goes on to say, there may be
18 occasions when disposal may become
19 necessary and the problem of
20 environmental control arises. In other
21 words, to aid you in solving the problem
22 of disposal, we've made arrangements to,
23 so on and so forth.

24 So they're telling their own folks
25 this is a dangerous thing and you need

1
2 to do something to dispose of it safely,
3 and yet for five years they dumped 30
4 pounds of PCBs into the river knowingly
5 with the praise and consent of New York
6 State. So they knowingly dumped 30
7 pounds a day into this river for 30 or
8 40 years.

9 Thank you.

10 MR. CASPE: The next speaker is
11 Kent Correll.

12 As he's coming down, let me just
13 call out the next ten. The next ten
14 will be Merrilyn Pulver, Ennio Ruggi,
15 Andy Mele, Kit Kennedy, Robert Kafin,
16 Manna Jo Greene, Jean Preece, Adam
17 Ayers, Robert Bailey and Tim Guinee.

18 MR. CORRELL: I'm Kent Correll,
19 this is Anna, my seven-month-old
20 daughter, and I'm testifying for me and
21 for her.

22 I'm a lawyer, I live here in town,
23 I've lived here for 20 years. I've used
24 the Hudson for swimming and camping and
25 water-skiing, and when she's old enough

1
2 to start doing that, I'd like to start
3 doing that with her, too. I'd like to
4 be able to take her fishing, and I'd
5 like to not have to tell her that the
6 fish we catch are full of poison.

7 I applaud the EPA for the
8 attention that they've given this
9 matter, and I encourage them to stand up
10 against this formidable array of special
11 interests that might try to encourage
12 them to stand down.

13 Thank you.

14 MR. CASPE: Next speaker is Sharon
15 Ruggi.

16 MS. RUGGI: Good evening.

17 I am a resident of the town of
18 Fort Edward, the community that will be
19 forced to deal with the horrific aspects
20 of the proposed dredge project. The
21 reason that I felt compelled to travel
22 to New York City today is to show you a
23 face from the Upper Hudson.

24 I wonder how many of you sitting
25 here tonight see this issue as a battle

1
2 between General Electric, corporate USA,
3 and EPA. How many of you simply see
4 this as an opportunity to punish their
5 corporation, so let's do it and let's do
6 it big. Well, what is lost with this
7 thinking is my community and the
8 devastation that we we'll be forced to
9 endure if this massive dredging project
10 is allowed to proceed.

11 What kind of devastation? One
12 hundred acres of aquatic habitat and
13 wetland that will be destroyed; the
14 endless noise, the sweeping lights
15 flashing into people's homes during the
16 19 hours of dredging per day, six days
17 per week, six and a half months per
18 year; the truck traffic; the disruption
19 of life, as access to the river will
20 have to be gained through private
21 property; the removal of eight billion
22 pounds of mud; the devastating -- the
23 dewatering facility of unprecedented
24 size being erected in this vicinity; of
25 the stench that will result from

1
2 dredging decaying vegetation, the loss
3 of income to our business community as
4 boaters stop coming.

5 Why? I ask you why? There is no
6 need and ultimately there will be no
7 benefit.

8 How interesting that you are
9 perfectly willing to admit that the only
10 pathway to exposure is fish consumption.
11 There is a fishing ban, so what we are
12 being asked to endure with your proposed
13 project is to protect the people from
14 engaging in an illegal activity.

15 My question to you tonight is
16 where is the economic impact document?
17 My community deserves it. It is an
18 aspect that you cannot in all good
19 conscience endure. You have told us for
20 ten years the economic issues will be
21 addressed later in the process. Well,
22 later is now. No final decision can
23 possibly be made until a full economic
24 impact review has been provided.

25 MR. CASPE: The next speaker is

1
2 Patricia Daly.

3 MS. DALY: My name is Pat Daly,
4 I'm a Dominican sister in a Caldwell,
5 New Jersey Coalition for Responsible
6 Investment, a group of religious
7 institutional investors in the New York
8 metropolitan area [sic], and I sit on
9 the governing faith [inaudible] --
10 corporate responsibility. We're 275
11 religious institutional investors across
12 the United States, Protestant, Catholic
13 and Jewish, holding about a hundred
14 billion dollars in power. Our
15 resolution before General Electric is
16 one of about 140 resolutions before
17 corporations in this country.

18 For the last five years, we have
19 been talking with GE as shareholders.
20 Jack Welch is not the only owner of
21 General Electric. There are pension
22 funds and people who own this company.
23 We started our conversations because of
24 the amount of numbers of poor people
25 feeding their families out of the Hudson

1
2 River. We're not experts in PCBs, we've
3 never claimed that, we're not experts in
4 dredging, but something does need to be
5 done about what continues to happen.

6 We have been asking General
7 Electric to work with us on a public
8 education program about the problems
9 with eating the fish. We have not been
10 able to develop that program.

11 Now we have been asking General
12 Electric, our company, to disclose to us
13 the amount of money that they have spent
14 on one-hour paid TV programs, full page
15 ads, etcetera, and we have still been
16 met with misinformation and assurances
17 that PCBs are safe.

18 Former governor Christie Whitman,
19 now eight-hour-old administrator of the
20 EPA, has already gone on record
21 supporting this plan. We need a plan;
22 we need to do something.

23 I want to thank the people of the
24 EPA for this plan. We need you to stand
25 on the side of public health, we need

1
2 the people of the EPA to stand on the
3 side of the health of our bioregion. We
4 need the people of the EPA to assure us
5 that Jack Welch and the CEOs of this
6 country will not have the last word on
7 environmental policy and health and
8 human safety just because they can
9 afford to put people in the White House
10 and in Congress.

11 We need the people of the EPA to
12 stand on the side of truth. We need GE
13 and the EPA to work together with us to
14 come to a resolution.

15 Thank you.

16 MR. CASPE: Next speaker is
17 Merrilyn Pulver.

18 MS. PULVER: I'm here tonight to
19 put a face on the people of the Upper
20 River, a face on the community that will
21 be most dramatically affected by this
22 decision.

23 I live in Fort Edward, Washington
24 County. For the last ten years I have
25 actively participated in the community

1
2 interaction program as cochair of the
3 Agricultural Liaison Committee. EPA
4 consistently told these committees that
5 our input and that community acceptance
6 would play a major role in the final
7 decision. You can't imagine my
8 frustration as EPA recently announced
9 its proposal, making it very clear that
10 public opinion would not deter their
11 decision.

12 Why am I so concerned that I would
13 travel to New York City to be part of
14 this public comment? It is because I am
15 the Fort Edward town supervisor; it is
16 because this project will ultimately
17 destroy our river, our way of life, our
18 community, our economic viability as a
19 river tourist attraction.

20 To the people here in New York
21 City, this proposal appears to be EPA
22 against corporate America,
23 environmentalists against the big bad
24 polluter, but that is wrong. This issue
25 is about the people who live and work

1
2 along the banks of the Upper River. We
3 should have and rightly deserve to have
4 our voice not only heard, but to have
5 that voice control the ultimate
6 decision.

7 Over 60 communities on the upper
8 river, plus farm bureaus of chambers of
9 commerce, county governments, the New
10 York State business counsel, and the
11 intercounty legislative committee
12 comprising 11 upper New York State
13 counties from Saratoga north through the
14 Canadian border representing 700,000
15 constituents all agree. We oppose EPA's
16 proposed plan to dredge the PCBs from
17 the Hudson River. We stand united; we
18 are opposed.

19 My question: Will EPA follow the
20 National Academy of Science's
21 recommendation to treat the people most
22 affected, the residents most affected on
23 the Upper River as true partners in the
24 final decision-making?

25 MR. CASPE: The next speaker is an

1
2 Ennio Ruggi.

3 MR. RUGGI: My name is Ennio
4 Ruggi, I'm with the opposition group
5 called Cease.

6 Having participated in the DEC
7 dredging hearings in 1988, I learned
8 that PCBs are not a carcinogen. But, as
9 I had a few people from my community
10 talk to me in the last few days, I am
11 aware of a very real pollution problem
12 that will occur from the dredging, and
13 that is the diesel smoke that will come
14 from the many large pieces of equipment
15 that will be used to carry on this
16 project.

17 My question to you is, I have two:
18 How do you feel about polluting our air
19 with this diesel smoke?

20 MR. CASPE: You want an answer?

21 MR. RUGGI: Yes, I do.

22 MR. CASPE: We certainly will
23 design dredges, if we do dredge it, with
24 proper air pollution control equipment
25 on it, and that might include a variety

1
2 of different things. There are
3 different types of dredges that produce
4 different types of, you know, of
5 discharges, and we will certainly take
6 that into account when we get to that
7 stage.

8 MR. RUGGI: At the present time I
9 don't believe that diesel engines have
10 pollution control equipment on them, and
11 these are very large engines that will
12 be used to power this operation. We're
13 not talking about lawn mowers.

14 MR. CASPE: They use dredges, I
15 will just say that on the West Coast in
16 some places they use dredges that are
17 actually electric, they use options that
18 are open. I'm not saying they're always
19 necessarily cost-effective or the
20 cheapest ways of doing things, but there
21 are ways of doing things.

22 If this is really a concern, there
23 are ways of doing things with types of
24 equipment that could solve that problem
25 for you.

1
2 MR. RUGGI: Well, this is a real
3 concern in Hudson Falls. I had people
4 ask me, we know that PCBs aren't a
5 carcinogen, but we know that diesel
6 smoke can be.

7 The second question is: How will
8 you explain this air pollution to the
9 American Lung Association?

10 MR. CASPE: Well, again, either
11 we'll be able to solve that problem or
12 we'll have to look at other options, and
13 some of the other options we could look
14 at is ways of not having air pollution.
15 It could be done, it just would affect
16 the cost of the job.

17 MR. RUGGI: Thank you.

18 MR. CASPE: The next speaker is
19 Andy Mele.

20 MR. MELE: It gives me a lot of
21 pride tonight to present to you all
22 10,763 people here on these pieces of
23 paper who believe, and I will just quote
24 the punchline from the petition, we, the
25 undersigned, all of us affected in one

1
2 way or another by unwanted PCBs in our
3 bodies, demand, strong language, that
4 EPA order a comprehensive cleanup of the
5 Hudson River hot spots.

6 I would like to ask you all
7 particularly to respect the fact that
8 each one of these names represents a
9 conversation, a dialogue. I had many of
10 them myself, each one of them, and some
11 of these people had a lot of questions.
12 But each one of these people is a
13 neighbor, somebody's friend, somebody's
14 relative; each one of these names
15 represents a face-to-face contact and a
16 conversation. These are not to be
17 treated the same as, you know, cookie
18 cutter, I don't know, e-mails and that
19 sort of thing. These are real people,
20 warm bodies, and I offer them to you
21 here tonight.

22 For the stenographer, I'm
23 Andy Mele, from Hudson River's
24 Clearwater.

25 MR. CASPE: The next speaker is

1
2 Kit Kennedy from NRDC.

3 MS. KENNEDY: Good evening.

4 On behalf of NRDC I'd like to
5 applaud EPA, and you're technically and
6 scientifically well supported to do
7 targeted dredging of the PCBs in the
8 Hudson River. We hope you move forward
9 with the plan as quickly as possible,
10 and we urge you to look at alternative
11 five, which would require further PCB
12 and have further human health required
13 benefits.

14 I'd also like to congratulate the
15 many Hudson River activists and
16 environmental organizations who have
17 given their lives to getting us to where
18 we are this evening. We have a long
19 road to go, but we've come a long way.

20 For NRDC, we've started working on
21 this issue back in 1975, and I want to
22 share a piece of history.

23 GE claims it's not fair to make us
24 clean up these PCBs because back in the
25 1970s when we were discharging them we

1
2 had a permit, it wasn't illegal. Well,
3 NRDC wants you to know that in 1975 we
4 intervened in an enforcement action
5 brought against GE for illegal PCB
6 violations with Hudson River
7 [inaudible] -- Clearwater and a number
8 of other groups, an action brought by
9 New York State Department of
10 Environmental Conservation, and an NEC,
11 who later became a federal judge,
12 specifically found that GE had violated
13 its water pollution permit by
14 discharging PCBs that violated water
15 quality standards. So it was never
16 legal, and we need to dispel that myth.

17 I just want to say two more things
18 about the plan. Again, we urge you to
19 move forward as quickly as possible, but
20 to go with alternative five, it will
21 reduce human health risks from cancer
22 and other bad PCB effects, it will help
23 protect wildlife. This is our chance,
24 we need to take it and make as strong a
25 plan as possible.

1
2 I also want to add that although
3 we talk about the benefits of the Hudson
4 River up in the area of the upper
5 stretches of the river, dredging the
6 Hudson River is also going to help us
7 here in New York City, it's going to
8 help the lower river, it's going to help
9 clear up our waters, too, and weed like
10 that taken into consideration.

11 Thank you.

12 MR. CASPE: Thank you.

13 I would just clarify on one point,
14 that the issue of legal or illegal
15 discharge actually has nothing to do
16 with regard to liability under the
17 superfund program, it makes no
18 difference.

19 The next speaker is Robert Kafin
20 representing General Electric Company.

21 MR. KAFIN: Mr. Caspe, did you
22 read the card that I put in there? Does
23 it say anything about me representing
24 the General Electric Company, or did you
25 make that up?

1
2 MR. CASPE: Do you want to come
3 read it? It says GE attorney.

4 MR. KAFIN: I didn't write that,
5 so let me tell you who I am, okay? I
6 didn't write that, and I'd like to know
7 who wrote that.

8 Where is Ann? Did you write that?
9 Did one of your people write that? I
10 didn't write that. So let's --

11 MR. CASPE: Mr. Kafin, your time
12 is running. If you want --

13 MR. KAFIN: I think this is very
14 interesting, Mr. Caspe. My name is
15 Robert Kafin, K-A-F-I-N, and I'm here
16 tonight speaking on behalf of Washington
17 County Cease.

18 As many of you know Washington,
19 County Cease is a not-for-profit
20 organization made up of people who
21 actually live in the vicinity of the
22 study site, who actually live, work and
23 recreate where the remedy is proposed.
24 So these are people who know firsthand
25 about what the river is like today and

1
2 have concerns about what the river will
3 be like if this remedy goes forward.
4 That's who I represent tonight.

5 Now, the fact that someone wrote
6 down that I was from GE is kind of
7 curious, as is this meeting, because
8 here we are, at least 150 miles away
9 from the study site, from where the
10 remedy is going to go on. I don't know
11 that EPA in its history has ever gone
12 150 miles away from the study site to
13 have a public hearing. So one wonders
14 what is going on here.

15 So then I notice, then I notice
16 that a member of the city counsel of the
17 City of New York gets to go to the front
18 of the line, gets to stand up there at
19 the podium, isn't subject to the lady
20 with the signs, and can say whatever he
21 wants for however long he wants. The
22 supervisor of the town of Fort Edward,
23 the town in which much of the site
24 exists, in which much of the remedy will
25 occur, has to stand in line and is

1
2 subject to a two-minute limitation. So
3 one wonders about the open-mindedness of
4 EPA in holding the hearing here tonight.

5 Now, I'm going to submit some
6 written comments on behalf of Cease, and
7 I just want to tell you how difficult it
8 is for us to do that, because the
9 feasibility study describes a remedy and
10 it leaves out any of the specifics that
11 make it possible for us to render
12 meaningful comments.

13 Where are the transfer stations
14 going to go, in whose community? What
15 about the water facility, where are the
16 waste water treatment plans going to go?
17 How about the rail yards, in whose
18 community will they be? The surface
19 line for the backfill, where is that
20 going to go? Is that going to go in Mo
21 Hingy's district, in Mr. Miller's
22 district? We don't know where they are;
23 therefore, it makes it impossible for us
24 to comment.

25 MR. CASPE: Okay, thank you.

1
2 MR. KAFIN: In addition, one
3 wonders how is one to evaluate the
4 environmental, economic and social
5 impact of a plan that contains no
6 specificity, and I urge EPA to
7 supplement its feasibility study
8 immediately so that we will be able to
9 furnish meaningful comments as part of
10 the public participation as part of this
11 process that responds to the remedy.

12 MR. CASPE: Okay, thank you.

13 The next speaker is Manna Jo
14 Greene, environmental director for the
15 Environmental School of Clearwater.

16 MS. GREEN: I'm also bringing a
17 petition here tonight. I'm bringing a
18 petition from the children, I'm bringing
19 a petition that is about 100 feet long
20 that has been signed by over 1,200
21 children. On this they drew pictures of
22 boats and fish and birds and the things
23 they live about the river, and I'd like
24 to ask, how dare GE knowingly put PCBs
25 into the river over and over, and how

1
2 dare they spend millions of dollars on
3 advertising, lying to people and
4 confusing us, and how dare they steal
5 these children's dreams.

6 I'd also like to address a couple
7 other comments.

8 I'd like to assure people that the
9 health effects of PCBs are real, and if
10 they have any doubt about it, there is a
11 science symposium on Wednesday,
12 February 7 where the leading research
13 will be brought forward on this subject.

14 I'd also like to address the
15 economic issues that have been touched
16 on here tonight. It's estimated that
17 the \$460 million that it will cost to do
18 the remediation will significantly
19 enhance, both during and after, the
20 economy of the Upper Hudson River, it
21 will allow the commercial and
22 recreational fisheries to be fully
23 restored. Once the PCBs have been
24 removed from the upper layers of
25 sediment, the river will be safe to

1 dredge for navigational purposes, and
2 both commerce and tourism will be
3 enhanced. Nobody wants to go to the
4 Upper Hudson when it's only clean to
5 look at, but there is this invisible
6 poison sitting in the bottom.
7

8 And finally, ultimately GE needs
9 to take responsibility for the problem
10 it created and dedicate its vast
11 resources to actively cleaning up the
12 river and take responsibility for the
13 problem it created.

14 MR. CASPE: The next speaker is
15 Jean Preece from New York Winstar
16 (phonetic), a student.

17 MS. PREECE: Thank you.

18 As a youth-oriented environmental
19 organization, we are concerned about the
20 message that GE is passing onto our next
21 generation by not cleaning up the PCBs
22 in the Hudson River estuary. GE needs
23 to be held responsible for the pollution
24 they have caused to the river, the fish,
25 the birds that eat the fish, the animals

1
2 that eat the fish, and the humans that
3 have been endangered by this
4 contamination.

5 GE's position that to do nothing
6 is safer than dredging does not take
7 nature catastrophes into consideration,
8 even though these catastrophes are
9 happening more often in our world today.
10 For instance, in the past few years we
11 have seen abnormal hurricanes, floods,
12 and even earthquakes. The only flooding
13 in store there by not disturbing the
14 PCBs left in the river bed is not valid
15 [inaudible].

16 How can GE predict the world's
17 whether patterns? Earthquakes are
18 possible even in New York. We have
19 experienced two minor tremors in the
20 last two decades. The NorEaster that
21 occurred some thousand years ago was
22 massively destructive. Such a storm
23 could cause more than flooding and will
24 certainly stir up PCBs.

25 We support direct environmental

1 dredging. Accord to GE's only financial
2 report, it would not substantially
3 affect their bottom line.
4

5 Finally, long before ecology was a
6 familiar word, our forefathers taught us
7 the phrase leave things better than you
8 found it. This is now what we ask GE to
9 do.

10 Thank you.

11 MR. CASPE: The next speaker is
12 Adam Ayers.

13 As he's coming up, let me mention
14 the next ten. It will be Adam Brown,
15 Alexis DeJesus, Tim Havens, Jane Havens,
16 Dale Hardman, Olivia Levine, Nathaniel
17 Avino-Towsen, Ted Herman, Gilbert
18 Hawkins, and Jeanne Stork.

19 The next speaker is Adam Ayers.
20 Is he here?

21 AUDIENCE MEMBER: I'm actually Tim
22 Guinee, but you called my name.

23 MR. CASPE: Okay. Well, we can do
24 you now.

25 MR. GUINEE: Thank you.

1
2 I'm here to put a face on guys who
3 live right across the street, which I
4 do.

5 I understand it must be very
6 frustrating for the people who come all
7 the way from Fort Edward to have their
8 community disrupted. At the same time,
9 I dealt with a cancer situation a couple
10 of years ago, and personally it's very
11 hard for me to imagine being asked not
12 to care about carcinogens that are in
13 the river. When you can stop all the
14 water from flowing south, I'm happy to
15 siege the idea to you that this is just
16 your problem.

17 Also, I'm a documentary film
18 maker, but I also do scientific research
19 for the Smithsonian Institute, mostly in
20 mammal work, but also did some work in
21 mammalogy. I don't see any -- I can't
22 possibly see a situation where species
23 get better by leaving a carcinogen, a
24 toxic in their habitat, it just doesn't
25 happen, and so I urge you to please get

1
2 along and get this plan going
3 immediately.

4 Thank you.

5 MR. CASPE: Next speaker is Robert
6 Bailey. Is Robert Bailey here?

7 Robert?

8 MS. HAHAN: No, I'm not Robert
9 Bailey, but I'm going to make a
10 statement on behalf of the Surfriders
11 Foundation.

12 My name is Christine Hahan, and
13 I'm a graduate student at Columbia
14 University in environmental toxicology.
15 I'm also the environmental issues lead
16 in the New York City Chapter Surfriders.
17 The Surfrider Foundation is a nonprofit
18 environmental group with 25,000 members
19 in 50 chapters [inaudible] -- we're
20 dedicated to the protection and
21 enjoyment of the world's beaches,
22 oceans, waves and waterways for all
23 people with conservation, activism,
24 research. The New York City chapter is
25 a new addition to the activation.

1
2 Since our inception in New York
3 City, we learned a great deal of the New
4 York City -- [inaudible]. What we found
5 is that there's been contamination, and
6 we learned about the hazards of the
7 remediation technology. We found that
8 environmental hydraulic dredging is, in
9 fact, described to prevent resuspension
10 in contamination of sediments. Is it
11 not to be confused -- [inaudible].

12 We believe that the EPA should
13 specify hydraulic dredging because such
14 removal is the most effective and
15 cost-effective technology for preventing
16 resuspension of contaminants. We
17 support dewatering, stabilization and
18 railway transport to existing hazardous
19 waste landfills. We agree with the
20 EPA's decision not to landfill remove
21 sediment in the Hudson River or use any
22 farmland for disposal or processing.

23 Though the remediation will be
24 expensive, we believe it is ultimately a
25 small investment that will significantly

1
2 enhance the economy. And after PCBs are
3 removed, the river will be safe to
4 dredge for navigational purposes, and
5 this can only enhance commerce and
6 tourism.

7 New York State has several
8 examples of successful dredging, such as
9 those in Plattsburg and Croton-on-Hudson
10 [sic], which has a clear environment and
11 significantly reduced health risks.

12 As members of the Hudson River
13 Valley community, we encourage the EPA
14 to remediate the contamination of this
15 river, thereby endorsing public health
16 and safety.

17 We strongly urge General Electric
18 to shoulder its responsibility. Only
19 this courageous step will underscore
20 GE's recognition of corporate
21 responsibility to all of its
22 constituents and [inaudible] -- to the
23 possible, the Hudson River and the ocean
24 and it flows.

25 Thank you.

1
2 (Aforementioned speaker
3 sporadically spoke too fast for
4 stenographic recording.)

5 MR. CASPE: Next speaker is Adam
6 Brown, the president of the Worker
7 Waterfront Association.

8 MR. BROWN: Good evening, and
9 thank you for letting me speak.

10 I just want to say on behalf of
11 the Working Waterfront Association, we
12 are maritime and environmental advocates
13 of the Port of New York, and we strongly
14 support your recommendation to do the
15 spot dredging of the Upper Hudson. We
16 think it's important to recognize that
17 what happens in the Upper Hudson doesn't
18 just stay there.

19 I think we know that the river is
20 not stable. To say a river and
21 waterways are stable is an oxymoron.
22 Things flow down river. Whatever
23 happens up river will eventually come
24 down to us, and we're going to shoulder
25 a good portion of the economic cost of

1
2 remediating that down here.

3 I recognize that there is going to
4 be economic cost to be shouldered by
5 everyone. We have been shouldering it
6 for many years down here; the cost of
7 dredging, for keeping the port open is
8 only going to go up. The EPA has
9 already reduced the allowable threshold
10 of PCBs in dredge spoils, and we commend
11 that, but that means that the cost of
12 dredging can go up a factor of ten.

13 So what is the actual economic
14 cost to dredging? What is the economic
15 cost of not dredging? What's the
16 benefit to the economy by having our
17 fisheries shut down? What's the benefit
18 to the economy by having tourism shut
19 down? I think we have to take all these
20 things into consideration. \$450 million
21 to do a localized cleanup is a drop in
22 the bucket compared to what the economic
23 cost is going to be to all of us if we
24 don't do it. We're not even talking
25 about what it's going to cost in terms

1
2 of medical bills. The numbers are just
3 staggering.

4 So we have not only an economic
5 responsibility to clean it up locally,
6 but there's also a moral responsibility,
7 and that's what we're asking for and
8 that's what we want.

9 Thank you very much.

10 MR. CASPE: The next speaker is
11 Alexis DeJesus.

12 MS. DeJESUS: My name is Alexis,
13 I'm from the Brooklyn New School, and I
14 say GE should dredge because babies are
15 infected, birds are dying from eating
16 the fish from the Hudson River. We're
17 losing more and more people from living
18 next to the Hudson River and eating the
19 fish from the Hudson River.

20 MS. LEVINE: My name is Olivia,
21 and I think GE should clean up, too.

22 MR. CASPE: Thank you.

23 Olivia, were you Olivia Levine?

24 MS. LEVINE: Yes.

25 MR. CASPE: Okay, thank you.

1
2 Next speaker is Tim Havens.

3 MR. HAVENS: My poor little
4 organization couldn't afford quite as
5 many hats as the opposition could afford
6 signs, but maybe we'll talk to them
7 sometime.

8 Good evening, ladies and
9 gentlemen. My name is Tim Havens, and
10 I'm from Cape Hudson Falls, New York,
11 and I'm president of the environmental
12 group Cease. I represent thousands of
13 citizens of many Upper Hudson
14 communities that are opposed to dredging
15 the Hudson River. We, the people of
16 these communities, will have to suffer
17 the consequences of this project which
18 threatens our land, our property values,
19 our municipal infrastructure, and our
20 river.

21 This proposed dredging project
22 makes many promises of a cleanup which
23 will not happen. Dredging 2.65 river
24 slides to try to remove 100,000 pounds
25 of PCBs makes no sense when you have no

1
2 guarantee that there will be even modest
3 success. We, the people of the Upper
4 Hudson, refuse to accept this torture of
5 the river, of its surrounding community,
6 and of its farmers' businesses and
7 residents.

8 All the municipal governments in
9 our area have passed resolutions against
10 dredging. We elected those people to
11 protect us. Please don't force this
12 overstated bag full of shallow promises
13 on the people who will have to suffer in
14 numerous ways.

15 This project is described as
16 targeted dredging. This project targets
17 40 miles of the river. This project
18 targeted 507 acres of river bottom.
19 This project targets 19 miles of
20 shoreline. This project targets 2.65
21 million cubic yards of sludge. But most
22 of all, this project targets my
23 community, its farmers, its housewives,
24 its teachers, its elders, its children,
25 its roads, its bridges, its air, and its

1 residents' right to quiet of their home.

2 I intend to lead my volunteer
3 organization of determined opponents to
4 this atrocious proposal to a
5 satisfactory end. We will fight it
6 until hell freezes over, and then we'll
7 fight on the ice.
8

9 MR. CASPE: Next speaker is Jane
10 Havens.

11 MS. HAVENS: I am from the town of
12 Kingsbury [sic], also, and on November 9
13 a proposal was squashed in our community
14 of Hudson Falls. A representative of
15 scenic Hudson kept harping, and I quote,
16 how can you make a decision without
17 information, a very vague statement that
18 seems to be their style. I took their
19 challenge, and thanks to their call to
20 inform, I stand in front of you 100
21 percent confident that the EPA cannot
22 responsibly undertake the Hudson River
23 project. I have compiled some
24 information on approximately 12 EPA
25 dredging projects.

1
2 Manistee Harbor, Michigan, PCBs
3 have decreased in areas that haven't
4 been dredged, they have increased in the
5 dredged areas, and that project has
6 taken longer than projected.

7 The Fox river in Wisconsin, also
8 taking longer than proposed, PCB levels
9 have spiked from 3.6 parts per million
10 to 75 parts per million after dredging.
11 In the Grass River in Massena, New York,
12 PCB levels in fish have increased 20 to
13 50 times during dredging. In the
14 St. Lawrence, sediment goals were not
15 achieved even after the same locations
16 were redredged over 30 times.

17 In sediment and fish, your
18 projects are taking longer than
19 projected, and I am sure the total bill
20 is also much higher than you proposed.
21 You do not know how to undertake these
22 projects responsibly and effectively,
23 and you are not capable of completing
24 projects within knowledge in the time
25 proposed, yet you want to attempt a

1
2 project more massive than any other
3 smaller project that you have already
4 failed at.

5 You will not be allowed to destroy
6 our community when you have information
7 gaps or have not considered the negative
8 effects dredging will have. The risk
9 grossly outweighs the remedy. Twelve
10 projects have only removed in volume
11 950,000 cubic yards and have taken a
12 total of 115 months. How can you in
13 good conscience stand in front of us and
14 say you will remove 2.65 million cubic
15 yards in only 32 months dredging period
16 when you don't even know what type of
17 equipment you will use or any other
18 information that effects the cost?

19 Please respond, Mr. Caspe.

20 MR. CASPE: Thank you.

21 I could tell you that your
22 characterization of dredging success
23 running from Manistee certainly through
24 the Massena sites, St. Lawrence and
25 Grass River is very different than ours.

1
2 MS. HAVEN: That's right, we're
3 bigger. We have a bigger problem than
4 they do.

5 MR. CASPE: Well, we believe that
6 you're mischaracterizing the data.

7 Let me just say that before this
8 process is over, there are 12 sites
9 you're talking about, and we hope that
10 we will get out our perspective on those
11 sites to you in response to what you're
12 saying. It's very different than the
13 perspective that you're putting forward.

14 MS. HAVEN: When I say that we
15 have a bigger problem, I'm saying that
16 you are proposing something bigger than
17 you have done before, and you can't
18 handle bigger programs responsibly.

19 MR. CASPE: Thank you.

20 The next speaker is Dale Hardman
21 from New York City Trout Unlimited.

22 MR. HARDMAN: I am cochairman of
23 the Delaware River Defense Coalition,
24 past president of New York City Trout
25 Unlimited, and a continuing member of

1
2 the Housatonic River Association. It's
3 been my great pleasure to be able to
4 face two great river fisheries, the
5 Hudson River and the Housatonic, both
6 decimated by PCB, on which the
7 Housatonic River initiative has
8 essentially moved against GE in being
9 able to reclaim that river [inaudible].

10 At the same time, striped bass in
11 the Lower Hudson have been found to have
12 over 150 times the FDA's allowable level
13 of two parts per million PCBs in fish.
14 This is particularly onerous because
15 striped bass and shad, both of which I
16 fish for, are an aquimous (phonetic)
17 fish, which means that they not only
18 stay in the Hudson River, but return to
19 the ocean, and the fact that they carry
20 these PCBs from the Upper Hudson and
21 impact below the Lower Hudson even into
22 the Atlantic Ocean is an onerous thing.

23 This next month will be 25 years
24 from when the EPA banned PCBs in the
25 U.S. The EPA has spent the last 10

1
2 years has reassessing its no action
3 decree of 1984 on PCB contaminated
4 sediments. I can only voice my support
5 with others that the EPA will proceed
6 with its proposed plan of alternative
7 four at a minimum, even though I support
8 the more aggressive alternative five,
9 and to make GE finally pay for the PCB
10 damage and thereby the removal and help
11 to clean up the Hudson River.

12 Thank you.

13 MR. CASPE: The next speaker is
14 Nathaniel Avino-Towsen.

15 AUDIENCE MEMBER: He'll be right
16 back.

17 MR. CASPE: Then the speaker after
18 that is Ted Herman.

19 As Ted moves here, let me just get
20 the next ten speakers. A group from the
21 Brooklyn New School, I guess Joshua is
22 the head of the group, Craig Michaels
23 from New York City, Carl Schwartz from
24 New York City Friends of Clearwater,
25 Francis Corcoran, Don Carlson, Joe

1
2 Ferrara, and Mike Herg, Vikki Jones,
3 trustee, village of Dobbs Ferry, Sachin
4 Agarwal, Daniel Saccardi, and Jeff
5 Jones.

6 Next speaker is Ted Herman.

7 MR. HERMAN: I'm Ted Herman, I
8 live in Hastings-on-Hudson, New York,
9 and I'd like to weigh in this evening in
10 support of the EPA's efforts and plan to
11 remediate the PCB problem in the Upper
12 Hudson River.

13 As a citizen and a father, I
14 believe that this is an issue of
15 environmental justice and
16 accountability. GE has been spending
17 millions to cloud and emotionalize an
18 issue that's legitimate science, not
19 cytoscience, and a legitimate plan being
20 put forth by the EPA can, in fact,
21 successfully remediate.

22 My town of Hastings-on-Hudson,
23 though I can't claim to officially
24 represent them, I've participated in a
25 candlelight vigil to raise the level of

1
2 awareness in our community for this
3 issue for the Hudson Valley, but we can
4 relate to the issue very acutively
5 because of our own superfund site on 28
6 acres of waterfront property that we
7 have been for the last 30 years unable
8 to access as a community because of the
9 contamination.

10 So it's people up and down the
11 river who are responding to this issue,
12 who understand real science, who
13 understand when they are being snowed by
14 multimillion dollar PR campaigns, and
15 we're here tonight and we will probably
16 be willing to venture up river to your
17 community for similar events to speak
18 out on this issue.

19 Thank you very much.

20 MR. CASPE: Are you the group from
21 the Brooklyn New School?

22 AUDIENCE MEMBER: Yes.

23 MR. CASPE: Okay, we'll let you
24 guys go next.

25 AUDIENCE MEMBER: My name is

1
2 Jacqueline [inaudible] from the Brooklyn
3 New School.

4 AUDIENCE MEMBER: My name is
5 Morgan Russell from the Brooklyn New
6 School.

7 I know for a fact that PCBs are
8 dangerous. PCBs have been around for
9 many years. Me and my coworkers and
10 fellow classmates think the EPA is
11 right. I think we should have a vote
12 like we do for the election. I want the
13 river to be clean so when I have
14 children, they can enjoy swimming in the
15 river and doing lots of activities.

16 AUDIENCE MEMBER: For those of you
17 who are voting for GE because you think
18 when they say dredging they mean huge
19 space trudging across the bottom of the
20 river [inaudible], but really it's just
21 a long vacuum shaped as a tube. All it
22 does is suck up all the soil and PCBs.
23 It does not hurt the fish, and it does
24 not stir up things.

25 You need to remember who is

1
2 watching, well, it's the world, and if
3 GE doesn't clean up the PCBs, no one
4 else will clean up because there will be
5 no one else left to clean.

6 MR. CASPE: The next speaker is
7 Gilbert Hawkins.

8 MR. HAWKINS: My name is Gilbert
9 Hawkins, I am the environmental director
10 of the Hudson River Fisher Man's
11 Association, New Jersey Chapter.

12 I represent 350 or so fishermen
13 that fish the Hudson River and the bay,
14 the area out underneath the bridge all
15 the way up to Kingston. We fish all up
16 and down the Hudson River, the East
17 River and even into Long Island, and
18 I'll tell you, the striped bass that are
19 in the river are moved from one area to
20 the other. Striped bass that we have
21 tagged have been found in the Chesapeake
22 Bay, they have been found in
23 Massachusetts. If you eat striped bass
24 that come from Montauk, they could have
25 been in the Hudson River yesterday or

1
2 the day before, they're very fast moving
3 fish, and we have tagged them and we
4 know, there are statistics.

5 New Jersey is a very proud of the
6 fact that we have sent Christie Whitman
7 to the EPA, and we hope that she will
8 take care of her promises about the
9 Hudson River and the pollution problem
10 with the PCBs. I can tell you right now
11 that the stain that comes down from the
12 Upper River, and I feel for the people
13 over there who have this in their
14 backyard, the problem doesn't exist with
15 the EPA that is going to remedy this
16 situation, the problem exists with GE
17 that did the dirty work.

18 I'd just like to say that the
19 fishermen all up and down the river, and
20 I'm talking about the people that are on
21 the Harlem River, I'm talking about the
22 people that don't know what the EPA is,
23 I'm talking about the people who pull
24 out a 30 inch striped bass and take it
25 home and cook it, cook the whole thing,

1
2 not just the fillets, I'm talking about
3 people who eat the whole fish, they have
4 no idea what PCBs are, they have no idea
5 that this bright, shiny, silver trophy
6 that they have taken home that they are
7 so proud of is polluted and has PCBs in
8 it, and they take it home and they eat
9 it unbeknownst.

10 Thank you.

11 MR. CASPE: Nathaniel
12 Avino-Towsen.

13 MR. AVINO-TOWSEN: Hi, I'm
14 Nathaniel Avino-Towsen, I'm a sophomore
15 at Stuyvesant High School, which as many
16 of you may know is right on the Hudson
17 River. This summer I had the pleasure
18 of working on Pier 40 for the Pier Park
19 and Playground Association, also known
20 as P3 which is located on the south side
21 of Pier 40. Pier 40 or P3 is generally
22 designated as a sports recreation
23 facility, but at the end of the pier we
24 also have a facility for fishing where
25 anyone with come and get a fishing rod

1
2 and fish for free and there's no charge.

3 During the summer we had several
4 camp groups come in, and what happened
5 to me on several occasions is we get a
6 bunch of little kids, you know, 40, 50
7 at a time, they come, and you don't
8 catch too many fish, but when you have
9 that many people, you catch at least a
10 few. They catch a couple of 15, 16 inch
11 strokers and they gather them up for
12 lunch and they say, oh, are we going to
13 eat the fish we caught? And we say no,
14 we can't, the fish are polluted, and all
15 these little kids look confused and
16 disappointed. That's when we had to go
17 through the whole explanation of why you
18 can't eat the fish that you just caught.

19 Also, it is, to the best of my
20 knowledge, known that PCBs can cause
21 cancer in animals and possibly cause
22 cancer in humans. Last April my mother
23 died of cancer. Things like this are
24 very real, and I can't see how people
25 are selfish enough to worry about the

1
2 smaller amounts of pollution or the
3 sounds or the lights that are going to
4 be near your house during dredging when
5 the threats of PCBs and cancer and the
6 actual death that is there are very
7 real, and this is why I support the
8 EPA's proposal, and that's why I think
9 General Electric should have to clean up
10 the mess that they made.

11 MR. CASPE: Next speaker is Jeanne
12 Stork.

13 MS. STORK: Hello. I currently
14 live in New York City, but I have lived
15 upstate. I came from upstate, I grew
16 up upstate. I am a recent New Yorker,
17 so I am also the face of upstate New
18 York. I am not going to repeat anything
19 that I have written, but I would like to
20 add some things to it. As many people
21 have said, the main concern is saving
22 human lives and wildlife, in my opinion.
23 Some people have touched in the net.

24 I'm a teacher here in New York
25 City, and I am a volunteer activist with

1
2 both Clearwater and New York City
3 Friends of Clearwater. I spend a lot of
4 my time researching as a volunteer after
5 hours and being involved in the
6 environment of New York State. I am
7 afraid that EPA will bow to pressure,
8 some political forces that are opposing
9 the cleanup. I think GE will put
10 pressure on politicians, and it concerns
11 me that the EPA might bow to that
12 pressure, and I really hope the EPA does
13 not.

14 I am also concerned that when I
15 first moved to the Hudson River over 15
16 years ago, this is upstate, I was
17 hearing then about how the EPA was
18 dragging its feet and these could have
19 been cleaned up ten years prior to that,
20 the PCBs could have been out of the
21 water almost as soon as they went in.
22 We had dredges back then. The ones
23 today are more modern and can do it more
24 efficiently. Great. But make sure it
25 gets done and make sure that GE pays.

1
2 Whether or not they knew what they were
3 dumping was dangerous is irrelevant. In
4 my opinion, you make a mess, you clean
5 it up. It's what I teach my students.
6 Oh, I'm sorry, I didn't mean to spill my
7 paints. I'm sorry, you've got to clean
8 them up anyways.

9 Thank you.

10 (Whereupon Reporter Kristi Lamendola
11 was replaced by Reporter MayLeen Cintron.)
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2 MR. CASPE: The next speaker is
3 Craig Michaels.

4 MR. MICHAELS: Hi, my name is
5 Craig Michaels. I would like to once
6 again commend the EPA on doing a great
7 job amidst an enormous amount of
8 government bureaucracy. As we sit here,
9 I find an even greater amount of
10 corporate propaganda.

11 Of course, the reason we are here
12 tonight is partly because of the
13 diligence of the EPA, but really because
14 of the General Electric Company.

15 They bring good things to life?
16 Hum, what a crock. I think that a more
17 appropriate motto might be something
18 like, GE raking in profits and leaving
19 behind toxic. Because that is exactly
20 what they've done time and time again
21 across this country.

22 In fact, GE is responsible for
23 over 75 Superfund sites nationwide, more
24 than any other corporation in this
25 country.

1
2 Clearly, this is a company that is
3 out of control. A company that has been
4 reckless and ruthless in its pursuit of
5 profit, and a company that is obviously
6 abandoned any sense of corporate
7 responsibility.

8 GE is clearly of a mindset that if
9 you shout lies loud enough and if you
10 repeat that lie often enough, that lie
11 will eventually -- as we see here
12 tonight -- turn into a perceived truth.
13 That is the foundation upon which they
14 have their deceptive \$48 million
15 campaign.

16 First they say our dumping of PCB
17 was perfectly legal. Wrong, wrong. As
18 kid Kennedy said earlier, they have
19 consistently violated their permit, and
20 in addition the judge that wrote that
21 opinion clearly stated that GE violated
22 the New York State environmental
23 conservation law which clearly says that
24 regardless of any permits the company
25 has, it is illegal to discharge

1
2 pollutants in amounts that violate
3 applicable water quality standards.

4 GE claims the PCBs are buried in
5 the sediment of the river. Wrong
6 again. An estimated 300 to 500 pounds
7 of PCBs come over the federal dredge and
8 wash down rivers to us every single
9 year. Now that does not sound much like
10 burial does it.

11 Lastly, they say they are doing
12 everything they can to clean up their
13 contaminated sites. Nice try. But PCBs
14 were banned in 1977 from this country.
15 The Hudson Falls Plant closed in 1984,
16 and from that plant there are still
17 three ounces a day of PCBs coming into
18 the river. That is every single day.
19 If that's a clean-up, that's really
20 pathetic.

21 I realize I'm out of time. Please
22 bear with me.

23 MR. CASPE: We got a lot of
24 speakers to go here.

25 MR. MICHAELS: One last point.

1
2 Given that GE single-handedly crippled a
3 century-old-fishing industry, they are
4 now financing a multimillion dollar
5 campaign convincing Hudson River
6 residents that a clean-up dredging would
7 benefit the local community. The fact
8 that GE is even pretending to care about
9 the local community would be laughable
10 if were it not such a serious matter.

11 MR. CASPE: Thank you.

12 The next speaker is Carol Schwartz
13 from New York City Friends of
14 Clearwater.

15 MS. SCHWARTZ: Hi. My name Carol
16 Schwartz, I'm the president of New York
17 City Friends of Clearwater, the local
18 New York City affiliate of Hudson River
19 Clearwater.

20 When I became a member of Hudson
21 River Clearwater 20 years ago to this
22 very day, the PCB issue has been the
23 issue for Clearwater. And in my 21
24 years of involvement, it is still the
25 issue of Hudson River Clearwater.

1
2 And in my estimation, it is
3 shameful and a travesty given the scope
4 of this issue, the natural habitat, the
5 scientific knowledge regarding the cause
6 and effects and the parties involved.

7 Without going into detail, which
8 would be eloquently at this hearing, I'm
9 appalled it has taken this long to get
10 to this point where the EPA has finally
11 come up with a plan to attempt to refine
12 our precious river, the main artery of
13 New York's biosystem, of PCBs.

14 I want to applaud my environmental
15 organization Hudson River Clearwater and
16 all the other environmental and advocacy
17 groups who will not rest until this
18 issue is physically addressed and
19 physically remediated.

20 Be that historically as it may,
21 New York City Friends of Clearwater
22 fully support Hudson River Clearwater
23 and all other organizations in the
24 continued struggle to rid our great
25 river of PCBs.

1
2 And to the EPA, I just want to
3 say, the American Indian states that you
4 must always look seven generations
5 ahead, whatever we do on mother earth.

6 I hope it doesn't take until the
7 seventh generation to finally physically
8 remediate this horrendous death sentence
9 on our Hudson River, despite the
10 pressures you are under and we know
11 where they are coming from.

12 I encourage you to implement your
13 plan now.

14 MR. CASPE: Next speaker is
15 Francis Calkrin.

16 Next speak Don Carlson. While he
17 is making his way down, let me give you
18 the next ten.

19 Lori Ennela from Niberg, Peter
20 Moran, Karen Farrell, Lori Schuster,
21 Alan Ross, Carol Lee, Brian Mohan, Rick
22 Hill, Allison Enrique and Alex Status.

23 MR. CARLSON: Hello, my name is
24 Don Carlson. I want to thank you for
25 the opportunity to speak here tonight.

1
2 I am deeply concerned about the
3 quality of the environment that my wife
4 and I, my three children and my three
5 grandchildren live in.

6 I'm a member of the Sera Club and
7 I applaud my colleagues for the
8 reference on this issue.

9 I'm also a management consultant
10 who has worked for 35 years inside
11 companies like GE. I know what they're
12 up to in resisting this clean-up.

13 Fundamentally they are trying to
14 increase their profits and increase
15 their executive bonuses in utter
16 disregard of the health and well-being
17 of millions of people affected by their
18 dumping of PCBs in the river.

19 I'm not surprised GE likes us when
20 we buy its products and put money in its
21 pocket, but it turns their back on us
22 when we might cost at something.

23 While not surprised, I'm
24 outraged. I hope and pray EPA will help
25 us. I hope you will persevere in this

1
2 effort against the power of this
3 industrial giant called General
4 Electric. Thank you.

5 MR. CASPE: The next speaker is
6 Joe Ferrara from Niberg.

7 MR. FERRARA: Good evening.
8 Basically, I'm not going to give you a
9 long-winded speech because I'm sure you
10 have heard the facts being here about
11 two hours already.

12 Basically what I find particularly
13 disturbing about all this pollution
14 about everything, this is not an
15 isolated incident. This is going all
16 over our country and all over the
17 world. Industrial giants from the
18 United States are leading this.

19 Basically, if for some strange
20 reason the EPA does not go through, it
21 will not only be a travesty of justice,
22 and incredibly morally wrong, but it
23 will be a victory for companies like GE
24 -- not only in our country, but in
25 foreign countries -- that are tremendous

1
2 polluters and leave a trail of
3 devastation in the way wherever they
4 go. That's all I have to say. Good
5 night.

6 MR. CASPE: Next speaker is Vicky
7 Jones who is a trustee with the Village
8 of Downsbury.

9 MS. JONES: Good evening. I'm
10 Vicky Jones of the Village of Downsbury,
11 located halfway between Yonkers and
12 Tarratown on the Hudson River.

13 We recently, the Board of trustees
14 and the mayor recently passed a
15 resolution which has been forwarded to
16 the EPA in support of your proposal. I
17 wanted to tell you that.

18 As a mother of a child, I have two
19 children, although my daughter is not
20 one that goes to the river, but my son
21 is now almost 16 and for years has gone
22 down to the Hudson River and has gone
23 fishing for eels and whatever else he
24 might be able to catch.

25 You know, it is very sad for me as

1
2 a mother to see my child go out and fish
3 and say, "Wash your hands when you come
4 home. Don't take any fish back home."
5 This is a child.

6 I had the ability to go out
7 fishing with my father and I come home
8 and I clean my fish and we eat that
9 fish. But my child does not have that
10 opportunity.

11 I would ask that the people of
12 Hudson Falls look to the future and
13 think what they can be leaving their
14 generations of their children ahead by
15 cleaning up the river so that their kids
16 will be able to go there, fish and swim
17 without worrying about coming inside,
18 washing up, cleaning up as quick as
19 possible because of the contaminants
20 that are in their water.

21 It is a very real threat. And I'm
22 sorry that they fear the noise and the
23 madness of this clean-up. But I look
24 forward to the day that Hastings on
25 Hudson's Superfund site causes noise and

1
2 havoc to my community so my kids can
3 swim in the water without having to
4 hear, "Hurry up, come inside, wash your
5 clothes. Get in the house." Thank
6 you.

7 MR. CASPE: The next speaker is
8 Sachin Agrwal.

9 Next speaker is Daniel Secardi.

10 MR. SECARDI: My name is Dan
11 Secardi, I'm from Natural Resources
12 Defense Council.

13 On behalf of NRDC and more
14 importantly as a New York resident, I
15 applaud the EPA ruling and urge that
16 they take further action and adopt the
17 alternative number five for even
18 increased human and environmental health
19 benefits.

20 I would like to use the remainder
21 of my time to read two segments from my
22 co-workers.

23 One is from Scott Phillips who
24 says: "I deeply support EPA's decision
25 to require GE to take responsibility for

1
2 its role in polluting the Hudson River
3 with PCBs. Furthermore, I strongly urge
4 EPA to adopt alternative five as the
5 most effective method of cleaning up the
6 Hudson. This issue has brought health
7 ramifications for the people and
8 wildlife, which inhabit the Hudson let's
9 clean it up in the best possible way.
10 We owe it to ourselves and to the
11 river."

12 And the second statement is from
13 Morry Rapaport: "As a resident of New
14 York City, having a clean and safe
15 Hudson River is important to me. I,
16 therefore, strongly support the EPA's
17 plan directing GE to be accountable for
18 its actions which polluted this
19 essential resource. The Hudson River
20 should be clean for future generations.
21 The EPA's plan is a hopeful step towards
22 this end. This is essential to my
23 health and to the health of all New
24 Yorkers. Thank you."

25 MR. CASPE: Thank you. The next

1
2 speaker is Jeff Jones.

3 MS. LEE: Hi, my name is not Jeff
4 Jones. My name is Karen Lee. Jeff
5 Jones had to leave and he gave me his
6 spot because I have to get back upstate
7 myself.

8 I'm representing Scenic Hudson,
9 which is an advocacy group on behalf of
10 the river. I'm here to voice our strong
11 support for EPA's targeted dredging
12 program, though we would support the
13 more aggressive alternative five because
14 we think it reaps greater benefits for
15 the Hudson River and people who live
16 here.

17 A couple of things that we want to
18 observe. Throughout this debate, a few
19 simple truths have emerged.

20 We know that PCBs are harmful to
21 people and wildlife. We know that the
22 Hudson River is not cleaning itself. We
23 know that dredging works. We know that
24 the short-term impacts will be far
25 outweighed by the long-term benefits.

1
2 We also know that if it weren't
3 for GE's intervention, this river would
4 have been cleaned up a long time ago.

5 GE has lost on the science. EPA
6 is to be commended on the job you have
7 done on documenting the problems of this
8 river and scoping out a plan for how
9 those problems can be solved.

10 Because they have lost on the
11 scientific front, GE has mounted a
12 massive propaganda campaign.

13 But one of the messages I want to
14 get across tonight is that people on the
15 Hudson valley aren't buying the
16 propaganda. They are being subjected to
17 a sophisticated advertising campaign,
18 but it really isn't working.

19 Last fall, we wanted to gauge
20 public opinion about the need for the
21 clean-up, and so we contracted with the
22 Merits Institute for Public Opinion to
23 conduct a poll for us to look at public
24 attitudes.

25 What we found was that 84 percent

1
2 of the people in the Hudson Valley
3 support the clean-up. In New York City,
4 it is 92 percent who support the
5 clean-up.

6 Interestingly enough, when we went
7 up river, we found that 55 percent of
8 the people, Albany and north, support
9 this clean-up and the dredge removal of
10 PCBs from the Hudson River.

11 So finally, we would like to
12 submit the results of this poll to the
13 EPA for the record. Thank you.
14 (Handing document.)

15 MR. CASPE: The next speaker is
16 Lori Enella.

17 MS. ENELLA: I'm Lori Enella. I
18 represent Niberg Nassau Community
19 College. I'm going to keep it very
20 short and sweet.

21 We allow corporations to get away
22 with too much. First GE got away with
23 polluting the Hudson, now they don't
24 want to fund the clean-up, allowing them
25 to get away with poisoning us.

1
2 Our health is precious; our life
3 is precious; the safety of our children
4 is precious. And we cannot let GE
5 getaway with our future.

6 MR. CASPE: The next speaker is
7 Peter Moran also of Niberg.

8 MR. MORAN: My students. My name
9 is Peter Moran and I'm a project
10 coordinator for the New York Public
11 Research Group in Niberg based on
12 community colleges. I'm a camp-based
13 organizer.

14 The first thing I would like to do
15 is commend the EPA for the clean-up plan
16 they have put forth. The second thing I
17 would like to do is tell the audience I
18 promise I'm the only person that will
19 speak under this Niberg hat tonight.

20 After listening to the comments
21 tonight and thinking about the issue,
22 the one thing that comes to me is how
23 astounding it is that after 30 years, we
24 still have to have public comment and
25 discussion about an issue that is so

1
2 clear.

3 It is so painfully obvious that GE
4 has lied. And GE must pay. The PCBs
5 are everywhere; they're in the fish.
6 They're in the wildlife. We learned
7 tonight at the rally that Annie Mealy
8 from Clearwater has levels in his body,
9 a human body, that would make him unfit
10 for consumption, a human being.

11 This is not just north of Troy.
12 This is all the way down the river. And
13 they have lied and they must pay. This
14 should not be about politics. It is
15 about life and death. And GE has lied
16 about life and death and should pay.

17 In the risk assessment, the
18 question I have is how many people need
19 to get cancer directly attributed to
20 PCBs before we say and realize that GE
21 has lied and GE must pay. Thank you.

22 MR. CASPE: The next speaker is
23 Karen Farrell. The next speaker is Lori
24 Schuster.

25 MS. SCHUSTER: I'm actually really

1
2 happy to follow that gentleman. I'm
3 sitting here tonight in absolute
4 disbelief over what I'm hearing.

5 There seems to be an assumption
6 among a number of people in the audience
7 that this is a corporate America versus
8 a people-who-do-the-right-things issue.
9 That, you know, corporate America thinks
10 that PCBs are pretty. I'm not getting
11 this, truly.

12 No one here is saying that PCBs
13 are pretty; that PCBs are good; that
14 PCBs are wanted. I'm hearing a lot of
15 emotion. I'm seeing a lot of children
16 who are, like, unable to think for
17 themselves, trotted up for a great photo
18 opportunity. And you know what? It
19 turns my stomach.

20 Because what is being lost in --
21 also, I will say, there is a group of
22 people who live in communities that are
23 directly affected. And I live in
24 Manhattan, in case that makes a
25 difference to anyone in this audience.

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I live in Manhattan.

I'm looking at people who are arrogant enough to be in this room tonight looking at a group of people who are committed enough to travel from their local communities to come down here, and I'm looking at them treated as though they are corporate propaganda because they care about their communities.

And what is being lost. I sat here tonight. I listened to someone -- I don't know who it was -- spout information -- and I'm going to use that in the most generous term -- out of context, that mean nothing.

I hear the term "science" being trotted around in the most inappropriate way. The question please focus, please, I ask you --

(Outburst from audience member.)

Chill out dude.

I ask you, EPA, look at the science. No one likes PCBs. They

1
2 aren't good. Look at the local
3 community, look at the science, and do
4 the right thing. But don't let
5 photo-ops, people who are out of
6 context, facts out of context,
7 downstate, whatever the crap is, don't
8 let that affect the decision.

9 Do the right thing. Do the right
10 thing for the river, for everyone
11 involved. Thank you.

12 MR. CASPE: The next speaker is
13 Alan Ross.

14 MR. ROSS: Hi, everybody. Thanks
15 for having me. It is kind of weird
16 being here. I go to the University of
17 Colorado and I came up to New York to
18 study for a while. And one of my
19 assignments -- I'm a political science
20 major. One of the things I started
21 doing was, my assignment was to study
22 this whole Hudson River thing and see
23 who is saying what and who is doing
24 what.

25 I don't know. It is funny because

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I think GE should pay up. From all my research, I think GE should pay up.

The reason that this is it's because they did put it in there and there are effects to it. But it is not a black- and-white situation. Trust me. I've been spending too many hours on this assignment. I hope my professor is not here.

The thing is you got to think about it like this. Think that this company or think that I represent the New York City, you know. I'm going to come into your house down in alphabet city, I'm going to come in, rip out your pipes, I'm going to sit on your porch, sit on your steps, I'm going to scrape them out, leave the stuff on the porch, by the way, don't step on it.

And then whether we put it back or not is another question. And we're making this mess. We're coming into your house.

And it is a big, big problem.

1
2 Like everybody is making it a
3 black-and-white situation. It is very
4 gray. There is a lot of things.

5 Put it into this perspective as
6 well. Say this New York City person
7 comes into your house in SoHo, NoHo,
8 Greenwich Village and they say, By the
9 way, everybody around you voted,
10 Greenwich village signed a resolution to
11 say, Don't do this and NoHo, SoHo,
12 everybody was like, don't do this, we
13 don't want you people coming into my
14 house. Because if you do, you are going
15 to screw up my property value, I just
16 bought the place. It is going to be
17 worth half as much. I'm renting it. It
18 is going to raise my rent.

19 Everybody has said, Don't do it.
20 There is like 60 to 75 communities in
21 the Upper Hudson that said, Don't do
22 it. I mean, as the best comparison I
23 can give is that if you want to not
24 count the votes, if you want to ignore a
25 campaign, look at the presidential

1
2 election.

3 If you are very pleased with what
4 happened there and how people were
5 ignored, then let the EPA dredge because
6 that's what's happening now.

7 MR. CASPE: Thank you, Alan.

8 If I can, the next speaker is Alan
9 Broeng.

10 We got 123 people signed up and
11 I'm up to No. 44. Let's see if we can
12 just move it a little bit quicker.

13 MR. BROENG: I'll be very quick.
14 I wanted to say I'm in support of the
15 EPA's decision to dredge the Hudson.

16 MR. CASPE: The next speaker is
17 Rick Hill.

18 If people can come down, I'm
19 trying to call so people can be there in
20 advanced.

21 The next ten are going to be
22 Kathleen McCurty, Jackie S. Morgan,
23 Serena DeJesus, Mitchell Cohen, Reade
24 Suder, Richard James, Frank Swa, Elliot
25 Eisen Yales, Gene Schoenfeld and

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Jennifer Jenkins.

The next speaker is Rick Hill. Is Rick Hill here? The next speaker is Alex Enrique. The next speaker is Alex Savas.

MR. SAVAS: Hi, I'm Alex Savas. I'm 45. I'm an interesting creature. I have sailed the entire river. I have seen the benefits of it getting cleaner.

And as such, I applaud the EPA. I would like to see alternative five used so we can continue to get it cleaner, have more people out on the river, make more money on things like tourism than from polluting.

We all know in the long run, things like tourism and fishing will provide more jobs and money than polluting. Today is not the beginning of this.

Furthermore, I'm worked as an environmental engineer. The control and the technology is there to clean it up.

1
2 Let's use them.

3 Thirdly, GE dumped it in, they
4 should pay for the clean-up cost as
5 needed to make sure it is totally gotten
6 rid off in an environmentally safe way
7 which will not allow the waste to go
8 where it shouldn't go.

9 I've written environmental
10 assessments where I know you can get rid
11 of stuff safely. We have proven it. We
12 have seen it.

13 Fourthly, I worked on one or two
14 environmental firms in the past 27
15 years. I've been in hospitals as a
16 platelet donor and visiting people off
17 campus.

18 Any of you who think that cancer
19 and other long-term diseases are not
20 debilitating, I guarantee you, go talk
21 to people. And you know someone. They
22 may hide it, but I guarantee you you
23 know someone who has cancer or you know
24 someone who will have cancer or some
25 other debilitating disease. Put

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yourself in their shoes. Thank you.

MR. CASPE: Thank you. Kathleen
McCurty?

Jackie S. Morgan?

Serena DeJesus?

Mitchell Cohen from the No Spray
Coalition in Brooklyn Greens?

MR. COHEN: Hi, my name is
Mitchell Cohen from the No Spray
Coalition which has been fighting
against the insane spraying of our city
and also up and down the Hudson with
toxic pesticides, and also from the
Brooklyn Greens of the Green party of
New York.

Of course I want and all the
Greens and everybody want the Hudson
clean. And of course we deplore what
General Electric has done to it and want
to see it cleaned up.

I do have concerns, however, based
on our experiences with the EPA and many
issues, including the No Spray Coalition
which they supervise the spraying of New

1
2 York and elsewhere, about how this will
3 be done.

4 I was appalled to find that we
5 just talk about what we do with the
6 products that we dredge up, and that
7 we're just going to dump them somewhere
8 in Texas in a "safe place."

9 I have met people from Texas
10 through the Greens who were the
11 recipients of New York hazardous waste
12 that were dumped on their communities,
13 on American Indian reservations, and in
14 other poor places.

15 I'm appalled that the EPA has not
16 given the proper attention to where the
17 stuff is dumped, how it's dumped, how
18 it's disposed of; why it goes into low
19 income communities, and usually
20 communities of color.

21 We need to really address that
22 when we talk -- that's part of a
23 holistic view. One of the many angles
24 in a holistic view of what this is
25 about.

1
2 I also would like to consider the
3 other avenues of dangerous nuclear
4 leakage from the Indian Point going into
5 the Hudson River, and of the spray
6 itself going into the Hudson River and
7 other toxic things that the EPA has
8 failed to address so far and needs to
9 address.

10 Finally, I used to teach a class
11 here, an environmental class right here
12 at the New School. We talked about who
13 owns America and who owns the
14 government. And to think that the
15 federal government is in any way
16 separate from General Electric is a big
17 mistake. There is a big interlock
18 between these forces.

19 So when we talk about where we're
20 dumping especially and where we're going
21 to dump -- I'll be finished in a second
22 -- where we dump the waste that is
23 dredged up by massive amounts.

24 General Electric owns Channel 4
25 right here on Rockefeller Center. I say

1
2 cart it, put the waste by those who made
3 it, bring it to Rockefeller Center by
4 the truckload, bring it up to the 57th
5 floor of that building in Rockefeller
6 Center, and let them deal with it
7 there. Or to Jack Welching's (phonetic)
8 mansion and dump it on his front lawn.

9 But the people who did it, the GE,
10 need to pay its price.

11 MR. CASPE: I have to cut you off
12 on at this stage.

13 MR. COHEN: That's it. I'm done
14 anyway.

15 MR. CASPE: I would clarify on the
16 one point of where the material will
17 actually go. I mentioned what we had
18 used for pricing the material out. It
19 is a feasibility study.

20 Within the design, you're right,
21 within the design there will be a lot
22 more detail as far as exactly where it
23 will go. One of the things we are
24 looking at is recycling as well.

25 MR. COHEN: That's great. I think

1
2 that is tremendous, but it has to be in
3 the study so we can all comment on it
4 and treat this as a whole. It cannot be
5 done as an afterthought the way
6 everything else the EPA has always done
7 works.

8 MR. CASPE: Thank you. The next
9 speaker is Reade Suder.

10 MR. REDMOND: I'm taking his
11 spot. Thank you. I wanted to --

12 MR. CASPE: Who are you?

13 MR. REDMOND: My name is Steven
14 Redmond. I'm taking his spot. I wanted
15 to mention, I appreciate your comment,
16 the gentlemen that just spoke, Mitchell,
17 on raising some of the issues I wanted
18 to raise.

19 I'm an African-American. My name
20 is Steven Redmond. I'll be completing a
21 law degree in environmental law from
22 Pace University School of Law.

23 I was born in Harlem on the Hudson
24 River, educated in public schools on the
25 Hudson River, played as a child and as a

1
2 teenager on the Hudson River in
3 Riverside Park.

4 As a resident of Harlem, I
5 understand firsthand what it means to
6 suffer from NIMBY. I'm one of the
7 million faces of color that are
8 adversely impacted by NIMBY.

9 I understand what you are saying
10 in terms of us being concerned -- all
11 of the people have stayed back -- about
12 the PCB issue about where they're going,
13 etcetera.

14 The North River Sewage Treatment
15 Plant located in Harlem is a monument to
16 the NIMBY philosophy.

17 One of the things I wanted to
18 point out is that this situation with GE
19 is not just GE's responsibility. It is
20 all of our responsibility. Okay?

21 We buy the products, that means we
22 endorse what they do and how they
23 produce the things that they do. We
24 need to --

25 Let me be clear about this. Yes,

1
2 they are in particular responsible for
3 the PCBs that are dumped in the Hudson.
4 And yes, they will, by some means, with
5 the EPA's assistance, clean up that
6 mess. And I think proposal five is the
7 appropriate measure.

8 However, we all must commit
9 ourselves to manufacturing processes
10 that don't create PCBs, that don't
11 create other types of hazardous waste
12 that are affecting communities across
13 the nation.

14 In a sense, we have to keep
15 environmental justice, as Mr. Mitchell
16 pointed out, in mind at all times.
17 Thank you very much.

18 MR. CASPE: The next speaker is
19 Richard James. Is Richard James here?

20 The next speaker is France
21 Walebron.

22 The next speaker is Elliot
23 Hisenback. While he is coming, let me
24 call the next ten.

25 Jay Burgess, Steven Bruce, Lisa

1
2 Gershman, Jessica Cox, Laura Hayes,
3 Ester Bell, Ann Novick, Debra Stanford,
4 Mary Mutz and Greg Chin. Thank you.

5 MR. HISENBACK: Good evening. I'm
6 Elliot Hisenback, pronounced correctly
7 as you did. Thank you.

8 I give donations to environmental
9 organizations. Since I signed a mailing
10 list at Scenic Hudson, I got the fall
11 newsletter and had some questions about
12 assertions on the bottom of the page.

13 My telephone bills will show I
14 called twice, five different names were
15 given to me, nobody from Scenic Hudson
16 called me back to address my complaint,
17 well, my question.

18 Subsequently, I was able to get in
19 touch with someone from EPA, and that
20 person spent a good deal of time with
21 me. And I was impressed by that
22 person's knowledge and accessibility.

23 Truth in advertising. I'm a
24 retired industrial chemist. I'm older
25 than I look. And just coincidently I

1
2 worked with Alcors over the mid-'60s
3 without risk, without a face mask,
4 without any necessary protection.

5 There are first class chemical
6 companies in this country and fourth
7 class. Very little in between.
8 Certainly in those days.

9 I think the bottom line is do no
10 harm. And I don't think enough
11 attention has been paid to the concerns
12 of the people upstate, mostly sitting
13 here.

14 I think the exploitation of
15 children like that is absolutely called
16 brainwashing in other countries, and I
17 think the people who cheer that are
18 emotionally carried away and not really
19 ready to address some of the unexpected
20 scientific questions that really have
21 very few answers at this point.

22 I learned earlier outside that in
23 Pittsfield, GE settled with the
24 Housatonic group for \$750 million. It
25 comes to my mind that why would they

1
2 spend three quarters of a billion
3 dollars there and not be willing to
4 spend half a million dollars here in
5 Hudson River.

6 It is my contention, without
7 knowing all the facts, it is my judgment
8 and speculation, call it what you will,
9 that because they are really sincerely
10 convinced that the PCBs are encapsulated
11 and that .3 ounces or seven pounds of
12 7.7, not even rounded off is
13 scientifically so beyond my
14 understanding of science and of common
15 sense.

16 MR. CASPE: I'm going to have to
17 cut you off.

18 MR. HISENBACK: Well, I haven't
19 watched.

20 MR. CASPE: I'm sorry.

21 MR. HISENBACK: Okay. Just one
22 final question.

23 After so-called cleaning up the
24 hot spots and if the assessors turn out
25 to be wrong, they generally don't get

1
2 generally don't get fired when they work
3 for nonprofit organizations.

4 And finally, the attention will be
5 to go to the cold spots. Are we talking
6 about a clause of zero parts per
7 million, billion, trillion? Let's have
8 some common sense.

9 MR. CASPE: If you have some
10 further comments, obviously you can
11 submit it to us.

12 MR. HISENBACK: I appreciate
13 getting that 29-page report. Thank you
14 very much.

15 MR. CASPE: IS Gene Schoenfeld
16 here? Are you Gene Schoenfeld? No.
17 Jennifer Jenkins?

18 MR. MONFONGER: Jennifer left.
19 She told me I could speak for her. I
20 got a couple of couple, Mike Monfonger,
21 fire extinguisher from the Bronx. I'm
22 not here representing the Fire
23 Department. I've also worked Harlem.

24 I agree with what the fellow back
25 there said, the guy from Harlem. You

1
2 know, we all are directly affected every
3 day by the purchases we make.

4 We all, or our parents, also made
5 General Electric this multi-national
6 corporation that is able to work outside
7 the bounds of most, you know, decency.
8 Along with other companies.

9 I think everyone in this room is
10 old enough to make decisions for
11 themselves about the things they use in
12 the house every day. My face was burnt
13 very severely by fighting polyurethane
14 fires. I actually decided not to use
15 polyurethane before this.

16 But every day I think the
17 decisions we make, the products we buy,
18 the people we support -- McDonald's and
19 all these other people who really don't
20 care about any of us. But the more we
21 go and support them, we are going to be
22 here 20 years from now fighting about
23 something else.

24 I think it is about time we all
25 grew up and looked for better

1
2 alternatives and look to support people
3 who really care about us. That's it.

4 MR. CASPE: Jay Burgess? Steven
5 Bruce? Lisa Gertsman? Jessica Cox?

6 MS. POSTMAN: I'm actually not
7 Jessica Cox but I work with her.
8 Jessica asked me to read this from
9 the --

10 MR. CASPE: Can you say who you
11 are.

12 MS. POSTMAN: Mary Beth Postman.
13 I'm reading a statement from Cecilia
14 Gutierrez from Ossining from the Latino
15 Chamber of Commerce.

16 MR. CASPE: Mary Beth.

17 MS. POSTMAN: Postman like the
18 mailman. This statement is from Cecilia
19 Gutierrez.

20 "This is not just an upper Hudson
21 issue. The Latino communities along the
22 Hudson River often fish during the
23 spring and summertime to stock up their
24 freezer for food during the winter.

25 "Many people are very poor and

1
2 fish is a free and abundant source of
3 food. They are anticipating a large
4 enough catch sufficient to feed their
5 families. Unknown to many, if not all
6 of these people, the fish is
7 contaminated.

8 "The big problem is that many of
9 the people are recent immigrants from
10 South America whose primary source of
11 nutrition is seafood. They're
12 accustomed to catching their own fish.
13 And when they see the Hudson, they
14 anticipate a great potential food
15 source.

16 "There are other reasons why they
17 fish on the Hudson River. First, the
18 simple pleasure of fishing on the river
19 and being able to enjoy a fresh-caught
20 fish is an essential way for many of
21 these hard working people to relax and
22 enjoy the bounds of the river.

23 "Second, the mentality of a
24 typical Latin woman is that fish is a
25 very important part of their diet,

1
2 especially when pregnant. This is a
3 tragic situation because pregnant women
4 are at the highest risk of contaminating
5 not only themselves, but their unborn
6 child." Thank you.

7 MR. CASPE: Thank you. Laura
8 Hives? Ester Bell? Manny Novick?
9 Debra Stanford? Marie Muttz? Greg
10 Chin? Steven Harris? Marty Rapaport?
11 Sky Phillips? Abe Pinero? Mark Yagi?
12 Did I miss something here? Chris
13 Valentine?

14 Is there anybody here who has not
15 yet spoken? Okay. A bunch of you.

16 Tracy Flynn? John McCorky? Megan
17 Ford? Joshua Figler? Carey Daily?
18 Peter Sakus? Peter Casper? That sounds
19 pretty close, actually. Teresa Kessa?

20 The other names I have here, if
21 any of these people are here, please
22 just show up.

23 Paul Mankowitz? Tom Ceciliano?
24 Tod Laufer? Jennifer Ruth? Marcel
25 Vandoian? Brian Griffin?

1
2 If any of those people are here,
3 can they just please walk up to the
4 microphone and we will get them next.
5 Yes.

6 MS. KESSA: Hi, my name is Teresa
7 Kessa.

8 I work for an environmental
9 organization. I live in the city now
10 but I'm also from Upstate New York.

11 I was a community outreach
12 director for an environmental
13 organization. I spoke with citizens
14 from Albany all the way up to Hudson
15 Falls, and those people also love and
16 respect the river and the communities
17 around them. They're not falling prey
18 to the domination that GE is
19 perpetrating through its lies in this
20 smear campaign.

21 The river is dying slowly and with
22 it, it's taking us because PCBs have
23 carcinogens in them. It is a known
24 cancer-causing agent. And GE merely
25 continues to profit off of the

1
2 exploitation of human lives and the
3 wildlife.

4 We have a choice. We can take
5 action now. We can dredge the river,
6 get rid of those toxins that are
7 deadly. Or, you know, 15 years from
8 now, you can watch your children become
9 ill from carcinogens.

10 The solution is clear. It is
11 right in front of our faces. People in
12 Upstate New York are just falling
13 victim. You are falling prey to the
14 lies you are believing.

15 I think it is insulting as a
16 member of the community as a whole in
17 New York State if we allow this to
18 happen.

19 Dredging is the only solution. GE
20 is a slut, and we must hold them
21 accountable for their action. I applaud
22 the EPA for their proposal to dredge the
23 Hudson River. Thank you.

24 MR. MANKOWITZ: My name is Paul
25 Mankowitz. I have a doctorate in

1
2 environmental biology biophysics. I'm
3 on the Heart Rest program in a number of
4 communities in New York City. I come as
5 a director for the GIO Institute.

6 I will be the first to criticize
7 the EPA for their mistakes, as my
8 colleagues in EPA will tell you.

9 This is not a mistake. This is
10 courageous, specifically based aim, and
11 I must appreciate that altogether.

12 The river is dynamic. We can
13 expect sediments to be mobilized every
14 ten to 100 years thereabout in the
15 Hudson with increasing low -- from
16 increasing precipitation, global warming
17 may expect that to be ten times more
18 quickly. The sediments are not going to
19 be stable forever.

20 The truth is, nothing has been
21 done about the PCBs so far. GE has done
22 more work on the physical chemistry of
23 surfaces than any other agency on the
24 planet.

25 They haven't used any of their

1
2 knowledge on the partitions, the way
3 PCBs are regulated by sediments and the
4 water column that aid in this endeavor.
5 And that is extremely unfortunate.

6 Instead, they have been involved
7 in some less than informative set of
8 practices.

9 I pointed out to the head of the
10 PCBs lab more than ten years ago that
11 that there were actually realtime ways
12 of measuring surrogates like chlorine
13 and electron concentrations in sediments
14 to see what happens in the PCBs. This
15 is a great idea.

16 They still haven't done that
17 work. And there is other work that has
18 been done in Stanford for looking at the
19 actual, basically fertilizing the
20 sediments with materials that would
21 increase the rates of breakdown. GE
22 hasn't tried any of this.

23 In effect, they have let the
24 materials in place for these years, and
25 the only solution at this point in time

1
2 is to remove them. It is probable that
3 the economic bioavailability of
4 Downstate and Upstate communities will
5 increase by the efforts.

6 Thank you for your courage.

7 MR. CASPE: Nobody else whose name
8 I called a minute ago is here, right?
9 Let's go on.

10 Kate McLaughlin? Harvey Lickman?
11 Andre Ola? Kara Brownell? Ruth
12 Goldberg? Kevin Madonna?

13 Let's see if anybody is here.

14 Susan Holmes? Holler out if you
15 hear your name.

16 Frank Edell? Murray Fischer?
17 Pamela Cohen? Tiffany Lacker? Tracy
18 Lurman or Layman? Christina Post?

19 MR. EDIE: Excuse me. I'm Frank
20 Edie. I don't know whether you just
21 misread my name or I'm the wrong person.

22 MR. CASPE: Frank Edie, yes.

23 MR. EDIE: I'm the Clean Water
24 Committee Chair for the Atlantic
25 Chapter. That's the New York State

1 organization of the club.

2 I wanted to thank you both for
3 having finally gotten to this point
4 after all these years and having done a
5 really thorough and well justified job
6 in getting here.
7

8 Also for having come and done this
9 event here in the city. Clearly we have
10 a major stake in what's happening in
11 this issue. It is not a victimless
12 crime what GE has done to us.

13 We pay every year in taxes and in
14 cost of consumer items for the cost of
15 having to deal with the hot spots, the
16 PCB hot spots in the Hudson, and in the
17 harbor which have to be dredged in order
18 for the commercial activities to
19 continue.

20 That we spent millions to billions
21 of dollars for that over the last
22 several decades -- that cost will
23 continue for decades more -- it is not
24 a joke. And it is important that the
25 lives of some people will be disrupted,

1
2 but it is also the case that they and
3 their parents and so forth in many cases
4 have benefited from GE's profitability
5 and GE's investment up in the northern
6 parts of the river.

7 So we're all paying. We do
8 appreciate the fact that GE may finally
9 eventually begin to pay the cost that it
10 has created. It is about time. And we
11 thank you for having gotten there.

12 And we hope that the fact that the
13 administration in Washington has changed
14 doesn't mean that you will back away
15 from a decision that does involve a
16 great deal of courage and a lot of work
17 on a lot of people's part.

18 The number of people and the
19 breadth of the people who showed up to
20 speak here tonight is a real testimony
21 to how important an issue this is, and
22 to the fact that you are representing
23 the public and not just small
24 interests. Thank you very much.

25 MS. POST: Hi, I'm Christina

1
2 post. I'm going to ask everyone to just
3 bear with me for a minute. I've never
4 spoken at anything like this before.
5 Honestly, I just came tonight because I
6 was asked to. As I was sitting there
7 and I got more and more frustrated and
8 more and more angry, so I felt I had to
9 get up and say my peace.

10 I live in Brooklyn right now but
11 up until about seven months ago, I grew
12 up on a small family farm in Upstate New
13 York. Consequently, I do understand
14 what it is to be connected to rivers and
15 to land.

16 I say to the people of the upper
17 Hudson who swallow GE's lies and
18 propaganda because it is easier to do
19 so, how dare you support leaving the
20 river as it is? How dare you ask the
21 rest of us to live with this pollution?

22 GE needs to be held accountable
23 for the pollution it has given us. I
24 applaud the EPA and ask you to go
25 forward with the dredging.

1
2 MR. CASPE: I'm going to call out
3 some names. Shout if you're here.

4 Margaret Hayes Young?

5 MS. YOUNG: Yes. Hi.

6 MR. CASPE: New York City Sera
7 Club?

8 MS. YOUNG: Yes, a lot of us are
9 in one way or another. I'm also part of
10 the Atlantic Chapter, Sera Club.
11 Executive Committee now.

12 A lot of things have been said. I
13 will tell you, I submitted some comments
14 on behalf of our group.

15 Very quick salient points are:
16 We, the Sera Club, want the PCBs out of
17 the river.

18 It is our position that full
19 removal of all PCBs in the areas
20 identified should take place. We
21 strongly support alternative five: full
22 removal as proposed by the EPA.

23 Oh, and we really also greatly
24 appreciate, really we do, the work that
25 the EPA has done, including our members

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even did work for the EPA.

I think folks are pretty impressed with your courage.

I also want to talk to you as somebody who -- I live in Brooklyn now but I was born in New York City. But when I was a kid, my parents moved to Downsferry. And I can remember when I was a kid, I mean like six, we would go down to the river.

You know, the first letter I ever wrote to the Sera Club is about this. We believed that if any of the water from the river got on us, we would die because it was poison.

And I guess I better admit that's more than 30 years ago. I've lived all this time, all this time waiting.

And for those people who dare to say that these kids were children who were brought here by their teachers to speak out -- you know, when I was five, I would have come if anybody would have given me a chance. But nobody talked to

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me then.

So on behalf of these kids, don't you dare call them exploited. They meant every word they said. I know because I was there.

I will also tell you that my parents and my grandparents and my greatgrandparents are buried in Lawrenceville, New York in the Mohawk Valley, and my folks have lived on the Mohawk and the Hudson River for the better part of three centuries.

And I do feel for what happens to you when something drastic has to be done to your neighborhood because of a company that you can't control and are beholden to, and maybe even are ashamed of being beholden to, has to happen to you. It is not fair. But it is not fair to us to be poisoned either.

You got to be honest and smart with yourself and think of the rest of us, too, if you would. Please go ahead with the full removal.

1
2 MR. CASPE: Thank you. The next
3 speaker is Alicia Colvert, senior
4 research associate within Forum.

5 MS. COLVERT: Yes, hi. My name is
6 Alicia Colvert. I guess I will speak
7 both to you and to the people who have
8 been waiting here and sitting out to
9 this meeting for a number of hours.

10 I'm a native of Albany, New York.
11 I also grew up along the Hudson River.
12 My dad was a park ranger, and I used to
13 go fishing with him all the time when I
14 was a kid in the Hudson. I used to go
15 white water rafting, and now I kayak in
16 the Hudson River. Whether up there or
17 down here, I have an interest in this.

18 Forum is an environmental
19 organization founded in 1974. I
20 coordinate their toxics projects, and
21 I'm working on a project called
22 Purchasing for Pollution Prevention.

23 We support EPA's plan and thank
24 you for the work, the hard work that
25 you're putting in to this plan. And we

1
2 hope that you will hold tough on this to
3 dredge the Hudson River of the PCBs.

4 I just want to make some comments
5 on some of the things I heard tonight.
6 One is that there may be some concerns
7 about the fact that this should be done
8 in an environmentally sensitive way.
9 I'm sure you guys are looking into it.

10 One suggestion is that EPA, using
11 the executive order, could make this
12 project a model by using dredging
13 equipment, perhaps fueled by fuel cells
14 or by a diesel.

15 Second, instead of just dumping
16 the PCBs at the end, to use the best
17 technology to detoxify the PCBs so it is
18 not just transferred one place to
19 another.

20 GE should not only take
21 responsibility to clean up this mess,
22 but they should -- we recommend that
23 they take back and treat the PCBs that
24 still exist in the transformers and
25 other equipment that contain PCBs that

1
2 are still out there today.

3 There are a lot of people who have
4 this equipment, and many of them may
5 just be throwing it away into trash
6 incinerators or whatever.

7 EPA should take this as a lesson
8 and address the continued manufacture
9 and sale of products that contain other
10 PCBs such as mercury, lead, and
11 accumulative toxins.

12 One way they could do it is for
13 the administration to support the bill
14 that was just introduced to ban the sale
15 of mercury thermometers, and GE should
16 take a mercury-free pledge on all the
17 equipment it sells.

18 Thank you very much for what you
19 are doing, and we hope you will continue
20 to support the plan.

21 MR. CASPE: Thank you. Steven
22 Redman? David Ferguson.

23 MR. FERGUSON: My name is David
24 Ferguson, I represent the HFC Coalition,
25 which is a housing group, actually,

1
2 which is a member of the Clearwater
3 Coalition which is fighting to protect
4 the watersheds of City of New York.
5 That's another whole issue with upstate.

6 I have many friends up there and
7 we work together. Many of the issues
8 concerning us now, the people in those
9 areas are more concerned with protecting
10 the way of life that they have up there
11 and not being overwhelmed by
12 corporations and by large box stores,
13 and so forth, that destroy the quality
14 of life upstate. I have many friends
15 and care deeply about that area.

16 I lived on the Hudson in one way
17 or another with Bard College for 50
18 years, and I had friends on the Hudson
19 at Sagerty with property right on the
20 Hudson. I used to go and do it. I used
21 to kayak with my wife. I cared very
22 deeply about that.

23 But I would like to mention
24 something in terms of the reputation of
25 General Electric and an issue we have

1
2 been involved with here recently at the
3 Westchester County airport.

4 The Westchester County Airport is
5 right on the Kensington, which is the
6 main reservoir for 90 percent of the
7 water for nine million people.

8 GE wanted to expand its presence
9 there. They wanted to build a 70-foot
10 high hanger for two, 737 size jet, knock
11 down 300 trees in the wet land, put a
12 parking lot for 75 cars and a 34-story
13 building right into the part of the
14 airport that drains into that reservoir,
15 without doing an environmental impact
16 statement.

17 They got the approval of the state
18 legislature. If it had not been for
19 river keeping, I'm aware of work for
20 three years, they would have gotten away
21 with it.

22 Eventually, as we pursued this,
23 all we wanted was an environmental
24 impact statement so we knew what was
25 happening here. But they said, Well, we

1
2 have a mature plan now. It still wasn't
3 ready for an environmental impact
4 statement.

5 They threatened the community they
6 were going to take out jobs. They
7 threatened every which way to try to
8 twist this into a shape.

9 I close by quoting or paraphrasing
10 a statement by Roosevelt, Teddy
11 Roosevelt who said, The public interest
12 is more important than the private
13 interest. Thank you.

14 MR. CASPE: Glenn Moorhead.

15 MR. MOORHEAD: Thanks for having
16 me. I'm not one of them and I'm not one
17 of them. I'm a trained mediator and I'm
18 fessing by all this.

19 I wanted to start out by saying,
20 there's got to be some precedence like
21 throughout the country in this case.

22 I'm from the Detroit, Michigan
23 area and we had a lot of Brownfields
24 come about from all the factories that
25 left our city.

1
2 There has been some modification
3 of the original laws to cure the
4 pollution that needed to be cured. I
5 don't know the details of that.

6 First, I want to say I trust the
7 EPA. I mean, I do. I really do. I
8 think they're as objective as we can
9 get.

10 If I come off saying something in
11 dispute of what they're doing, it is not
12 because I don't trust them.

13 I also trust this particular lady
14 over here who brought up all these
15 issues about the effectiveness of
16 dredging. I don't know. I mean, I
17 don't know. I'm just saying, I don't
18 know.

19 I'm still not sure what the best
20 response to this immediate and urgent
21 need is to get this pollution out of
22 this river is.

23 Perhaps this is a real call for
24 cooperation and for this fighting
25 dynamic to stop and for creative energy

1
2 to emerge and to create the seemingly
3 impossible.

4 Maybe there are some more
5 solutions that have been overlooked.

6 As you know, Einstein said
7 imagination is more important than
8 knowledge. Maybe this is where we're at
9 right now.

10 As far as trying to stay in this
11 positive flow, if it is a money issue, I
12 mean, if GE produced like a really
13 highlight output low wattage fluorescent
14 that is dimmable, I'll buy it if it,
15 like, supports any clean-up.

16 If they can create a product
17 that's called the Hudson or something
18 and the profits of it go for the
19 clean-up. I will buy it and I will buy
20 it for my friends.

21 Keep going you guys. It is a
22 tough issue.

23 MR. CASPE: Sheldon Evans?
24 Orville Earheart? Hilda Gardlink?
25 Morgan Russell? James Thomas? Robert

1
2 Faia? Tara Elliot? Victoria Beerman?
3 Talbot Katz.

4 MR. KATZ: Hi, I'm Talbot Katz
5 from the New York City Friends of
6 Clearwater.

7 I would like to say that I support
8 the EPA's decision to clean up the
9 Hudson River. I do sympathize with
10 people whose lives will be disrupted on
11 this account. That's always an
12 unfortunate thing.

13 Part of the thing is to realize
14 who the culprit is in this case.
15 Unfortunately, we have been hearing
16 their name all night long. It is
17 General Electric.

18 And those of you who live in the
19 area whose lives will be affected, maybe
20 you should find out just how good a
21 friend of yours General Electric really
22 is. Because they owe you as well. You
23 have what you call, an environmental
24 organization called Cease.

25 Why don't you direct that

1
2 wonderful energy that you've brought
3 here tonight to making your friends
4 General Electric help out your
5 community? Thank you.

6 MR. CASPE: Next speaker is Waymin
7 Chong? Michael Itchy?

8 We're getting near the end.
9 Marianne Miller? You may be the
10 pleasure to be the last speaker.

11 Ruth Goldberg?

12 Is there anybody who wanted to
13 speak who has not yet spoken.

14 Come on down.

15 MS. BROWNELL: My name is Carol
16 Brownell. I grew up on the Baton Kill
17 River which flows into the Hudson in
18 Washington County.

19 It is been really interesting for
20 me, because I'm -- half my life, I'm a
21 daughter of the upper river, and half my
22 life I'm a daughter of the lower river.

23 When I was home recently and
24 watched the ads that GE had in the local
25 news -- which is always very interesting

1
2 watching the local news -- I thought
3 this is perfect footer for those that
4 don't want to be disturbed.

5 I really do understand it because
6 in Greenwich, New York now, there is
7 Dunkin Donuts, there is two new malls,
8 there is a Hanford mall, my parents
9 drive to Salem, New York so they can
10 still shop at the IGA. I do understand
11 your short-term concerns.

12 But the long-term is that the
13 river flows 200 odd miles. And the
14 stuff is going to be there, and it is
15 going to be moved one way or the other.
16 But it is not going to be removed unless
17 some plans go forward.

18 I do encourage the EPA to try to
19 answer some of the questions about
20 transport, holding stations, specific
21 questions that these people did bring.

22 I do respect you for coming down,
23 because it is a long way. It was great
24 to hear that Upstate New York accent. I
25 thank you for the meeting.

1
2 MR. CASPE: Thank you.

3 For those of you who are
4 interested, there are two meetings
5 upstate next week, one in Albany and one
6 in Hudson Falls.

7 Anybody else.

8 MS. ELLIOT: Yes. Hi. I'm Tara of
9 the activism center in Wetland. We
10 support EPA's plan to have GE finance
11 dredging their PCBs out of the Hudson
12 River as thoroughly, extensively and
13 quickly as possible, alternative five.

14 The healthy generations of people
15 and wildlife have been compromised --
16 sometimes to the point of death -- by
17 the PCBs the GE has illegally dumped
18 into the Hudson River. This is
19 corporate malfeasance and murder on the
20 scale you hear about through mainstream
21 media, individual murder cases that are
22 sensationalized. Relatively speaking,
23 they are getting off with a slap on the
24 wrist.

25 Scientists, environmentalist and

1
2 community members have documented the
3 ongoing carcinogen effects and negative
4 immune system effects of PCBs through
5 fish consumption and even breathing for
6 decades.

7 A secondary important benefit of
8 the dredging would be economic, restore
9 \$40 million fishery.

10 One caveat, the disposal of the
11 dredge waste, if there is no sustainable
12 alternative to landfilling, it must not
13 be cited where it can impact people or
14 wildlife.

15 The bigger picture, the situation
16 is probably just a tip of the iceberg.
17 One of the most sobering statistics I'm
18 aware of is that there are about 75,000
19 industrial chemicals in the environment
20 today, with 1,000 new ones being
21 invented every year. Yet, only three
22 percent are tested for carcinogens in
23 the city.

24 Thank you.

25 MR. CASPE: Thank you all for your

1
2 patience. A reminder that the public
3 comment period stays open until
4 April 17th.

5 Again, there are two meetings next
6 week, and I'm sure there will be other
7 meetings after that before this thing
8 comes to a close. Thank all for your
9 patience. Again. Good night.

10 (Time noted: 10:23 p.m.)
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Concordance Report Unique Words: 3,298 Total Occurrences: 10,221 Noise Words: 384 Total Words In File: 25,611 Single File Concordance Case Sensitive Noise Word List(s): NOISE.NOI Cover Pages = 0 Includes ALL Text Occurrences Dates ON Includes Pure Numbers Possessive Forms ON	1.3 [1] 51:12 10 [2] 16:13; 97:25 10,763 [1] 71:22 100 [4] 8:24; 79:19; 93:20; 151:14 100,000 [2] 34:2; 91:24 10022 [1] 1:22 10:23 [1] 173:10 10:30 [2] 49:5, 6 11 [1] 68:12 115 [1] 95:12 12 [2] 93:24; 96:8 1201 [1] 1:21 123 [1] 131:10 12th [1] 1:7 13 [2] 20:5; 21:21 133 [1] 1:21 140 [1] 64:16 15 [5] 10:8; 32:16; 105:10; 107:15; 150:7 150 [5] 32:12; 52:10; 77:8, 12; 97:12 155 [1] 50:3 16 [2] 105:10; 117:21 166 [1] 48:23 17 [2] 4:17; 23:14 17th [1] 173:4 19 [2] 62:16; 92:19 1955 [1] 58:6 1970s [2] 13:16; 73:25 1973 [1] 14:15 1974 [1] 160:19 1975 [2]	73:21; 74:3 1976 [2] 14:22; 32:8 1977 [4] 14:5, 8, 21; 111:14 1979 [1] 14:24 1984 [2] 98:3; 111:15 1986 [1] 14:11 1987 [1] 14:11 1988 [1] 69:7 1991 [1] 26:3 1996 [1] 9:7 ** 2 ** 2 [1] 48:23 2.65 [5] 16:5; 19:14; 91:23; 92:20; 95:14 20 [12] 9:23; 10:8; 21:11; 29:22; 34:23; 43:11; 44:20; 58:6; 60:23; 94:12; 112:21; 145:22 20.7 [1] 29:10 200 [6] 7:11, 14; 34:17; 50:11; 51:25; 170:13 200,000 [2] 20:13; 33:19 2000 [1] 174:20 2001 [3] 1:8; 4:17; 174:12 2004 [2] 24:6; 26:24 21 [1] 112:23 212-750-6434 [1] 1:22 25 [2] 33:7; 97:23 25,000 [1] 85:18 27 [1] 133:14 275 [1] 64:10 28 [1] 100:5 29 [4] 10:11, 14; 17:11; 22:17 29-page [1]	144:13 ** 3 ** 3 [1] 143:11 3,900 [2] 20:3, 5 3.6 [1] 94:9 30 [11] 6:4; 34:24; 35:2; 60:3, 6, 7; 94:16; 100:7; 103:24; 124:23; 158:18 300 [3] 18:23; 111:6; 164:11 30s [1] 58:5 31 [2] 1:8; 174:12 32 [1] 95:15 34-story [1] 164:12 35 [1] 115:10 350 [1] 102:12 ** 4 ** 4 [1] 136:24 40 [12] 7:18; 9:23; 16:6; 18:20; 19:25; 32:9; 60:8; 92:17; 104:18, 21; 105:6 400 [2] 16:7; 20:2 40140 [1] 1:23 44 [1] 131:11 45 [1] 132:8 ** 5 ** 50 [5] 50:12; 85:19; 94:13; 105:6; 163:17 500 [7] 12:21; 18:21; 20:6; 29:14, 16; 30:8; 111:6 507 [1] 92:18 55 [1] 123:7 57th [1] 137:4 58th [1] 1:21	5th [1] 174:19 ** 6 ** 60 [3] 12:18; 68:7; 130:20 600 [2] 16:8; 20:2 60s [1] 142:2 66 [1] 1:7 ** 7 ** 7 [1] 80:12 7.7 [1] 143:12 70-foot [1] 164:9 700 [2] 30:6; 50:7 700,000 [1] 68:14 70s [1] 30:2 737 [1] 164:10 75 [4] 94:10; 109:23; 130:20; 164:12 75,000 [1] 172:18 7:06 [1] 1:9 ** 8 ** 83 [2] 48:22, 23 84 [1] 122:25 ** 9 ** 9 [1] 93:12 90 [1] 164:6 92 [1] 123:4 950,000 [1] 95:11 ** A ** abandoned [1] 110:6 Abe [1] 148:11 ability [2]
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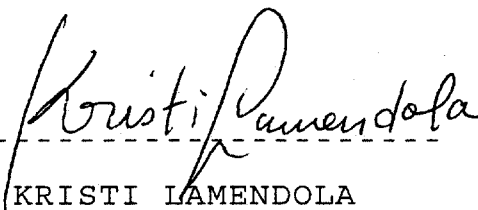
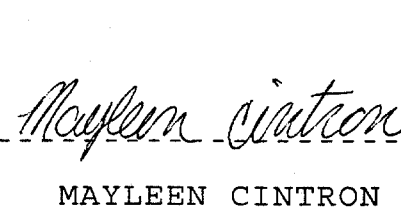
C E R T I F I C A T E

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

We, KRISTI LAMENDOLA and MAYLEEN
CINTRON, Notaries Public within and for
the State of New York, do hereby certify
that the within is a true and accurate
transcript of the proceedings taken on
January 31, 2001.

We further certify that we are not
related to any of the parties to this
action by blood or marriage; and that we
are in no way interested in the outcome
of this matter.

IN WITNESS WHEREOF, we have
hereunto set our hands this 5th day of
February, 2000.

KRISTI LAMENDOLA MAYLEEN CINTRON