

ORIGINAL

1
2 UNITED STATES
3 ENVIRONMENTAL PROTECTION AGENCY

4 PUBLIC HEARING
5 HUDSON RIVER PCBs SUPERFUND SITE
6 NEW YORK
7 PROPOSED PLAN

8 The Marriott
9 Albany, New York

10 Tuesday, February 6, 2001
11 7:15 p.m.

12
13 PANEL MEMBERS

14 RICH CASPE
15 ANN RYCHLENSKI
16 WILLIAM McCABE
17 MEL HAUPTMAN
18 DOUG TOMCHUK
19 ALISON HESS
20 MARIAN OLSEN
21 DOUG FISCHER, ESQ.
22
23
24

1 MS. RYCHLENSKI: Okay. We're
2 going to start the meeting. Good evening.

3 Hi, my name is Ann Rychlenski,
4 Community Relations Coordinator for the U.S.
5 EPA on the Hudson River PCB project. Thank
6 you all for coming out tonight.

7 As you know, why you're here, the
8 purpose of this meeting is for the EPA to take
9 public comment on the proposal that we have to
10 clean up the Hudson River. We are also here
11 to share information with you. And there will
12 be a presentation before we go to people
13 coming up to the mikes. We have a public
14 comment period on this project, on this
15 proposal. The public comment period goes
16 until April 17th, so you can send your
17 comments in. You can send them in by mail, to
18 Doug Tomchuk or Alison Hess, who are up here
19 with me. And their names are all over the
20 handouts that are out there, including the
21 proposed plan. Also, if you want to comment
22 by e-mail, you can. And the e-mail address is
23 Hudson comment, one word, dot Region 2, one
24 word using an Arabic numeral 2, at EPA dot

1 gov. We will also have a website that has all
2 of the information on this project. It's at
3 www dot EPA dot gov slash Hudson. That is
4 also on the handouts that are out there that I
5 hope you have taken.

6 If you want to take a look at all
7 of the information we have in hard copy, we
8 have 16 information repositories that have our
9 documents throughout the Hudson Valley. Those
10 closest to this location are at the New York
11 State Library in Albany, the Troy Library, and
12 also the Saratoga Springs Library. There is
13 also a list of all of the repositories where
14 the documents can be found out there on the
15 carousels with the rest of the handouts.

16 There is a stenographer here
17 tonight, because what you say at the
18 microphone constitutes public comment, and so
19 we need to keep a good, clear record of the
20 proceedings here tonight. So when you come up
21 to the microphone, when you are called up,
22 please speak clearly -- okay. Well I'll yell.
23 Please speak clearly when you come to the mike
24 and spell your name, if the stenographer so

1 requires it.

2 When we call you up to the mike,
3 you had to fill out one of these cards, an
4 index card to come up to the mike, we'll call
5 you up, you got two minutes, you have two
6 minutes to give your comment. We've got a lot
7 of people here tonight. There are two ladies
8 sitting down here to my right, Karen and
9 Florence. They're going to time you. Karen
10 has some signs with her. You've got two
11 minutes. Green is go. Yellow means you've
12 got 30 seconds left. Red means stop. Okay?
13 Very simple. Karen is nice. Karen is kind.
14 Karen is gentle. Do not push her.

15 Okay. Let's see. There are two
16 handouts in particular that I want to draw
17 your attention to tonight for the presentation
18 that is going to be given. And that is
19 there's a handout out there that's three maps,
20 that shows the areas of the Hudson that we're
21 looking at the clean up. And the other is a
22 handout on the National Academy of Sciences
23 study that was done on dredging, to which some
24 references will be made this evening. So I

1 just want to call your attention to that.

2 Up here with me, Doug Tomchuk,
3 Alison Hess, both project managers for the
4 Hudson River team, and Rich Caspe. Rich is
5 the head of Superfund for Region II. He's the
6 division director. And over there also is
7 Marian Olsen. Marian, say hi. She does all
8 our humanity health risk assessment, and she
9 is invaluable to us. And Doug Fischer, who is
10 our counsel. I think that's about it.

11 I'm going to turn this over to
12 rich. He'll give you a presentation. Then
13 we're going to acknowledge some public
14 officials and then we'll go to the mikes.

15 MR. CASPE: Thank you. I'd like
16 to start off by apologizing to those of you
17 that are standing. I guess we got more people
18 than we expected. I thank the hotel staff for
19 opening up as much as they could open up.
20 Please make yourself as comfortable as you
21 can.

22 This is the second, we're now into
23 the second round of meetings concerning EPA's
24 proposal for remediation of the Hudson River

1 PCB site. Just to give you a quick refresher,
2 we're going to change the way, the meeting
3 format a little bit tonight. We think we've
4 gone through this meeting enough that we don't
5 have to keep on going through some of the
6 very, very basic items with the remedy, we can
7 start updating it and talking about some of
8 the issues that have come to date.

9 Just a quick refresher on the
10 proposed remedy. The proposed remedy is what
11 we call targeted dredging. It encompasses
12 around 13 percent of the area of the 40-mile
13 stretch of the river we looked at, it includes
14 2.65 million cubic yards of dredge material,
15 which we'd remove somewhere slightly over a
16 hundred thousand pounds, that's 50 tons, of
17 PCBs from the river. The most intensive part
18 of that would occur in the northern-most six
19 miles, what we call the Thompson Island Pool,
20 between the Thompson Island Dam and Fort
21 Edward. The proposal includes no local
22 landfill. All material removed from the river
23 will be removed from the Hudson Valley. It
24 includes a three-year design, assuming that we

1 go forward after August, when we finalize
2 this, when we finalize a decision. It would
3 then include a three-year design period to
4 design all the facets of the project that
5 would be necessary to move forward, including
6 acquisition of any property that might be
7 necessary, followed by a five-year
8 construction period.

9 The comment period now is, we're
10 almost two months into it. We extended it
11 recently. It closes now on April 17th. There
12 have been four meetings so far; one in
13 Saratoga, one in Poughkeepsie. That was the
14 first round. Then we started the second
15 round. We went back to Poughkeepsie, we had
16 one in New York City last week, we have three
17 this week, we have this one in Albany, we have
18 one in Hudson Falls tomorrow evening, and we
19 have one in Haverstraw on Friday evening.

20 I'd like to open the meeting up now
21 by responding to some of the issues that have
22 come up so far in the public comment period.
23 I'd like to start off with PCBs, the toxicity
24 of PCBs. I would just reiterate and say that

1 PCBs are known to cause cancer in lab animals
2 and that they probably do cause cancer in
3 human beings as well. Major national and
4 international health organizations, not just
5 EPA, have come to this conclusion, that
6 includes the National Institutes of
7 Environmental Health Sciences, the National
8 Institute of Occupational Safety and Health,
9 and the World Health Organization.

10 PCBs are also known to cause
11 illness other than cancer. That includes low
12 birth weights, learning and memory problems,
13 thyroid disease, and immunological
14 deficiencies.

15 We're very pleased that the
16 National Academy of Sciences in January 2001
17 in reassessing PCBs in the environment came
18 out with the following statement:

19 And I'm quoting. "PCB -- exposure
20 to PCBs may result in chronic, for example,
21 cancer, immunological, developmental,
22 reproductive, neurological affects in humans
23 and/or wildlife. Therefore, the committee
24 considers the presence of PCBs in sediments

1 may pose long-term health and ecosystem risks.
2 We are concerned that the public, as a result
3 of some of the rhetoric that has recently been
4 spoken of, might start believing that PCBs are
5 not harmful. We strongly advise and caution
6 people that PCBs are harmful and that is a
7 wise guidance of many health organizations and
8 they should carefully observe the New York
9 State Department of Health eat none, you know,
10 advisory as far as eating fish from the Hudson
11 River above Troy."

12 The next thing I'd like to talk
13 about is the concept of using fish consumption
14 advisories as a long-term management plan.
15 There's a couple of problems with that. One
16 is it writes off a natural resource, just
17 writes it off and says forget about it.
18 That's not the right thing to do. But maybe
19 more -- well, not maybe, definitely more
20 importantly, it ignores reality. People do
21 continue to eat fish. It includes people who
22 fish because for recreational reasons, for
23 cultural reasons, and for subsistence reasons,
24 as a food source. This isn't something that

1 EPA is making up. It's reality. New York
2 State Department of Health's 1996 survey
3 showed that one in six anglers that they found
4 above Troy had fish in their possession, and
5 one in 10 had more than one fish in their
6 possession.

7 The next thing I'd like to talk
8 about is the National Academy of Sciences
9 report that came out. And there is copies
10 back there. Please, everybody take one.
11 Because before the report came out, much was
12 made that EPA should wait for the report and
13 wait for the executive summary of the report
14 because it would advise EPA that what we were
15 doing was wrong, it would tell us that the
16 Hudson River project perhaps was not correct.
17 Well, it didn't address the Hudson River
18 projects, but it did address how a PCB
19 sediment project should be addressed. And if
20 you read that and think about how we addressed
21 it, as far as this project and this site, I
22 think you'll find that we did pretty damn well
23 in addressing every one of their concerns and
24 any concerns that we might be a little bit

1 weak on, we certainly can bolster.

2 The next thing I'd like to talk
3 about is PCB levels in water. Yeah,
4 supposedly the dramatic improvements that have
5 occurred. I'd like to show you an overhead of
6 those dramatic improvements. We talk about a
7 90-percent reduction since 1977. There is the
8 chart. You can look at it for yourself. It
9 does show a 90-percent reduction. Notice when
10 the reduction occurred. And notice what's
11 happened since 1985. Notice there's been no
12 reduction since 1985 and recognize what
13 happened before 1985 and why the river was
14 unstable at that time. Think about 1973, when
15 the dam was removed; 1977, when the discharge
16 of PCBs was eliminated from the Hudson River;
17 and 1979, when navigational dredging without
18 controls, in fact, stopped occurring in the
19 Hudson River. When you look at that and you
20 look at that chart and understand the unstable
21 environment that the river was in, you can see
22 what happened and you can see what's happened
23 since 1985. And the answer is largely
24 nothing.

1 Next thing I'd like to talk about
2 is PCB levels in fish. You can always, if you
3 look hard enough, you can always find an
4 example to prove something that you want to
5 show. For that reason, you have to look at
6 all the data. You have to look at all the
7 data, you hve look at all the fish, and you
8 have to look at all the locations. I'd like
9 to give you four -- and you have to recognize
10 what you've got, because, if you only have
11 five fish from an area on one given year or
12 eight fish from an area, you don't know
13 whether you're really capturing everything
14 properly. There are error bars involved in
15 that. You don't know whether it's plus 50
16 percent, minus 50 percent, and so on and so
17 forth. These are the graphs I'd like to show
18 for the different species of fish as far as
19 what's happened in the last 20 years.

20 If you look at them -- now, this
21 one here is Black Bass at Stillwater. You can
22 see largely -- if you look at the dots, which
23 are in the middle of those, you can see that
24 they're almost level. And then, when you take

1 into account the error bars, which are over
2 here, you can see that's a horizontal trend,
3 nothing much -- where's the improvement. The
4 improvement, again, occurred in 1977 and 1978
5 and hasn't occurred since.

6 If you go to the next graph, this
7 is Brown Bullhead at Stillwater. Same thing,
8 nothing really has improved. You can see the
9 improvements early on, but where's the
10 improvement since then.

11 Now you go into the Thompson Island
12 Pool. Now, here it looks like you've had an
13 improvement since 1991. But if you look and
14 realize that 1991 event, in fact, is the Allen
15 Mill event, it's a blip, so, actually, what
16 happened is there was a release of PCBs at
17 that time -- I almost looked right into the
18 laser to see if it was working -- here, when
19 you look -- if you discount this blip, again,
20 that occurred from the Allen Mill event, and
21 you look at what's happened, pretty level.

22 Let's go to the next one. Last
23 one. That's Brown Bullhead. Again, take the
24 blip out and, if you look, you see what's

1 happened, you really don't see much
2 improvement.

3 So this talk about these great
4 improvements that have occurred to the water
5 and that have occurred to the fish, if you
6 look at the data, we question where they are.

7 I'd like next to get into the issue
8 of visible improvements in the last 20 years.
9 You bet there have been visible improvements
10 in the last 20 years, very substantial. The
11 river is much cleaner than it was and it looks
12 a lot cleaner and it's a lot more enjoyable to
13 use. The question is why, and what's caused
14 it? And the answer is bacterial, bacterial
15 improvements and nutrient improvements.

16 We built sewage treatment plants.
17 We spent over \$200 million above the Troy Dam
18 in federal, state, and local money to build
19 sewage treatment plants, and industries built
20 sewage treatment plants as well. We cleaned
21 up the bacteria from the river. And the
22 river, as many water bodies in New York State,
23 you know, and in the country, improved and
24 showed dramatic improvement.

1 I would just remind you that PCBs
2 are not visible, you don't see PCBs in fish
3 and you don't see PCBs in the water.

4 Next thing I'd like to talk about
5 is source control. Is it a part of the
6 solution? Absolutely, it's part of the
7 solution, but it's not the whole solution.
8 It's part of the solution. The Hudson Falls
9 facility has to be controlled. It is
10 releasing PCBs to the environment. And we
11 anxiously await General Electric Company's
12 submittal to New York State DEC in March to
13 see their proposal on how they're going to
14 do that and when they're going to do it. But I'd
15 like to just remind you that that's roughly
16 three ounces per day of PCBs that are being
17 discharged into the river. Our estimate
18 through the Thompson Island Pool is that the
19 sedatives are releasing one to one and a half
20 pounds of PCBs a day. So you're comparing
21 three ounces from that source to one to one
22 and a half pounds from the sediments.

23 And how do we know this? We know
24 this through what we call fingerprinting.

1 What we do is, PCBs are made up of a variety
2 of different chemicals, different forms of
3 PCBs. So we look at the pattern of the PCBs.
4 We look at the pattern of what's coming into
5 the Thompson Island Pool and what's going out
6 after the Thompson Island Pool. And those
7 patterns of PCBs change, based upon the
8 mixtures of PCBs you're using, as far as
9 commercial types of PCBs, as well as how long
10 they've been in the environment. We took this
11 chart and we looked at how, in here, we looked
12 at how the Rogers Island data compared --
13 okay. Thompson Island, what it looked like
14 coming into Rogers Island versus what it looks
15 like going out over the Thompson Island Dam.
16 If you look at the pattern, you see the
17 pattern really doesn't quite match. If you
18 look at the red, the Thompson Island Dam, you
19 see the highest is in that type of PCBs,
20 whereas, if you look at the blue, as far as
21 what's coming in at Rogers Island, you see
22 that's one of the lower. So that didn't
23 really match very well. Then we looked at the
24 sediment, what was in the sediment versus what

1 was going over the water column in PCBs. And
2 this is what we got, and this was a damn good
3 match. And, again, it just concluded to us
4 that the PCBs that are in the water column are
5 coming from the sediments. That's where the
6 vast majority of them are coming from, and
7 this fingerprint actually shows just that.

8 In summation then, all this is why
9 EPA cannot leave the river to take care of
10 itself and clean itself, which we don't
11 believe it is. We believe fish will be safer
12 to eat almost immediately and that we can
13 relax the fish advisories in at least one to
14 two generations sooner, and maybe more than
15 that, if we go ahead with the remediation
16 proposal.

17 So we get to the big question: Is
18 the cure worse than the disease as far as the
19 dredging goes?

20 Well I just would like to point out
21 that your perception of what the cure might
22 look like is a little different than our
23 perception of what the cure might look like
24 and a little different than the way we were

1 showing. We've heard reference to the Spanish
2 Armada. For those history buffs here, the
3 Spanish Armada was 150 ships and carried
4 30,000 men. Not even we have plans that
5 large.

6 If you look -- what we have here,
7 and I'm not sure you can read it, whether you
8 can see it, but we can show it to you closer
9 up, you know, individually later on. What
10 this shows is we took the Thompson Island
11 Pool, which clearly is where most of the
12 dredging would occur, and we put the entire --
13 we assumed mechanical dredges. So mechanical
14 dredges, we have more dredges than if we would
15 have hydraulic dredges. So that was a worse
16 case situation. And we put every one of them
17 in the Thompson Island Pool at the same time.
18 And what this shows is what it would look like
19 there. We put circles around where the dredge
20 clusters would be. You can see, and this is
21 in the top two and a half miles of Thompson
22 Island Pool, Doug? Top two and a half miles.
23 When we put them all in the top two and a half
24 miles, and it doesn't quite look like the

1 Spanish Armada, and it doesn't quite look like
2 back-to-back dredges and barges for the entire
3 area. Far from it. This is what it looks
4 like. And, again, this is a worse case
5 scenario that we put together.

6 I would then also add that, for
7 those of you that look and envision that a
8 dredge would be there outside of your property
9 for months and years, I would just tell you
10 that we wouldn't expect that basically for
11 anybody's property a dredge would be there for
12 more than weeks. There maybe an exceptions
13 someplace along the way, which we believe
14 we'll look at and try to work out. But we
15 don't expect dredges to be in front of
16 people's properties for a long period of time.
17 We expect to do this, do it efficiently, and
18 move on.

19 The last thing I would just say is
20 examples of dredging, where it does work. We
21 obviously have to do a better job in showing
22 you all our video and our pictures of what
23 dredges look like and how they work. And when
24 will do that as the weeks and the months go

1 on. However, we do think we have some very
2 successful projects. The lower Fox River in
3 Wisconsin. Started off with 50 parts per
4 million, wound up with two parts per million
5 in sediment. The General Motors facility in
6 Messina, New York. According to General
7 Motors' own data, 99.8 percent of the PCBs
8 were removed. And we're going to show you a
9 video of what the bottom looks like at that
10 facility in a little bit. Queensbury, Niagara
11 Mohawk, right up the river here. Significant
12 reductions in the bass and the perch levels of
13 PCBs to a point where the state was able to
14 remove the fishing advisory on those species
15 after the dredging.

16 Dredging does work and we think we
17 can show it as more goes on. It's not rocket
18 science. We believe we can design something
19 that will meet all of our and all of your
20 needs and concerns.

21 But regardless of the proposal on
22 dredging, we have some questions, too. The
23 estimate that we hear from the Canal Authority
24 is that, in order to keep the river open, for

1 navigational reasons alone, you need 500,000
2 cubic yards of dredging. If we don't do it --
3 and that doesn't include, by the way, the
4 small marinas on the flats that may need some
5 dredging in order to just move it up. If we
6 don't remove the source, how are you going to
7 do that? Who's going to do it? Where is the
8 money going to coming from? Where is the
9 technical know-how going to come from? And
10 how is it going to be done? Is it going to be
11 done in an environmental manner, you know, or
12 with a source? And the source that we leave
13 there, that we wouldn't remove, would that
14 just continue to recontaminate material and
15 continue to throw tremendous expenses on the
16 amount of what dredging could be done and
17 couldn't be done?

18 So this is not to say that we have
19 all the answers. We don't. We've heard your
20 concerns at some of the meetings. I'm sure
21 we'll hear some more. We've heard about the
22 noise. We've heard about odor, lights, as far
23 as what type of an operation this will be,
24 dust control, even working hours as far as,

1 well, how many ours are you going to work,
2 what kind of noise is it going to be. Noise
3 travels over a river. We've heard all this.
4 We think we can accommodate this. We're
5 working on this. I would just remind
6 everybody here that, as we work on this and we
7 come to a conclusion in August, whatever that
8 conclusion may be, if the conclusion is to go
9 forward with this project, we then have three
10 years to design. We're not going away. And
11 dredging doesn't occur the day, you know,
12 after August, on September 1st. We're talking
13 about three years to design, to go through all
14 the details that you all have so many
15 questions about, and a time period when we
16 would continue to have a public, you know
17 public comment, certainly, and advisory-type
18 group available.

19 With that, I'm going to stop for a
20 little bit and let Alison pick up and address
21 the environmental results of dredging.

22 Thank you.

23 ALISON HESS: Thank you, Rich. I
24 would like to talk about the environmental

1 results of dredging. We hear two conflicting
2 views. One, of course, recognizes that there
3 will be temporary short term impacts, but
4 significant long term benefits from removing
5 PCBs from the river. The other picture paints
6 a picture of devastation and destruction and
7 no long term benefits. Clearly EPA strongly
8 believes that the first view is the accurate
9 one. Why? Well we have a mandate to protect
10 human health and the environment. We have
11 completed a comprehensive 10 year study of
12 PCBs in the river. That study underwent
13 rigorous peer review by independent
14 scientists, and we found unacceptable risks to
15 human health and the environment. Following
16 that we performed an extensive engineering
17 study of a full range of cleanup options. We
18 are not alone in our determination. Other
19 agencies agree with EPA. The New York State
20 Department of Environmental Conservation has
21 said, and I quote, "There is an ongoing,
22 unacceptable risk to human health and the
23 environment posed by PCB contaminated Hudson
24 River sediment. The state supports active

1 remediation aimed at vacating these
2 unacceptable risks. EPA preferred remedial
3 alternative is one approach that likely would
4 be successful in significantly reducing the
5 risks associated with the site."

6 In addition the U. S Fish and
7 Wildlife Service and National Oceanographic
8 and Atmospheric Administration has stated, and
9 again I quote, "NOAA and U.S. Fish and
10 Wildlife strongly support the removal of PCB
11 contaminated sediments from the upper Hudson
12 River. Sediment removal is the only cleanup
13 action that will unequivocally reduce future
14 adverse impact to the Hudson River's
15 resources. We believe that the long term
16 benefits from sediment removal outweigh the
17 unavoidable short term impact."

18 These other agencies serve as
19 trustees of the natural resources on behalf of
20 the public.

21 EPA and these agencies have
22 biologists, ecologists and environmental
23 scientists, but I would like to now talk about
24 some of the common sense reasons for deciding

1 which views that everyone can relate to. We
2 know that PCBs are toxic, manmade, industrial
3 chemicals that don't occur naturally in the
4 river and don't belong there. So common sense
5 tells us that removing them would be good for
6 the river. EPA's proposal is to remove the
7 worst contamination from about 13 percent of
8 the river bottom. This means that the vast
9 majority of the upper Hudson, 87 percent will
10 remain undisturbed. Common sense tells us
11 that this will not destroy the river.

12 Thirdly, fish move away during
13 dredging. They swim away from the activity.
14 I'm sure this makes sense to all of those of
15 you who fish.

16 Next, after dredging our plan calls
17 for restoring the river bottom to provide a
18 suitable habitat for plants and animals.
19 Common sense tell us that when the activity
20 and the specific area is completed, and the
21 plants and animals return, so will the fish,
22 and they will return to thrive in an improved
23 environment. So, logically, removing the
24 worst contamination and providing a clean

1 habitat will not destroy the river.

2 Now I would like to show you some
3 video of what a dredged river looks like
4 post-dredging. This video shows the bottom of
5 the St. Lawrence River in 1998, three years
6 after it was dredged, and this is without any
7 measures taken to restore the river bottom.
8 Video tape was made by General Motors who did
9 the dredging, and you can see here a diver
10 video taping quite a variety of aquatic plants
11 and fish life as well. It is really quite
12 lush vegetation and, again, this is without
13 any efforts made to restore the habitat. It's
14 just after the remediation activity. Quite
15 lush vegetation, several different types of
16 aquatic plants. Again, there's a diver here
17 so for the most part the fish had moved away,
18 but it certainly is not a destroyed river.

19 And now I would like to turn it
20 over to Doug to discuss some of the next steps
21 in the super fund process. Thank you.

22 DOUG TOMCHUK: Thank you.
23 Obviously we are in the middle of a long study
24 here and a process here of public comment on

1 the proposed plan that with EPA's proposed
2 alternative. But what happens next? And I
3 wanted to discuss that for a short while here.
4 Obviously, we want to receive all the public
5 comment. We will review that comment, and we
6 will determine what needs to be addressed from
7 that comment, and then we will make up our
8 minds on what the proper course of action is
9 to address the sediments in the river. Okay.

10 Our decision is put into a document
11 called the Record of Decision which
12 memorializes our decision, and it includes a
13 Responsiveness Summary in which we respond to
14 all the public comments. All substantive
15 comments will be responded to in that
16 document. So that should be done by the end
17 of August.

18 After that process we start our
19 remedial design. Before I talk about that,
20 though, I want to talk about something that
21 will be happening in parallel. That's the
22 Source Control Action that will be ongoing at
23 the GE/Hudson Falls plant site. New York has
24 an order with GE, and we will be implementing

1 a system to collect that upstream source,
2 which is one of the contributing factors to
3 contamination within the river and in the
4 fish. So that should be started in the next
5 several years, and we hope that that would be
6 completed by the time that -- we would hope to
7 implement a remedy by 2004, and we see no
8 reason why that shouldn't be able to be done.
9 That should help a lot, but then there's the
10 other remedy that's important and that's
11 addressing the contaminated sediments. If our
12 Record of Decision goes to do that, and that's
13 the premise for the rest of my talk here on
14 remedial design and remedial action. Assuming
15 that the preferred alternative moves forward,
16 we will next go into remedial design, and as
17 Rich said that's a three year process followed
18 by remedial action which is estimated at five
19 years. The remedial design, okay, as Rich
20 said, we are not going to stop interacting
21 with the community when we go into remedial
22 design. There is no official public comment
23 period during remedial design, but we will
24 continue to interact. We have had ten years

1 of unofficial interactions, and probably close
2 to 100 public meetings during this study, and
3 we will continue to do that type of reach-out
4 to the community and make sure that all the
5 concerns are accommodated to the best of our
6 abilities.

7 During the three year design,
8 that's a long time to somebody that's looking
9 to remediate a river. There's a lot that goes
10 on during that time frame. First of all we
11 have to continue the monitoring that's
12 ongoing, the fish, the water column. We also
13 have to do sediment sampling to better define
14 the areas that might need remediation. We
15 will have to get access agreements for
16 facilities that we might need along the river
17 banks. We will have to make arrangements for
18 the transportation and disposal of materials
19 that we would be removing from the river. We
20 also have to coordinate with the Canal
21 Corporation because the river is used for
22 navigational purposes, recreational purposes
23 and transportation, and we want to make sure
24 that we do not disrupt the normal flow of

1 traffic on the river today.

2 Of course, the river is also used
3 for water supplies. So we will have to
4 coordinate with the water supplies, the towns
5 along the river that pull water off the
6 Hudson, and make sure that we can have the
7 monitoring that's necessary to protect those
8 water supplies throughout any operation that
9 goes on through the river, and put
10 contingencies in place so that if there's any
11 problem, that they are alerted and notified
12 and make the proper adjustments.

13 The design for the implementation
14 of the remedy is to take five years -- is to
15 have the remedy be complete in five years.
16 This is our design parameter. We are telling
17 the people that design it that it has to be
18 done in five years, and we have every reason
19 to believe that that is very doable. We have
20 experts from contractors that are dredging
21 contractors, that's their expertise, and they
22 believe they can do it. We have the Corp of
23 Engineers looking at that. They believe we
24 can do it. There is no reason to believe we

1 shouldn't be able to do that. How do you do
2 that? You use multiple dredges. If you are
3 using mechanical dredges, hydraulic dredges,
4 the biggest problem is having a big enough
5 water treatment system. So you design a water
6 treatment system that can handle everything.
7 There are very easy engineering answers to a
8 lot of these questions.

9 The actual implementation: How do
10 we make sure everything is done right?
11 There's a couple of ways to do that. First,
12 in design, you make performance
13 specifications. Okay. You have a selected
14 contractor who will have to then live up to
15 each of these performance specifications when
16 they actually implement the remedy. You need
17 to address the cleanup levels; you have to
18 address things like cleanup levels. You
19 select a certain level, one part per million
20 we are planning to reach in the sediment. So
21 that will be one of the objectives, removal of
22 certain massive materials from areas;
23 production rates per hour, per day, per month;
24 levels of noise that would be tolerable.

1 Other concerns such as resuspension, the
2 turbidity that's allowed to travel down
3 stream. The PCBs, you have to monitor for
4 that, and any type of emission from equipment
5 operating on the facilities there.

6 So these are all of the things that
7 need to be considered in the remedial design,
8 and put into the performance specifications.

9 Of course, then you reach the
10 remedial action, and as I said that should be
11 about a five year process. It should be five
12 years according to our designs. Again, we do
13 not stop the community interaction. We will
14 continue to do that. It's important for
15 people such as those that might have a dock
16 along the river that you actually coordinate
17 when are we going to be working in that area.
18 It's going to cause minor inconveniences to
19 some people at times, but we will be working
20 around this to the best of our ability. The
21 dredging will have to be done with
22 environmental dredges. That could be
23 mechanical or hydraulic. Either way dredges
24 are built to control resuspension, to control

1 the amount of material that might be
2 transported down stream. As a backup, there
3 is a secondary line of protection. We will
4 use silk curtains as well and the silk
5 curtains basically stop the flow of water and
6 let the material fall out if it is caught in
7 the water column. So you get an additional
8 line of protection there. Of course, you
9 don't just hire contractors and let them go in
10 the field. You have oversight of the
11 contractors, either EPA personnel, or Corp of
12 Engineer personnel that we would be using, or
13 both to oversee the work as it's done and make
14 sure it's done to the specifications that we
15 require. And, of course, there is monitoring
16 throughout this whole process to insure that
17 the fish levels, or the water column levels
18 are acceptable, and to further study the
19 trends in the fish to determine the
20 effectiveness of the operation, and to insure
21 that we are achieving our goals with the
22 remediation.

23 And I would like to turn it back to
24 Rich. Thank you.

1 MR. CASPE: Thank you. Before we
2 go on, I'd just like to do one thing. I'd.
3 Like to ask all the EPA staff who are here,
4 working on the PCB project, to stand. Could
5 you all please stand up just for a second? I
6 just want -- it's not for clapping. It's for
7 another reason. Stay up for a second. These
8 are the faces behind EPA's proposed plan.
9 These are the people who are making it happen.
10 And I'm hearing, I hear different things at
11 different times. I just wanted you to look at
12 them yourself and to assure you in that their
13 only interest is to do what is right for the
14 river, and the people (inaudible) who depend
15 on it.

16 Thank you.

17 At this stage of the game, we have
18 some elected officials to call up.

19 The first one is Assemblyman
20 McEneny on behalf of Congressman McNulty.

21 ASSEMBLYMAN McENENY: Thank you
22 very much. First, I'd like to start with
23 Congressman McNulty's statement, our
24 Congressmen are down in Washington doing what

1 we expect them to do, and so I'm going to read
2 this statement, this statement of Congressman
3 McNulty, intended for this hearing.

4 Last Friday, representatives of
5 several organizations, including the Sierra
6 Club, the Environmental Advocates, Scenic
7 Hudson, NYPIRG, Arbor Hill Environmental
8 Justice Corporation, met with Congressman
9 McNulty to discuss the EPA's proposed plan to
10 dredge the Hudson. I might also point out
11 that Congressman McNulty was born and raised
12 on Green Island, is a former mayor and town
13 supervisor, as well as an assemblyman.

14 Green Island, for those of you who
15 are not familiar with it, is in the middle of
16 the Hudson River, at least when it rains.
17 It's the only town in the county surrounded by
18 a moat. So the attitude in Green Island
19 toward the Hudson, I assure you, is not a
20 casual one, nor is the attitude of the
21 assemblyman.

22 Congressman McNulty asked me to
23 convey the following statement at this
24 hearing. Quote, as the representative from

1 New York's 21st Congressional District, I have
2 spoken to my constituents all over my district
3 on the issue of PCB contamination of the
4 Hudson. When the discussion gets beyond the
5 distorted images of the GE propaganda
6 campaign, the question becomes: Do you want
7 to leave the toxins in the river or do you
8 want the toxins removed from the river? The
9 answer, from almost everyone, is remove the
10 toxins from the river.

11 In the interest of time and with an
12 obligation of being the first speaker, I would
13 ask you to hold your applause at least until
14 the end. You're looking at the size of the
15 crowd, we'll never get out of here.

16 AUDIENCE: You have 30 seconds.
17 You're two minutes is up.

18 MR. CASPE: Stop.

19 ASSEMBLYMAN MCENENY: As to how
20 the PCBs should be removed from the river, we
21 must be unequivocal, GE polluted the Hudson,
22 GE must pay to clean it up.

23 I support the concept of the EPA
24 dredge plan on condition that any toxic

1 materials be taken to a federally approved
2 toxic waste site and that no new toxic waste
3 landfill will be built on the shores of the
4 Hudson or anywhere else.

5 I look forward to meeting with EPA
6 Administrator Whitman in the near future to
7 work on fine tuning the details of the EPA's
8 plan.

9 Finally, I want to emphasize this:
10 If the clean up of the Hudson is derailed now,
11 the will be a long time before we again see
12 this opportunity to restore the Hudson River
13 to its former status, as a premier fishery, a
14 grand recreational expanse, and a safe and
15 reliable source of drinking water.

16 Sierra Club, Environmental
17 Advocates, Scenic Hudson, NYPIRG, and Arbor
18 Hill Environmental Justice Corporation thank
19 Congressman McNulty for this statement.

20 If I may make a statement as the
21 elected Assemblyman from the 104th District in
22 Albany County. First I would ask the people
23 in the audience to look around at yourselves.
24 I cannot think of a more heated or difficult

1 issue to discuss. I am so proud of each and
2 every one of you for exercising your rights as
3 American citizens to come here and to petition
4 your government to do the right thing. I hope
5 that this is not turned into a political
6 issue.

7 Four of the congressmen in the
8 Hudson River, two democrat and two republican,
9 support the dredging of the Hudson, as does
10 Governor Pataki. This is an issue not of
11 government versus business, it is an issue of
12 health and of the future of our river and of
13 our children.

14 In the interest of brevity, I will
15 simply say, I am in favor of the dredging of
16 the Hudson River. Given the information that
17 has been presented so far, I think it's the
18 right way to go, and I think it's what we owe
19 our people both now and in the future.

20 Thank you.

21 MR. CASPE: The next speaker is
22 Marty Torrey on behalf of Congressman Sweeney.

23 MARTY TORREY: Likewise,
24 Congressman Sweeney is in Washington. I will

1 read a statement from Congressman Sweeney to
2 the EPA and, hopefully, come much closer to
3 your two minutes.

4 If I have said it once, I have said
5 it a thousand times since mid-1998, that the
6 health of the Hudson River is of utmost
7 importance to all residents of New York. The
8 decision to dredge or not to dredge the river
9 is a matter of the rights of citizens and
10 property owners around and near the affected
11 area of the river.

12 When 60 communities are compelled
13 to organize, pass resolutions, and speak out
14 with one voice to protect their homes in their
15 region against the plans of a bureaucracy, you
16 know something is drastically wrong.

17 The Environmental Protection Agency
18 is mandating developed policies on the
19 environments without revealing the scope and
20 impact of its plans. Furthermore, the EPA is
21 not fully considering the impact on the
22 quality of life for thousands of families.
23 Something is drastically wrong here.

24 While I am pleased that the EPA has

1 extended the public comment period in order to
2 give more time for informed public comment,
3 additional time does not fully solve the
4 problem. Rather than more time, our residents
5 need full details on the EPA's plan. This
6 information must include the many logistical
7 issues of dredging, treatment, transport, and
8 disposal of sediment, as well as the timeline
9 and the ecological impacts on the Hudson
10 River.

11 The EPA has historically given the
12 residents of the upper Hudson River Valley
13 little reason to believe the agency is acting
14 in good faith or providing the maximum amount
15 of information to their community leaders and
16 members. We all remember when it was revealed
17 in 1997 that the EPA was conducting landfill
18 siting studies while denying the public
19 knowledge of those studies. Now we learn that
20 the EPA has failed to discuss the siting plans
21 of treatment facilities in localities along
22 the river. An EPA document has been revealed
23 naming 12 potential communities targeted for
24 handling sites, and none of them were

1 previously discussed with or revealed to the
2 community leaders.

3 Time and again, the EPA has given
4 our residents more reason to distrust than to
5 trust. When will the cycle of deception end?

6 Now, I mention parenthetically,
7 that by tomorrow, the congressman will be
8 communicating, addressing this to and with the
9 new administrator.

10 I am pleased that the EPA is under
11 new leadership. I am optimistic that the new
12 leadership will be enlightened by the public
13 outcry by concerned citizens, and I look
14 forward to working with them. But I pledge to
15 the EPA and the people most affected by a
16 large-scale remediation project, that I will
17 do all I can to insure greater openness in the
18 process and insure that any decision made
19 regarding the river and the lives of those
20 most affected is made with the full
21 participation of the people who reside in the
22 area of concern.

23 In short, this is America and the
24 rights of residents still matter.

1 MR. CASPE: The next speaker is
2 State Senator Neal Breslin.

3 SENATOR BRESLIN: Thank you very
4 much. I will be brief.

5 I first would like to commend this
6 audience as the finest example that the
7 Capital District has ever seen in terms of a
8 town meeting to come and express -- you can
9 clap for that, for both sides.

10 And I will briefly say, as a part
11 of the -- as an extension to the remarks of
12 Jack McEneny, my friend, and Mike McNulty,
13 that I've also studied this issue, and it
14 comes to a resounding conclusion that I must
15 put the interests of my constituency in Albany
16 County, along with the constituencies
17 throughout and along the Hudson River, against
18 the interest of General Electric, and I fully
19 support the EPA's stand to go ahead with the
20 well thought-out process for dredging.

21 Thank you very much.

22 ROBERT PRENTISS: Thank you. I
23 join with U.S. Congressman John Sweeney,
24 Senate Majority Leader Joe Bruno, and

1 thousands of my constituents throughout the
2 capital district opposing the dredging of the
3 Hudson River. I represent the Town of
4 Colonie, including the Village of Menands
5 which borders the Hudson River, and in
6 Saratoga County I represent the towns of
7 Clifton Park, Malta and Stillwater, which also
8 border the Hudson River. The vast majority of
9 the people of Stillwater are opposed to
10 dredging. In fact, 60 communities along the
11 Hudson River, plus the counties of Saratoga,
12 Warren, and Washington have unanimously passed
13 resolutions in opposition of dredging because
14 of the negative effects it would have on the
15 river, the economy, and the living conditions
16 of our capital areas. Moreover, hundreds and
17 hundreds of constituents throughout our
18 assembly district have sent letters, and sent
19 faxes, and phoned me directly expressing their
20 opposition of dredging. They urge, as I do,
21 that the United States Environmental
22 Protection Agency reconsider and concentrate
23 it's efforts in supporting the current,
24 ongoing cleanup program. We believe that the

1 large scale dredging --

2 MR. CASPE: Hold it. Hold it.
3 Stop! Go ahead. Sorry.

4 ROBERT PRENTISS: We have also
5 seen a vast improvement of the upper Hudson
6 River over the last 20 years through the
7 current, ongoing, at the source, cleanup
8 program that's going on. And I am concerned
9 that the unprecedented magnitude of the plan
10 that's proposed by EPA presents many unknowns.
11 It's possible that dredging will reverse the
12 cleanup that has taken place through natural
13 processes. I agree that everyone wants a
14 cleaner river and reduced PCB levels in fish,
15 but the challenge we face is accomplishing
16 these goals in a way that protects the river
17 and the local communities. The EPA plan does
18 neither. The EPA has proposed the most
19 massive dredging project ever to rip up 500
20 acres of river bed in the upper Hudson,
21 damaging 17 miles of pristine shore line, and
22 destroying 97 acres of aquatic habitat in the
23 process. The goal is to remove buried
24 deposits of PCBs, but EPA plans to take out

1 80,000 pounds of river bed and the sand and
2 gravel that makes up the river bed. And
3 what's more EPA doesn't need a single local or
4 state permit to start the project. What would
5 concerned local citizens do if a manufacturer
6 proposed such a project and was seeking a
7 permit? How would we react if we were told,
8 as EPA has implied, don't worry about the ten
9 miles of underwater pipe line that will
10 transport sediment, don't worry. We don't
11 have a plan to deal with noise level of
12 mechanical dredges that are more than twice as
13 loud as standing within 10 yards of a diesel
14 truck. Do worry that the light needed for
15 around-the-clock dredging will be comparable
16 to having a professional baseball stadium in
17 our back yards. Don't worry we don't know
18 where to store the PCBs, whether it's Menands,
19 Green Island, or (inaudible), and by the way,
20 don't worry that we have been keeping this a
21 secret for more than a year. Don't worry that
22 we are going to be storing them temporarily
23 before shipping them out somewhere.

24 MR. CASPE: Excuse me, sir, I

1 think you're going well over your time.

2 ROBERT PRENTISS: I will finish
3 in a moment. You took your sweet time talking
4 to us, now hear us. You talked to us for a
5 whole hour.

6 MR. CASPE: Go ahead.

7 ROBERT PRENTISS: Now when it
8 comes to, if you get a minute, if you give a
9 penny for your thoughts, make sure you give
10 them change. That's all I'm going to say
11 about that.

12 Let me just wrap up my two minutes.
13 By the way, don't worry that we have never
14 attempted a project anywheres near this size,
15 or in a river like the Hudson which EPA has
16 called for, it's swift current, and all of
17 that, destruction. EPA's plan won't reduce
18 the level of PCBs enough to allow unrestricted
19 consumption of fish during most of our life
20 times. Let me be clear, the EPA project will
21 not accomplish the goal of lowering PCBs in
22 fish any faster than a cleanup that is now
23 taking place for the reason -- don't dredge
24 the Hudson River!

1 MR. CASPE: A lot of people here.
2 The next speaker is Assemblyman Brodski. I
3 just would ask all the speakers to try to keep
4 it down to something reasonable. There is a
5 lot of people here who want to speak. I don't
6 have any place to go, but a lot of you
7 probably do.

8 ASSEMBLYMAN BRODSKY: In the
9 interest of brevity I will submit written
10 copies of my statement. The written statement
11 includes the reasoning behind the -- what up
12 to here, in a moment, we have submitted,
13 Senator McEneny and I, a copy of the letter of
14 the Pataki administration to the EPA
15 administration supporting the dredging.

16 Thank you for this opportunity to
17 address the EPA. I accept at the outset the
18 good faith of the EPA, the persons who believe
19 both sides of the issue. Here we are each
20 entitled to our own sets of opinions. We are
21 not entitled to our own sets of the facts.
22 PCBs are poisonous. They were put in the
23 river by General Electric. In order to get
24 rid of the PCBs they must be removed, and

1 there is a technology available to the EPA and
2 the community to ensure that removal is done
3 safely and with minimum disruption of the
4 community. The real concerns of local
5 communities around the river about that
6 process are not to be shrugged aside and
7 should be -- and should continue to be
8 addressed by the EPA in this process. If they
9 are not, then I think public confidence will
10 diminish. If you, by indicating you will not
11 use the river as disposal sites, then I think
12 you will continue to broaden the most
13 scientifically valid way of addressing the
14 problems in the river.

15 Finally a corporation is a
16 soulless, bloodless, brainless thing created
17 by law to make a profit. Under the American
18 system it has every right to do that. It is
19 an appropriate thing for it to do, but it has
20 no responsibility other than to it's
21 shareholders. General Electric's use of its
22 resources to distort this debate and with the
23 connivance of the media outlets has done this
24 region a disservice. As an -- to engage in a

1 counter-offensive to the distortions brought
2 forward by General Electric these public
3 hearings remain the only source of information
4 by the community. It is hard to watch. It is
5 hard to watch a paid propaganda campaign
6 showing mule deer on the bank of the Hudson;
7 that praises a corporation that's going beyond
8 it's allegiance to the bottom line. They have
9 distorted the truth. It's up to the media and
10 the EPA to clear that up, to protect the long
11 and short term interests of this community,
12 and dredging the PCBs out of the bottom of the
13 river.

14 MR. CASPE: Thank you. The next
15 speaker is Lis Grisaru on behalf of Elliot
16 Spitzer, the Attorney General of the State of
17 New York.

18 LIZ GRISARU: My name is Liz
19 Grisaru, and I am an Assistant Attorney
20 General in the Office of Attorney General
21 Elliot Spitzer, the Environmental Protection
22 Bureau. And I have a statement for the EPA.

23 The Attorney General's office
24 strongly supports the U.S. EPA's decision to

1 dredge contaminants that are in fish
2 throughout the Hudson River. From Hudson
3 Falls to the Battery life along the Hudson
4 River the wildlife is contaminated. Humans
5 are exposed and are also contaminated with
6 PCBs. It is high time to address those
7 problems. We applaud EPA, Region 2, for the
8 thoroughness you have exhibited in reaching
9 this decision.

10 Congress made a decision over 20
11 years ago and has repeatedly reaffirmed it
12 since that time that there is a compelling
13 national need to clean up toxic waste sites.
14 Companies responsible for it should clean them
15 up preferably by removing them. The Hudson
16 River after decades is long overdue for a
17 cleanup.

18 Based on the extensive evidence in
19 record, EPA has gathered technical and
20 scientific review of that evidence. Four
21 points are clear and should be indisputable.

22 First, PCBs cause harm to humans
23 and wild life.

24 Second, PCBs are available to fish

1 and/or other animals; from there ingested by
2 humans. We know that people are still eating
3 contaminated fish from the Hudson.

4 Third, the river is not cleaning
5 itself of PCBs.

6 And fourth, dredging the hot spots
7 in the river will remove large quantities of
8 PCBs and in conjunction with the Hudson Falls
9 plant will lead to major improvement in the
10 river.

11 These long term benefits far
12 outweigh the short term impacts that may
13 result.

14 In addition, we believe that based
15 on long existing law it is both fair and legal
16 to require G.E. to clean up it's PCBs from the
17 Hudson River. For 50 years companies large
18 and small have cleaned up their toxic
19 discharges under the federal regulations and
20 it's state equivalent. Whether those
21 contaminates were discharged legally or not
22 there is no reason to treat G.E. any
23 differently. In any event G.E.'s discharges
24 were not always legal. To tax payers who will

1 have to pay for the cleanup if G.E. doesn't,
2 to those towns and villages who have done
3 their share, and to New Yorkers who long for a
4 cleaner Hudson, remove the toxic waste from
5 the Hudson. We save the river by cleaning it
6 not by leaving it polluted. Thank you.

7 MR. CASPE: The next speaker is
8 Legislator Marlene Prentiss.

9 LEGISLATOR PRENTISS: I'll tell
10 you right off, I'm opposed to dredging. Too
11 many tons will be taken out and it's mud that
12 you're going to be putting on other people's
13 property and destroying that property. That's
14 45,000 tons, 45,000 tons of mud a day, 45 rail
15 cars to move the out, plus you're harming the
16 people that live around there, on the river,
17 and the fish.

18 I do have a statement. I will hand
19 this in later.

20 But government gets involved just
21 like NL Industry, and it's 20 years and that's
22 not cleaned up. Now we're going to start
23 another project of government and this isn't
24 going to be cleaned up in five years or either

1 years. You don't build a house before you
2 have a plan. This is a house you're building
3 without a plan, dredging without a plan.

4 So I'm opposed.

5 And I'll hand this in after.

6 MR. CASPE: Thank you.

7 The next speaker is Marilyn Pulver,
8 the Supervisor of Fort Edward.

9 MARILYN PULVER: I'd like to tell
10 you that I'm proud that I was a councilwoman
11 three years ago when I initiated that
12 resolution that was passed by 60-plus
13 communities plus many other organizations.
14 I'm proud that I was the author of that
15 resolution. I was a councilwoman then, I am a
16 supervisor now. And as a supervisor of the
17 Town of Fort Edward, you can imagine my
18 frustration to learn, by way of a FOIL, that
19 not just one but two areas in my town are
20 sites for dewatering and transfer facility.

21 Now a supervisor, I realize the
22 potential of Rogers Island, one of those two
23 sites. It was the location for a major
24 military hospital during the French and Indian

1 War, and the wealth of the artifacts has only
2 begun to be discovered on that island.
3 Everyone in my community agrees that the
4 island is a treasure, something that is
5 coveted and desirable. Apparently, the EPA
6 realizes that as well. But instead of
7 coveting it, what is unique and wonderful
8 about this treasure, EPA is seeking to destroy
9 it, and with it the hopes and dreams of our
10 community.

11 EPA wants to use the island as a
12 site for one of its 30-acre transfer
13 facilities. They say the site poses fewer
14 physical problems to waterfront development
15 than a site in Moreau. They envision dredging
16 a barge basin at the southern end of the
17 island, construction of waterfront facilities,
18 and construction of a rail spur for rail cars.
19 The disruption to nearby residences from
20 construction and worker traffic will have to
21 be mitigated EPA says. Yet, EPA doesn't
22 quantify the disruption or specify how it
23 might be mitigated.

24 This is not the first time that EPA

1 has pointed its finger to my town, Fort
2 Edward. We want you. A little more than
3 three years ago, I became aware of EPA's
4 identifying Site 10 off of Route 4 as the
5 prime location of 260-acre hazardous waste
6 site, a site adjacent to my dairy farm, and
7 the reason why I began this fight 20-plus
8 years ago.

9 If you don't all remember how that
10 one turned out, let me remind you. EPA knew
11 the finding would be a controversial one, just
12 like they knew the study would be a
13 controversial one, and just like now, EPA hid
14 it from the people until we demanded the
15 information through a Freedom of Information
16 request. EPA is obviously an agency out of
17 control. They make no bones about misleading
18 the public, about keeping critical information
19 from the public. Who knows what other
20 information they're hiding.

21 Their recent confirmation of
22 Christine Todd Whitman, as EPA administrator,
23 gives us a small degree of optimism for the
24 future. But hope isn't enough for us this

1 time. The public needs to understand the
2 depths of the agency's deception and secrecy.
3 The only way for us to know for sure is for
4 Administrator Whitman to personally
5 investigate what this document -- why this
6 document was kept from the public, why it
7 wasn't include in the feasibility study.
8 There certainly was plenty of time to get it
9 there. The study was completed back in '99.
10 What additional information is EPA draft
11 menu -- what additional information is there
12 in this study that we don't have? There must
13 be something controversial because EPA is
14 still refusing to make that document
15 available. You say you're not releasing it
16 because it's not in the public interest to do
17 so. What does that mean exactly? Why
18 wouldn't the public be better served by having
19 that information? Instead we're left
20 commenting on a proposal in the dark. We also
21 want EPA Administrator Whitman to identify the
22 other documents and information that have not
23 been disclosed. We want the maps of the
24 transfer facilities, maps we know you have and

1 are unwilling to divulge.

2 EPA's antics are nothing short of
3 misconduct. I, for one, don't trust anything
4 they said about this project publicly and urge
5 the public to find out as much about this
6 project as they can.

7 Thank you.

8 MR. CASPE: Okay. This is the
9 story now. There are a hundred three people
10 signed up to speak. So, please, let's try to
11 keep to those two minutes. The way I'm going
12 to do it, I'm going to call ten at a time, and
13 as I call the ten at a time, you proceed up to
14 the microphones, and then as we get through
15 the first five or six, we will call the next
16 ten: John Allen, Jr., Richard Stahl, Tim
17 Guinee, John Tobin, Judy Schmidt Dean, Lorenz
18 Kraus, Andrew Williamson, Tom Borden, Tom
19 Whitman and Aaron Mair.

20 But if we keep the cheering down a
21 little bit, the cheering and all the noises
22 down, I think we might be able to get through
23 this, and I think at some point we are going
24 to want to take a break also, or at least I'm

1 going to want to take a break.

2 John Allen is the first speaker.

3 Please say who you are.

4 JOHN ALLEN, JR.: I am John

5 Allen, Jr. Can you hear me?

6 MR. CASPE: Yes, thank you.

7 JOHN ALLEN, JR.: As a design
8 professional I have inspected and installed a
9 great many polychlorinated biphenyls so I have
10 had personal exposure. I cannot envision any
11 living organism having enzymes for a digestive
12 juice in it such to break down this material.
13 I specify these transformers because they
14 would be able to smother an electric arc
15 without catching on fire. I feel that much of
16 the material that aligns(sic) this material is
17 not, I don't want to say truthful, but
18 accurate, and, therefore, I think this project
19 is not economically viable.

20 MR. CASPE: Thank you. The next
21 speaker is Richard Stahl.

22 RICHARD STAHL: Okay. Let the
23 river alone. You cannot trust your United
24 States government or their arguments. The

1 Florida Everglade, what did they do? They
2 raped it. They ruined it. Now they want to
3 put it back where it was. Clearcut forest,
4 the government built roads so that those
5 timber people would have an access to go in
6 there and clearcut the forests. They have
7 done all kinds of bad things. They don't
8 listen. They don't listen. They don't pay
9 attention to you.

10 In the 50s, I don't know how many
11 people remember it, every day in the newspaper
12 they would tell you what the radiation count
13 was in New York because of the atomic bombs
14 they were setting off out in Oregon and
15 Washington. The United States government
16 spread germs to see how many people, not
17 deadly germs, to see how many people would be
18 infected. They spent a million dollars,
19 million dollars, to study the sex life of a
20 tree frog. Since they spend millions of
21 dollars to study flatulence of a cow, I'm
22 telling you the EPA and the Corp of Engineers,
23 they had their feet right in there in the
24 Everglades. They stunk it up and ruined it,

1 and I'm telling you leave this river alone.
2 You are going to kill it. It's all money.
3 Somebody is going to make a pile of money off
4 this deal. That's the whole thing. Millions.

5 TIM GUINEE: My name is Tim
6 Guinee. I actually traveled from New York
7 City to be here with everybody tonight. I
8 absolutely, firmly, support the EPA in
9 dredging, and I think that actually you should
10 go forth with Alternative 5.

11 A couple of years ago I had a
12 cancer scare which turned out not to be
13 cancer, but until the people from G.E. can
14 figure out how to stop the water from
15 traveling south from Troy it is my right from
16 New York City to care about the situation.

17 I also would just sort of like to
18 mention that the Sierra club isn't the enemy,
19 and the good people of Fort Edward and the
20 environmental people are not the enemy. The
21 enemy is the PCBs. The enemy is General
22 Electric, and I would say -- I would like also
23 like to mention that G.E. is spending between
24 \$17 and \$17.5 million dollars to confuse

1 people about what's going on.

2 And I would like to thank the EPA
3 for its exhaustive study. Also for engaging
4 in public comment. Thank you.

5 Next I would just say that what you
6 do is right on the money. This isn't about
7 you. It's about the PCBs in the river and
8 what you do with them. It's not about G.E.
9 and the EPA. It's the PCBs.

10 JOHN C. TOBIN: My name is John
11 C. Tobin my comments are on maritime tankers
12 on the Hudson River and on the Champlain
13 Section of the canal --

14 MR. CASPE: Just get a little
15 closer.

16 JOHN C. TOBIN: Now my comments
17 are focused on strictly the negative economic
18 impact that has happened to our industry
19 because of the channel being impeded with the
20 lack of the depth. Judge Taradino(sic), in
21 State of New York against General Electric in
22 which he sums it up in this statement: If the
23 sediment is allowed to settle and accumulate,
24 the body of water will be squeezed until it's

1 use is strictly limited.

2 That has happened in the Champlain
3 section. We can no longer get a barge up, the
4 commercial tour boats they have operated,
5 commercial boats have been grounded. I feel
6 that the communities have lost out because
7 industry and business will not take advantage
8 of the long term lease they can now get from
9 the canal. The jurisdiction of this canal
10 section is with the Canal Corporation of the
11 State of New York, who is directed to get
12 permits so that they can continue. They have
13 to work in conjunction with you.

14 My other point is that what has
15 G.E. been doing about this one? They moved
16 1100 jobs from Fort Edward to Mexico. They
17 also (inaudible) the federal lawsuit in
18 Washington, D.C. due to lack of due process.
19 In addition over in Pittsfield, Massachusetts
20 they entered a consent decree with the state
21 of Massachusetts, Connecticut, and G.E. What
22 about the PCBs here? Is there greater health
23 risk there than here?

24 In conclusion I can only say, what

1 is G.E. trying to say with all of the facts to
2 the people and so on?

3 Save the river, Gentlemen. The
4 only way you can save the river is by
5 dredging.

6 JUDY SCHMIDT-DEAN: I'm Judy
7 Schmidt-Dean, Citizens Liaison Group part of
8 the Community Interaction Program. Last week
9 I went down to New York City for the public
10 meeting, and, Rich, I don't know if you
11 remember, or even realize that when you
12 introduced me there, and you said, this is
13 Judy Schmidt-Dean, she is our chairperson of
14 the Citizens Liaison Group, but more
15 importantly, you said it very warmly. You
16 made me part of the family, which, of course,
17 is true, and in, fact, everyone on the
18 Community Interaction family is -- it's a
19 dysfunctional family, but there is a strange
20 phenomenon that has happened since December.
21 Do you know how many times I have had to
22 defend this odd familial relationship? We
23 have (inaudible), a woman that hadn't been
24 directly involved in the last ten, fifteen

1 years, but with the four to five interactions
2 with the CIP it has made me suspect in other
3 eyes. What was that all about? Why was he so
4 nice to you? And why were you so nice to him?
5 It's stressing that you all are the only
6 people who haven't commented on my
7 participation in the G.E. advertisement.
8 First of all because you know me. I have been
9 saying this all along, and I thought of you
10 last week. Do you know what I said in the
11 infomercial? It's not a job, but my life.
12 I'll bet you could pull that from the
13 Columbia-Greene Community College transcript
14 from eight years ago, and that was when I said
15 that very same thing. And when I stood up and
16 said, the only people in (inaudible). When
17 you saw me on the air, you thought, well she
18 finally got it out there. We spent so much
19 time in the last ten years speaking about what
20 the role of the Community Interaction group
21 is, and what it should be. Rich, do you want
22 to briefly describe what the program is
23 because I think it's something nobody
24 understands?

1 MR. CASPE: I think I can let
2 Doug. He has lived it.

3 Just explain briefly for the people
4 what the CIP is.

5 DOUG TOMCHUK: In 1990 when we
6 started the reassessment, we established
7 groups of citizens in communities, and
8 government officials, environmentalists, and
9 agriculture communities, four different
10 liaison groups that would all have
11 representatives. And we had meetings for them
12 on a regular basis to share the information
13 that we have; to take the information that
14 they have; and exchange that. So that
15 everybody is dealing with the same
16 information, and to spread that to the rest of
17 the effected communities. We have other
18 levels that have, with the chair sitting on
19 that date, on a steering committee. We have
20 an oversight with government officials working
21 on the project as well, but the process is
22 just to exchange information, a two way
23 communication.

24 MR. CASPE: I have to hold him to

1 two minutes.

2 JUDY SCHMIDT-DEAN: And,
3 actually, when I step aside and I look back on
4 it, it really is an extraordinary contribution
5 we have made in this reassessment, and there
6 is so many times we have --

7 MR. CASPE: We will give her 30
8 seconds more. I'm sure she can do it. Go
9 ahead. She's a chair of our --

10 JUDY SCHMIDT-DEAN: I know.

11 MR. CASPE: Go ahead. 30 seconds
12 more, please.

13 JUDY SCHMIDT-DEAN: Go ahead?

14 MR. CASPE: Go ahead, Judy, go
15 ahead.

16 JUDY SCHMIDT-DEAN: When we said
17 to you that you are not listening and you
18 don't care, you came back saying, yes, we do,
19 I realized what a big part of this
20 reassessment we have been, and we can't be
21 dismissed because we have -- we are members of
22 a family, and it might be good to have a
23 member of the CIP (inaudible) in ways a member
24 of the public (inaudible) G.E. for us just

1 like I was, and there may be still a way we
2 can do that. CIP is viable.

3 So I have a request. With the
4 change of administration there will come a
5 time when you will be meeting with
6 Administrator Whitman on this reassessment.

7 MR. CASPE: I think I know what
8 you want. We will talk about it. Okay?

9 JUDY SCHMIDT-DEAN: Do you
10 promise?

11 MR. CASPE: I promise you we will
12 talk about it.

13 Next speaker is Lorenz Kraus.

14 LORENZ KRAUS: Thank you.

15 I would emphasize that this is not
16 a scientific issue nor is it an economic
17 issue. Science will tell you if PCBs are
18 going up or down in the river, but science
19 does not evaluate those facts. It will not
20 tell you to dredge or not to dredge.
21 Economics will also not tell you whether to
22 dredge or not. It will only tell you the
23 material cost of dredging. That is why this
24 is exclusively a moral issue, only morality

1 can decide whether dredging is right for
2 humanity beings or not and the only proper
3 morality is one based on humanity
4 self-preservation, not on self-sacrifice for
5 animals, fish, rivers, rats, or the ambitions
6 of politicians.

7 The real issue at hand is whether
8 the state has the right to prematurely end our
9 lives to restore nature. I argue no, the
10 state has no such right.

11 If GE is forced to waste half a
12 billion dollars on moving mud, then it cannot
13 invest that money in new medical technology.
14 If it can't do that, if it can't invest in new
15 medical technologies, human beings will die as
16 a consequence. That is the real choice: To
17 move mud and kill our fellow man or to respect
18 GE's absolute right to keep all of its profits
19 some that we benefit from life-saving
20 technology.

21 Taxes and regulations destroy human
22 progress. If there were no taxes or
23 regulations, our standard of living would be
24 that of the year 2020. Maybe you don't care

1 about that, but if I'm on my death bed, I want
2 access to the technology of 20 years from now.
3 Every one of you will be in that same
4 position. Will you be thinking of that stupid
5 fish while you're writhing in agony from some
6 uncurable disease?

7 (Audience noise)

8 Excuse me.

9 MR. CASPE: Hold it.

10 LORENZ KRAUS: This is a battle
11 for human self-preservation. The
12 environmentalists have only one real goal, to
13 destroy industrial civilization. You can read
14 it from the Unibomber, you can read it from Al
15 Gore, they all might destroy human industrial
16 civilization. The proper thing to do is
17 affirm human progress, affirm human life, and
18 don't dredge because it's not worth it. We
19 have much better things to do, like respecting
20 people's rights.

21 MR. CASPE: Okay. Thank you.

22 Let me just call out the next 10
23 people quickly.

24 Is Grace LeFebvre, Maryann Mair,

1 Pete Sheehan, Heba Mair, David Viale, Marjana
2 Mair, Steve Cowan, Tim Havens, Maryann Mair --
3 a lot of Mairs -- Darwin Brudos.

4 Okay. Next speaker is Andrew
5 Williamson.

6 ANDREW WILLIAMSON: Good evening.
7 My name is Andrew Williamson. I'm a dairy
8 farm from Washington County. I also have the
9 privilege of representing the County Farm
10 Bureaus of Albany, Rensselaer, Saratoga,
11 Washington, Fulton, Montgomery, and
12 Schenectady Counties.

13 We have some concern with the plan
14 or the remediation plan.

15 First off, I also have read the
16 executive summary from the NAS thing, and
17 you're right, you quoted, they said may, may
18 be, may not also. That's open to
19 interpretation. The things we have are also
20 out of the National Academy of Sciences review
21 was the resuspension levels of PCBs during the
22 dredging process, the silt screen would be
23 during the process but they won't be there for
24 the whole time of settling out the PCBs.

1 What's the danger to the surrounding
2 communities and to the flood plane of the
3 river?

4 The second issue is the science
5 (inaudible) and concerns of other pollutants,
6 such as heavy metals. We know they're there,
7 why not deal with them in this plan? I mean,
8 they're going to be part of this whole
9 package.

10 Another issue is the safety of our
11 roads due to the extra truck traffic. There's
12 already numerous hazardous situations for
13 farmers using our local roads. The backfill
14 operation in itself is going to be a massive
15 project, let alone where all this is going to
16 come from.

17 I think this plan just spreads PCBs
18 around. Right now we know they're under the
19 ground. This plan's going to make at least
20 two dewatering facilities and a temporary
21 storage site, where you're going to go, or
22 permanent site, whichever, and any possible
23 contamination that happens in the process of
24 cleaning up.

1 Basically, we're also worried about
2 our property rights. We own the majority of
3 the land within two miles of each side of the
4 river. We want to be addressed. We want to
5 know what's going on. We don't want you
6 coming and going as you please.

7 Basically, I'm opposed, we are
8 opposed vehemently to dewatering facilities on
9 or adjacent to agricultural land. And there
10 will be -- I know you stated it, but we
11 will -- there will be no landfill, temporary
12 storage, or whatever you want to call it in
13 our agricultural area.

14 Thank you.

15 MR. CASPE: Thank you. I think
16 there were a couple of questions in there that
17 I'd like to just respond to a little bit.

18 First, there was a question of how
19 do we know what releases during an active
20 dredging? We will certainly have the silt
21 screens in place, we'll have environmental
22 dredging techniques, but we'll also have
23 monitoring in place. We'll be monitoring very
24 carefully, is how we plan doing it, and if we

1 found any problem, we obviously would modify
2 the operation and shut the operation down
3 temporarily if we had to did that as well.

4 With regard to the issue of heavy
5 metals and things like that, those are
6 generally co-located in the same locations as
7 the PCBs.

8 You talked about trucks. And, you
9 know, I've heard numbers, people talking about
10 thousands of trucks. We don't plan on using
11 any. We don't really see -- I mean,
12 certainly, there will be crews coming to work,
13 although, they're not in the 30,000 people
14 from the Spanish Armada, you know, only about
15 a hundred. But there will be people coming to
16 work that will drive. But beyond that, we
17 plan on using rail and barge.

18 ANDREW WILLIAMSON: Even for
19 the -- I'm talking about the backfill.

20 MR. CASPE: Even for the
21 backfill, that's right. We do not plan on
22 using any trucking operate, you know, as part
23 of this.

24 And I guess the last thing, the

1 limited land access. You know, I think -- I'm
2 trying to remember what the question was
3 exactly.

4 ANDREW WILLIAMSON: The concern
5 of private property rights for the two miles.

6 MR. CASPE: The only thing we
7 might use access for at this stage of the
8 game, obviously, we do need something -- we do
9 need a dewatering facility someplace in the
10 north and someplace in the south. Where it
11 will be, we don't know. And those 12 sites
12 that are mentioned in that memo are 12
13 possibilities. There's probably 12 more. You
14 pick 12, so that you know it's feasible, but
15 that doesn't mean those are the ones you're
16 going to use. We don't really see any other
17 land access we're really expecting to use.
18 There might be limited land access if we have
19 to run a power line through somebody's
20 property to get to something that we'll try to
21 negotiate with somebody and pay for it.
22 Beyond that, at this stage of the game, we do
23 not envision any major land access as part of
24 this remedy.

1 ANDREW WILLIAMSON: Well, the
2 dewatering facilities would be a major concern
3 on that part, too.

4 MR. CASPE: And I heard you on
5 that, where you wouldn't want them located.
6 We agree.

7 ANDREW WILLIAMSON: Okay. Thank
8 you.

9 TOM BORDEN: My name is Tom
10 Borden. I'm a dairy and fruit farmer from
11 Washington County and currently president of
12 the Washington County farm Bureau.

13 I have been very active throughout
14 the EPA's reassessment process as chairman of
15 the agricultural liaison group and the
16 community interaction program now for over 11
17 years. I became part of the EPA process
18 because I wanted to be engaged in the
19 decision-making process for the Superfund
20 site. I've become very discouraged with this
21 process and find that I must oppose the EPA's
22 dredging proposal.

23 With consumption of fish the only
24 exposure pathway in question, with less than a

1 50-percent decrease over the Troy Dam as a
2 result of this project, the need for such a
3 drastic remedial remedy has not even been
4 demonstrated.

5 The most aggravating part of this
6 from the EPA clean direction program, however,
7 is that we never got to discuss the issues
8 that the community really needs to know about.
9 We never discussed remedial agriculture as to
10 how dredging works. We never discussed
11 economic or ecological impacts for remedial
12 activities. We never discussed ramifications
13 of the EPA extending its boundry limits of the
14 Superfund sites two miles on each side of the
15 river.

16 Now the EPA has proposed this huge
17 project, 15 times larger than any other
18 environmental dredging project, proposed
19 massive backfilling of areas of river bed, all
20 without detailing the logistics of any of this
21 activity.

22 As a representative of the Farm
23 Bureau and as a property owner, we have to be
24 concerned about where dewatering facilities

1 are and where access points are. We need to
2 know how much truck traffic and where backfill
3 materials are to come from and how they get to
4 the river. And, finally, we need a realistic
5 estimate on how long this disruption will
6 really last. Even a DEC official has recently
7 quoted as saying that the EPA has grossly
8 underestimated timeframe and cost. And the
9 recently quoted National Academy of Sciences
10 also agrees that regulatory agencies do not
11 give sufficient attention to risks as
12 ecological impacts on the local economy. The
13 so-called risks and remedy have not even been
14 considered.

15 New York Farm Bureau opposes this
16 dredging project and plans to submit detailed
17 written comments for the rest of these and
18 other concerns.

19 MR. CASPE: Thank you.

20 I would just respond that I heard
21 that 15 times, that 15 times number actually
22 on a radio station this afternoon driving up,
23 or this morning driving up. I don't know
24 where it really comes from. I mean,

1 Commencement Bay in Washington actually was 1.3
2 million cubic yards, which is around half what
3 this one is going to be.

4 The next one is Tom Wickman.

5 THOMAS WICKMAN: Yes. I'm a
6 civil engineer and I have been, as you can
7 see, for quite a number of years, 50. And
8 I've designed or helped design bridges in
9 countries all around the world and in the
10 Hudson River. And I've also been involved in
11 municipal works, supplying, designing, and
12 building interceptor sewers for cities along
13 the Hudson and sewage treatment plants back in
14 the '60s and '70s. At one time, for quite a
15 number of years, I was city engineer for
16 Kingston, which, as you know, is on the Hudson
17 River. From those of you from Washington,
18 it's on the Hudson River.

19 MR. CASPE: None of us are from
20 Washington.

21 THOMAS WICKMAN: And I, from my
22 years of experience dealing with river and
23 digging and dredging in waterways, I firmly, I
24 am opposed to any dredging that is not

1 necessary for construction.

2 And if it's going to release
3 material that's harmful -- it takes 20 days
4 for a drop of water to get from Albany to New
5 York City. I don't know if your people know
6 about this, but I studied that in college.
7 And what happens in the meantime is -- I get
8 speechless when I get to a point like this
9 where I have to explain to otherwise
10 well-informed people that you shouldn't do
11 this.

12 MR. CASPE: Thank you.

13 Next speaker is Aaron Mair.

14 AARON MAIR: Yes. I am Aaron
15 Mair. I am president of Arbor Hill
16 Environmental Justice, vice chair of the
17 Sierra Club Atlantic Chapter, board member of
18 the League of Conservation Motive, lifelong
19 resident and raised in the Hudson River
20 Valley. In fact, I learned to swim in the
21 Hudson River.

22 Let me say this. This is a very
23 absurd process. Number one, you mentioned
24 earlier about a community involvement plan. I

1 wonder how many inner-city communities of
2 color were a part of the community involvement
3 plan.

4 I am deeply concerned, as we end
5 welfare as we know it and immigration reform,
6 which basically takes away food stamps and
7 other food supports through U.S.D.S., more and
8 more inner-city people, because of culture,
9 custom, and habit, predominantly Asian,
10 African-American, Latino, Eastern European,
11 recent immigrants, turn to the Hudson River
12 for its bounty in fish. And I find it
13 fascinating that officials from towns, like
14 Moreau and other areas, which have already
15 surrendered their immediate aquifers to GE
16 through contamination of aquifer in Moreau or
17 due to the local landfill, which is already
18 contaminating that community. These are the
19 same experts that are saying oppose dredging,
20 and they have already failed to deal with GE's
21 contamination in their own local
22 municipalities. How dare they, how dare they
23 then want to dictate what the rest of us who
24 live along the Hudson, whose cultures, whose

1 lives depend upon the Hudson, should live.

2 I find it fascinating and downright
3 racist that the dredging stop a the Troy Dam
4 but it does not deal with the inner-city
5 communities of the lower Hudson. Where are
6 the real communities that were really
7 dependent upon the Hudson right here tonight?
8 Where is the technical assistance to these
9 communities so that their voices are hear
10 tonight?

11 This is definitely a nice middle
12 class exercise, but this does not reflect all
13 of the communities in the Hudson River Valley.

14 I challenge you, the EPA, and GE,
15 to hold these hearings in places like
16 Peekskill, in the inner-city communities of
17 Ossining, in Harlem, in Beacon, in the
18 inner-city communities where people are
19 actually living off of the Hudson. It is not
20 enough to be left for folks who predominantly
21 are in the suburbs or areas where they have
22 limited interaction with the Hudson to decide
23 the fate of millions of New Yorkers who, a,
24 have property on the Hudson, who live along

1 the Hudson, who value and cherish the Hudson.

2 Thank you.

3 GRACE LeFEBVRE: Hi, my name is
4 Grace LeFebvre. I will let you know that I
5 really don't think this is a good time to
6 dredge the Hudson. I know the PCBs have to
7 come out. I don't think you have the
8 technology to do so. Years ago we all trusted
9 the government. We basically lived by blind
10 faith, but as the years have gone by we have
11 found what the government has done for our
12 children; to the Vietnam veterans exposed to
13 Agent Orange; GIs asked to watch nuclear
14 explosions above ground, no help for them.
15 Along the Hudson there are thousands of young
16 children today who will probably have been and
17 will continue to be exposed to neurotoxins.
18 We know it with their disabilities, learning
19 problems, things of that nature. I don't
20 think you have the technology to safely remove
21 those PCBs at this time. I think a lot more
22 research must go into it. You must not expose
23 the children. We are already contaminated,
24 most of us are one way or another. You all

1 know that. But you must protect children that
2 are coming. Who knows maybe some day up in
3 Hudson Falls the next president of the United
4 States may be born, or is now in our
5 elementary schools.

6 I have to ask you, do you have an
7 evacuation plan in case of a serious spill
8 whenever you are transporting these PCBs to
9 get our children out of the elementary schools
10 and high schools, get them to safe havens? I
11 am just asking a very simple thing as a woman,
12 who is a mother and who is now a grandmother
13 of three. I truly, really wish you would just
14 step back and look at it one more time before
15 you go in there and really, really disturb
16 things. You even say on page 26 and page 23
17 that as you dredge, you will raise that level
18 of PCB contamination, and on page 26 you say
19 that even after you get all done with this,
20 it's still there. So how -- I don't really
21 understand what's happening.

22 MR. CASPE: Thank you. Do you
23 want to respond?

24 DOUG TOMCHUK: I think that

1 there's a couple of points here. I will try
2 to be brief. I think that as far as an
3 evacuation plan goes, EPA is, you know, PCBs
4 are not acute toxins. It's not a short term
5 exposure that is the main problem. If
6 spilled, that could be controlled, you know,
7 and cleaned up. If it did happen, if there
8 was an accident, it should not cause any long
9 term impact. That should not be a major
10 problem. Of course, during remedial design
11 you would take into account every aspect of
12 that occurring and make these plans, so. We
13 are not into details of remedial design yet.

14 I actually just want to say one
15 more thing is that there is exposure
16 currently, too. I think that this is a big
17 point. It's not like the PCBs are asleep at
18 the bottom of the river. They are moving
19 about. There is exposure. Currently fish are
20 getting contaminated. Dredging, if that did
21 occur would increase local concentrations, but
22 overall those concentrations would decrease
23 and long term benefits would be the big point
24 of this.

1 MR. CASPE: Thank you. You are
2 Pete Sheehan?

3 STEVE COWAN: No, I'm Steve
4 Cowan.

5 MR. CASPE: The next one is
6 supposed to be Maryann Mair. Don't be shy
7 now. Okay, are you Maryann?

8 MARYANN MAIR: Maryann.

9 MR. CASPE: All right. You are
10 on.

11 MARYANN MAIR: I'm 12. I'm just
12 a kid, but I have been living along the Hudson
13 for, like, all my life. I actually, like, go
14 down there and fish, like, once or twice, but
15 I have seen families fishing there and
16 actually catch food to eat. And, like,
17 knowing that there's PCBs and they are, like,
18 fish and them eating it and the PCBs getting
19 into their bodies. And so like the inner city
20 people, like, they eat it. They don't know
21 what's in it. All they know that that's food.
22 And that's all I have to say.

23 MR. CASPE: That's enough. Thank
24 you. You can tilt that up or hold it if you

1 want.

2 (518) 587-6832 PETE SHEEHAN: I'm Pete Sheehan.

3 I'm with the Chair of the Hudson-Mohawk Group
4 and the Sierra Club. I would like to commend
5 the EPA for its bold action in finally coming
6 to grips with the real problem in the Hudson
7 River. PCBs buried in the sediment and the
8 hot spots in the upper Hudson are the major
9 source of contamination and need to be
10 removed. While Alternative 4 is certainly a
11 good starting point, we would like to see
12 Alternative 5 where 125,000 pounds of PCBs are
13 removed as the final chosen remedy.

14 While there have certainly been
15 many opinions stated here and at other
16 meetings, it appears that G.E. has put out a
17 lot of confusing ads and has a history of
18 putting out misleading and questionable
19 information. History is a good teacher.

20 Briefly, for example in 1975 the
21 record and testimony of G.E. hired consultant
22 Dr. Gerald Lauer(sic) stated that the PCB
23 measurements, that there were no PCB levels
24 above 5. After cross examination, however, it

1 became apparent that that data was unreliable.
2 G.E. ultimately terminated that and had the
3 fish reanalyzed, and remeasured and upon that
4 remeasurement they showed the concentration of
5 PCBs over 100 parts per million. That is
6 misleading, and confusion continues today as
7 is demonstrated here. PCB levels in the large
8 mouth bass, for example, from Griffin Island
9 have gone from 3.9 parts per million in 1991
10 to 7.5 parts per million in 2000. In between
11 we have had spikes of, for example, 18 parts
12 per million and 24.5 in 1999. One can
13 certainly draw the conclusion from this that
14 the scouring of the Hudson River bottom and
15 the scouring in the sediments are the real
16 problem.

17 And, lastly, it appears that G.E.
18 has forgotten or ignored those who actually
19 use the river, some who have actually spoken
20 very well here tonight. And in terms of the
21 commercial fishermen they are now -- there
22 used to be 150. There are now down to 12.
23 And the people who live along the Hudson have
24 been greatly effected. It is time to stop the

1 confusion and get on with the clean up. Thank
2 you.

3 MR. CASPE: Next speaker is Heba
4 Mair.

5 HEBA MAIR: I am Heba Mair and I
6 am 15 years old and I go to Mohaneson High
7 School. I won't let children swim or fish in
8 the Hudson River without getting sick or
9 catching intoxicated fish. My parents taught
10 me that if I make a mess, I clean it up.
11 Well, G.E, you made a mess. Now clean it up.
12 I don't care how much money it costs, nature
13 never asked you to mess with it anyways.
14 After we dredge the river the river will
15 restore itself, and the fish will be
16 healthier. G.E. says no dredging project this
17 size has ever been accomplished. If we can
18 put a person on the moon, we can remove PCBs
19 from the river. All I have to say is, dredge
20 the river.

21 MR. CASPE: Thank you.

22 STEVE COWAN: I'm Steve Cowan. I
23 live off the river, not on it, but I would be
24 a little more impressed with EPA's idea that

1 they can dredge the river and dredge it in a
2 sound manner if, in fact, there was some test
3 before we had to give you this blanket go
4 ahead. If there was some demonstration that
5 you can do what you imply rather than a lot of
6 words that say in three years of design you
7 will leave it to your contractors to do
8 everything right. That's not credible. You
9 can see many projects in the world where that
10 process is used. It's not credible. So my
11 idea would be not to dredge until you can
12 prove you can dredge, not just guess you can
13 dredge.

14 MR. CASPE: Thank you. I would
15 just respond that obviously we are not going
16 to dredge until we know we can dredge after we
17 have a design. You can't construct until
18 there is a design. I would also say that the
19 way the project would be constructed would be
20 moving from the north to the south. That if
21 problems occurred, obviously, it wouldn't
22 continue. So it is not something that once
23 you start if there is a problem, you know, you
24 are in it up to your ears. It would not

1 necessarily be that way.

2 MARJANA MAIR: Hi. I'm Marjana
3 Mair. I'm a junior from Mohonasen High
4 School.

5 All I want to say is that it's time
6 for GE to pay the piper. They got along with
7 their pollution scam long enough. I think
8 it's a shame that they are promoting possible
9 human death by fish consumption. Not dredging
10 promotes cancer. Where are your morals?
11 Children swim and play in the PCB-infested
12 water.

13 Also, how dare they sugarcoat the
14 truth by corrupting and brainwashing people
15 through their false and inaccurate
16 commercials.

17 GE you are lower than the PCBs in
18 the water.

19 MR. CASPE: Let me just call the
20 next 10 speakers, please.

21 Laura Hights, Robert Greene, Mark
22 Schaeffer, Joyce Timpanelli, Sheila Powers,
23 Jerry Sagliocca, Don Wood, John Bigalow, and
24 Adam Smargon.

1 Next speaker.

2 MARYAM MAIR: (Spoke in Spanish)

3 That is what your EPA project
4 sounds to Spanish people. You have not
5 included them. Okay?

6 MR. CASPE: Thank you.

7 MARYAM MAIR: And dredge the
8 river now.

9 TIM HAVENS: That's going to be a
10 tough act to follow.

11 My name is Tim Havens, Senior. I'm
12 president of CEASE, Citizen Environmentalists
13 Against Sludge Encapsulation, a group of
14 non-profit volunteers, farmers, business
15 people, citizens young and old, all citizens
16 of the upper Hudson communities that will be
17 most adversely impacted by this outrageous
18 proposal.

19 I have a letter here to the
20 Environmental Protection Agency. Despite
21 assurances from your agency more than three
22 years ago that EPA's reassessment of the
23 Hudson River would now be conducted with
24 extreme openness, we have just recently

1 learned that the agency personnel continue to
2 withhold critical information from the public.

3 Our attorney, Mr. Robert Kafin,
4 filed a Freedom of Information request with
5 the agency to obtain any documents related to
6 the identification of sites for hazardous
7 waste treatment and processing facilities.
8 What we found was truly illuminating.

9 Although previously undisclosed,
10 EPA's contractors apparently conducted a
11 secret evaluation of upper river communities
12 in the fall of 1999 for this purpose. Twelve
13 upper Hudson communities were identified for
14 possible 30-acre facilities, including Fort
15 Edward, Fort Miller, Thompson, Schaghticoke,
16 Waterford, Mechanicville, Rensselaer, and
17 others.

18 Mr. Caspe, you told Mr. Williamson,
19 just few speakers ago, of our Farm Bureau,
20 that there may even be 12 more.

21 Should we file another FOIL
22 request?

23 MR. CASPE: You're welcome to.

24 TIM HAVENS: Thank you. We may.

1 Publicly, the EPA has only
2 identified two possible locations for the
3 facilities. Elected officials in both of
4 those communities, Moreau and Albany, have
5 rejected siting of such facilities in their
6 communities.

7 Did EPA excluded this document from
8 its feasibility study, which was issued more
9 than a year after the study was conducted? If
10 so, why?

11 In understanding now, as we do,
12 that EPA is not making critical information
13 available to the public, how can the agency
14 believe its public participation program is
15 being conducted fairly and openly?

16 It was only a few years ago that
17 EPA was caught in a similar act of secrecy and
18 deception. Then, just as now, EPA conducted a
19 secret study to identify potential sites --

20 May I continue.

21 MR. CASPE: Thank you.

22 TIM HAVENS: I may not continue?

23 MR. CASPE: Are you wrapping up?

24 If you can wrap up in 10 seconds,

1 do it.

2 TIM HAVENS: Okay. In that
3 secret study, I would like to quote something
4 that you said when it was found out that you
5 were doing that secretly. These are your
6 words, Mr. Caspe, "I made a mistake.
7 Everybody probably thinks we're a little
8 slimy. It hurts our credibility. We won't
9 make that mistake again."

10 And, in closing, I would like to
11 say that we think the EPA needs to withdraw
12 its phony feasibility study, end this charade
13 of a public comment period, and go to back to
14 the drawing board, come up with something that
15 makes sense and does not try to pull the wool
16 over the eyes of the public.

17 Thank you.

18 MR. CASPE: Thank you. I would
19 question the quote of me that you use, since I
20 don't believe I ever said that. You're
21 probably quoting somebody else. But I would
22 also find some of the statements you're making
23 to be totally absurd. If you go ahead -- and
24 I would just say that if you -- if somebody

1 said in a feasibility study -- (comments from
2 audience).

3 I'm trying to explain something.
4 You want to learn or do you want to just sit
5 there and talk? We all want to learn. We
6 want to share. So when I hear something that
7 is really off base, I think I have to respond.

8 And what I'm saying is that, in
9 order to tell somebody that something is
10 feasible, you look to see whether it's
11 feasible, you look to see are there options
12 out there are there alternatives out there.
13 So you say what's the test, maybe. Well, let
14 me look for a dozen. So you look for a dozen
15 sites, and you find a dozen sites. That
16 doesn't mean you can't find a dozen more and
17 it doesn't mean those are the sites you
18 picked. That only means that you've gone
19 through some screening in order to determine
20 whether something is feasible, whether it's
21 something worth putting in a report, whether
22 it's met the test to see whether it really is
23 possible or not. That's all that that memo
24 was, and that's all that that is.

1 Is it a secret study? It's
2 nothing. It's absolutely nothing. It's a
3 memo. That's what it is. You have it, enjoy
4 it.

5 Next speaker.

6 DAVID VIALE: My name is David
7 Viale. I'm a project coordinator for NYPIRG
8 on the SUNY Albany campus.

9 I'm here representing a student
10 coalition called Students for a Clean Hudson.
11 It's a coalition comprised of 77 college
12 student groups from across the state, and
13 they've also collected over 1400 signatures in
14 support of the EPA's decision. They've asked
15 me to deliver their letter to you, so instead
16 of using my words, I'm going to read it
17 straight from them.

18 We, the undersigned, are members of
19 the student coalition, Students for a Clean
20 Hudson, from campuses across the State of New
21 York that are concerned about the state of the
22 Hudson River.

23 We are very upset that, during most
24 of our entire lives, the Hudson River has been

1 polluted with PCBs, even after the EPA
2 declared PCBs to be a probable human
3 carcinogen.

4 We would like the EPA to issue a
5 clean up of General Electric's PCBs from the
6 Hudson River as part of their final decision
7 in August 2001.

8 The decision to clean up the river
9 has been delayed too long and we do not want
10 for the delay.

11 We would like to see a commitment
12 from the EPA to remove these PCBs so that our
13 children can grow up next to a river that is
14 truly clean.

15 They also asked me to say that they
16 have been following this from the start, and,
17 you know, these guys are well-educated on the
18 issue and they can see right through the
19 propaganda that GE is pumping out from their
20 public relations campaign. So they'll be
21 delivering over 1400 postcards as well, and
22 you can mark that down.

23 MR. CASPE: Thank you.

24 DARWIN BRUDOS: My name is Darwin

1 Brudos. I'm a retired electrical engineer
2 after 36 years in the power generation and
3 transmission business. I am well aware of PCB
4 use there and the problems that industry has
5 gone through trying to get rid of them.

6 I feel a little bit like we're Don
7 Quixote jousting at windmills. We don't know
8 who the enemy is.

9 If you paid attention to the words
10 that were used from the Academy of Sciences,
11 you heard could, might, perhaps, potentially.
12 Not once did you hear does, has, demonstrated.

13 There are several thousand GE
14 employees who have been looked at on several
15 occasions to determine if there's anything
16 statistical evidence of a problem with PCBs.
17 Those people worked for years all but taking
18 baths in PCBs. Their clothes were soaked in
19 it, they went home with those dirty clothes to
20 their laundry, they went home with shoes
21 soaked in PCBs. And, statistically, there has
22 been nothing shown that PCBs are, in fact, a
23 danger to human beings.

24 Furthermore, if you take a look at

1 the numbers that we're talking about here and
2 consider how many million pounds of
3 hydrocarbons are going to be consumed in doing
4 all of this work, an absolute minimum number
5 comes very quickly to mind of roughly 25
6 million pounds. That calculates out to 25
7 pounds of hydrocarbons per pound of PCBs
8 recovered, and it's probably, the number's
9 probably more like twice that.

10 I think, if we want to punish GE
11 for their environmental errors, we should find
12 some other way than committing another
13 environmental error of burning all those
14 hydrocarbons and stirring up the river to the
15 extent that it will be.

16 Thank you.

17 MR. CASPE: Thank you. I would
18 like to just briefly, if I could, respond to
19 that epidemiological information on PC -- you
20 don't want to hear it?

21 MARIAN OLSEN: My name is Marian
22 Olsen. I am a Human Health Risk Assessor for
23 the PCB-Hudson River Project, and I would like
24 to respond to what you have just mentioned.

1 There are a number of studies that have
2 evaluated workers across the world that have
3 looked at epidemiological effects of PCBs.
4 EPA has evaluated those. We have issued a
5 peer review document that also continued that
6 evaluation, and has concluded that they are
7 probable human carcinogens. Human evidence
8 has suggested, and in addition to that we have
9 very strong animal evidence. This together
10 leads the agency to the conclusion that it is
11 a probable human carcinogen. I would also
12 like to add that there have been a number of
13 studies that have evaluated children of
14 mothers who consumed fish, those who are being
15 evaluated by the agency. And we are also
16 concerned about non-cancer health effects
17 which were mentioned by Rich earlier this
18 evening. So this combined information leads
19 to the conclusion that PCBs are toxicants.

20 The other thing too is the study
21 that was mentioned has been evaluated by the
22 agency. It was a recent study, and the
23 agency's conclusion is that it does not change
24 the previous conclusion that PCBs are a

1 probable human carcinogen.

2 MR. CASPE: Thank you, Marian.

3 LAURA HAIGHT: Yes, I'm Laura
4 Haight, Senior Environmentalist with NYPIRG.
5 The Hudson River dates back roughly 75 million
6 years. Humans settled in the Hudson Valley
7 around 6,000 years ago. Up until the past 100
8 years the Hudson River safely provided
9 sustenance to humans and wildlife who turned
10 to it as a source for food. Now through the
11 unnatural intervention of the General Electric
12 Company many fish from the Hudson River are
13 too contaminated to eat. This is the natural
14 and unnatural history of the Hudson River.
15 These days we hear the word natural a lot.
16 G.E. is trying to convince the public that the
17 river is cleaning itself up naturally. What
18 does that mean exactly? There is nothing
19 natural about PCBs. They are a class of
20 manmade chemicals noted for there ability to
21 not degrade. The only natural process that is
22 taking place is gravity. The PCB contaminated
23 sediment sinks to the bottom of the river.
24 That these sediments are routinely disturbed

1 and washed down river where they impact people
2 and wild life who consume the fish. The river
3 has no capacity to restore itself naturally.
4 The PCB contamination is a product of human
5 industrial activity, and it will take human
6 intervention to clean it up. The G.E.
7 perversion of the word natural is even more
8 insidious. A few weeks ago the Times Union
9 reported on a study that the state Health
10 Department plans to do in Fort Edward, Glens
11 Falls, and Hudson Falls to see whether
12 residence who were exposed to PCBs experienced
13 neurological impairment. Previous studies on
14 children and animals has shown that high PCB
15 levels in blood can damage the nervous system
16 impairing such functions as memory, reflex and
17 sense of smell. G.E. criticized the proposed
18 study because it focuses on people between the
19 ages of 55 and 74 arguing that higher levels
20 of PCBs are known to occur naturally in the
21 elderly. Excuse me! Naturally? PCBs are a
22 chemical that never occurred on this planet
23 until the last century. Through the natural
24 process of eating and breathing and drinking

1 we are all exposed to PCBs and they build up
2 in our body fat. Through the natural process
3 of aging we store more and more of these
4 toxins in our body and PCBs do not occur
5 naturally in nature or in us. G.E. has done
6 enough damage to our natural environment.
7 It's ad campaign in which G.E. masquerades as
8 the river's champion is obscene!

9 MR. CASPE: Okay. Thank you.

10 LAURA HAIGHT: Steve got extra
11 time!

12 MR. CASPE: Thank you.

13 LAURA HAIGHT: We don't accept
14 G.E.s version of what's natural.

15 MR. CASPE: Thank you. Thank
16 you. Hold it.

17 LAURA HAIGHT: And demand that
18 G.E. clean up the PCB hot spots in the river.
19 Thank you.

20 MR. CASPE: Thank you, Madame.
21 Please. That's correct. (Someone is shouting
22 from the audience. This reporter cannot
23 understand what is being shouted.) I don't
24 know -- please. If you want to fill out a

1 card, you are welcome to fill out a card and
2 come up here and speak.

3 Yes, next. Is this Robert Green?

4 MARK SCHAFFER: Mark Schaffer.

5 MS. RYCHLENSKI: Okay. That's
6 fine.

7 MARK SCHAFFER: I'm Mark Schaffer
8 from Albany with Citizen Action. On the
9 question of health hazards, it's difficult to
10 isolate the effects of a particular chemical,
11 but studies in Lake Michigan which was
12 polluted by PCBs and other toxic substances
13 there was a direct correlation between the
14 consumption of fish by mother's and low birth
15 weight. Dr. David Carpenter of Albany
16 Medical, a leading health expert in the
17 region, has emphasized the hazards of PCBs to
18 the developing nervous system of babies and
19 young children. After poisoning the river for
20 decades for 200 miles, G.E. is now polluting
21 the air waves and our brains with its
22 multi-million dollar, multi-media campaign.
23 Big money should not be allowed to buy public
24 opinion. The people have a right to see and

1 hear other views. This is a textbook example
2 of why we need to bring back a fairness
3 doctrine revoked in 1987 which required a
4 reasonable balance of opposing views by
5 broadcasters.

6 Some of G.E.s arguments are right
7 out of the classic little book, *How to Lie*
8 *With Statistics*, really a guide for citizens
9 how to recognize the use of accurate
10 statistics to create a false impression. And
11 in particular the use of a selected base year
12 as you indicated.

13 I'm going to cut to the chase here.
14 G.E. says the river is cleaning itself. What
15 this means is it's polluting the ocean. PCBs
16 have been found in polar bears in the Arctic
17 and penguins in the Antarctic, as well as
18 mother's milk all over the world. An ounce of
19 prevention is worth a pound of cure. The
20 profit-driven corporations will only spend
21 money on prevention if they know they will
22 have to pay the cost of clean up and the
23 health cost of the victims. G.E. has tens of
24 billions of dollars in annual profit.

1 (Audience is becoming quite noisy.)

2 MR. CASPE: Okay.

3 MARK SCHAFFER: If they can walk
4 away from the largest --

5 MR. CASPE: Thank you.

6 MARK SCHAFFER: Toxic waste site
7 in the country -- one more -- it sets a
8 powerful precedent that wealthy corporations
9 can spread poison for profit and keep the
10 money --

11 MR. CASPE: Okay.

12 MARK SCHAFFER: Rather than clean
13 up after themselves --

14 MR. CASPE: Thank you.

15 MARK SCHAFFER: Jack Welch's
16 mother should be ashamed.

17 MR. CASPE: Thank you. I,
18 please, ask you once again, let's keep it --
19 you get extra credit if you go under two
20 minutes.

21 ROBERT GREENE: I'm Robert
22 Greene. I came down here because of a lack of
23 some information. Other than a comment
24 tonight about Queensbury I have never heard of

1 any testing of the fish north of Hudson Falls.
2 I know Queensbury is upriver somewhere, but
3 one comment come to mind on the comment of
4 bacteria. I believe it was 1969 in the middle
5 of the summer about a mile away from Lake
6 George Village near a stream a whole tanker
7 load of fuel oil got dumped into the stream
8 into the lake. It disappeared so fast it had
9 people wondering. They kept studying. They
10 found a bacteria in the lake that nobody knew
11 about that ate up the oil. Whether there's
12 one for PCB I don't know, but I have yet to
13 see any statistics on people eating fish
14 before this ban was put in whether their
15 cancer rate was higher, whether the cities
16 that use the water for drinking water, whether
17 their cancer rate went higher because it's
18 been 50 years since it was dumped in the river
19 roughly. And all of these things are
20 statistics that indicate it really does bother
21 people, or maybe it doesn't and it just
22 bothers some people's -- bothered some
23 people's imagination. Thank you.

24 MR. CASPE: Thank you.

1 SHEILA POWERS: My name is Sheila
2 Powers. I'm president of Albany County Farm
3 Bureau, and I have had to edit this three or
4 four times, so.

5 I represent -- am president of and
6 represent a 385 member organization, which
7 night not sound very impressive until I tell
8 that you 65% of those are farmers. Our
9 organization has passed policy year after year
10 after year opposed to dredging in the Hudson
11 River since 1980, as a matter of fact.
12 Because we haven't seen enough to convince us
13 that the farming areas won't be used as they
14 have been for everything else, to dump into.
15 The impact, the economic impact, the spirit to
16 impact, if you will, to the people who do that
17 work is also at risk here. We are very
18 disappointed at the announcement that you have
19 just decided to dredge. We can't understand
20 why you are unwilling to listen to the voices
21 of those who reside and do business in the
22 area which you are going to do a lot of harm
23 to. We have been told that studies on 7000
24 workers exposed to PCBs don't show health

1 problems caused by them. I know from
2 attending enough committee meetings myself
3 during the years that many, many G.E. people
4 were also present at that meeting who were
5 apparently bathed in PCB oils and certainly
6 didn't look unwell to me. You have already
7 said the water is safe to drink and swim in.
8 And you said, and nobody disagreed, that PCB
9 levels are lower than they were in 1984 when
10 EPA handed out a no action decision. You
11 won't tell us where you are going dump the
12 sediment, but we know it probably won't be in
13 Niagara Falls now, and we don't want it
14 either. We are concerned about impact to
15 agriculture land located near this proposed
16 dredging site. These lands shouldn't be
17 considered dump sites for PCBs or other
18 contaminants. They are producing food which
19 people eat.

20 MR. CASPE: Thank you.

21 SHEILA POWERS: I'm not quite
22 finished, sir.

23 MR. CASPE: I had that suspicion.

24 SHEILA POWERS: Yeah, okay. I

1 assume I will get the same courtesy with a
2 question mark that everybody else did.

3 We aren't going to relax about your
4 proposal without some real reassurances,
5 you'll probably be hearing from me. We know
6 that you failed in certain other efforts that
7 you have done this in to achieve the results
8 you expected in the time you had said you
9 would do it in. We have active farms in
10 Albany County bordering the river. We have
11 growers in Menands --

12 MR. CASPE: I'm going to have to
13 ask you to stop at this stage or else sum up,
14 if you can, in ten seconds.

15 SHEILA POWERS: There's one
16 thing. A fresh water source in Bethlehem,
17 farms in Coeymans and Bethlehem. We can't
18 afford to have burial of retrieved materials
19 dumped on them.

20 MR. CASPE: Thank you. We have
21 no intention -- you have an absolute guarantee
22 that we will not be putting material on farm
23 lands within the Hudson Valley.

24 SHEILA POWERS: And lands --

1 those who grow on big pieces of land --

2 MR. CASPE: We are looking to
3 take this material to facilities that are
4 aimed at taking it -- where they take this --
5 they make money by taking this stuff. It will
6 be put out to bid and they will be taking it
7 to commercial facilities that would take this
8 material, not farm land, not new land fills,
9 old existing facilities.

10 SHEILA POWERS: And I think I
11 heard you say tonight that you would be taking
12 through the rail lines only and to be removing
13 it by rail, is that right? Is that what I
14 heard?

15 MR. CASPE: Right. That's
16 correct.

17 SHEILA POWERS: So there are not
18 going to be trucks driving back and forth over
19 #144, for example?

20 MR. CASPE: No, no trucks.

21 SHEILA POWERS: Thank you.

22 MR. CASPE: Barges, yes, rail
23 cars yes. Trucks, no.

24 SHEILA POWERS: Well we intend to

1 still be in on the discussion.

2 MR. CASPE: Absolutely, yes.

3 JOHN BIGALOW: My name is John
4 Bigalow. I am a frequent recreational user of
5 the Hudson and a professional engineer. I'm
6 very disturbed at the apparent rush by the EPA
7 to dredge the upper Hudson River.

8 MR. CASPE: Excuse me. Is
9 something going on here? Okay. I'm sorry.
10 Go ahead.

11 JOHN BIGALOW: The present levels
12 of PCBs are so low that no normal human
13 activity is inhibited. PCBs are leaving the
14 river and being buried by natural processes.
15 Concentrations are not dropping as fast as
16 they have in the past but they are so low that
17 what is being added from ground sources and
18 leaking out of the bottom is keeping the level
19 up. G.E. is working to cut off these sources
20 from the ground. The fact that there are PCBs
21 in the water itself is proof that they are
22 being eliminated because the water and the
23 PCBs all goes to the Atlantic Ocean, and I
24 don't think we need to worry about the

1 concentration in the Atlantic Ocean. Finally,
2 it's very questionable that in ten years time
3 the river would have any less PCBs in the
4 water if it was dredged. In view of the fact
5 that there is no urgent need to do more than
6 eliminate sources that dredging will be
7 horrendously disruptive and environmentally
8 damaging activity and that there are natural
9 processes operating to remove PCBs from the
10 river, it seems only sensible to hold off on
11 dredging.

12 MR. CASPE: I would just point
13 out that PCBs in New York Harbor sediments are
14 a problem. That doesn't mean they all come
15 from this area, about half of it does.

16 Let me just -- I'm going to call
17 the next 10 people. But after this group
18 we're going to take a 10-minute, a real
19 10-minute break, because, you know, it's --
20 please, let's try to be on time.

21 The next 10, they'll come back
22 after the break, are Dave Bizell, Mike Keenan,
23 David Hunt, Ken Mogul, Kristin Bonds, Van
24 Della Rocca, Craig Michaels, Bill Koebbeman,

1 Lisa Dwyer, and Paul Lilac.

2 You are -- don't come up. Those 10
3 people I just called, you come up after the
4 break.

5 You want to do 10 more before the
6 break? They're students. Okay.

7 Go ahead.

8 ADAM SMARGON: All right. Good
9 evening. Ladies and gentlemen, my name is
10 Adam Smargon. I'm director of special
11 projects for a company in Scotia, New York
12 called Tire Conversion Technologies. I hold a
13 master of science in environmental management
14 and policy from Rensselaer Polytechnic
15 Institute. And I am privileged and honored to
16 be a part of the public forum.

17 In 1925, the Scopes Monkey Trial
18 hit Dayton, Tennessee, and it was an overnight
19 sensation. Journalists interviewed people
20 from around the city and around the nation,
21 around the world, asking about what a
22 teacher's right was in regards to teaching
23 evolution when it was clearly not allowed by
24 the State of Tennessee. One journalist asked

1 a shopkeeper, "So what's your opinion on the
2 Scopes Monkey Trial?" And he said, "I don't
3 have any opinion. It's bad for business."

4 Now, with this in mind, I wish to
5 appeal to both those for and against dredging,
6 because we all care about the Hudson. And, as
7 a businessman, I wish to introduce a product
8 that my company makes that I believe can help
9 the Hudson and other bodies of water.

10 Please bear with me.

11 Scrap tires are a major problem
12 throughout the State of New York, in the U.S.
13 and around the world. My company, Tire
14 Conversion Technologies, TCT, we divert over
15 100 million -- I'm sorry, not a hundred
16 million -- a hundred thousand tires a year
17 from landfills, burn plants, and illegal
18 roadside dumps for processing into a non-toxic
19 construction material which can be used for
20 bulkheads and retaining walls for the Hudson
21 River and other bodies of water. Using this
22 product, called Duraboard, which I'm holding
23 in my left hand, I believe it is an
24 environmentally sensitive material because it

1 reuses tires. We slice off the side walls,
2 grind down the worn tread, and bond the them
3 treads together in a non-toxic process.

4 I will be in the lobby for 20
5 minutes after I am done here at the
6 microphone. I am willing, ready, and able to
7 speak with anyone about this product and how
8 it can help the Hudson.

9 I thank you for your time.

10 MR. CASPE: Thank you.

11 JERRY SAGLIOCCA: Good evening.
12 My name is Jerry Sagliocca, and I'm against
13 the EPA's secret dredging plans.

14 The blundering EPA appears to have
15 changed mind since the 1980s and today it is
16 getting ready to shove down our throats this
17 secret plan that we still don't know the facts
18 and details of.

19 What disturbs me tonight, is that
20 the EPA does not seem ready to be swayed to
21 forego this massive un-thought out plan.
22 Dredging is not going to be a walk through the
23 tubes, as the EPA alleges it will be for the
24 next five years.

1 Finally, the economic impact to the
2 region may be very harmful and no one really
3 has addressed this issue from the EPA.

4 Thank you.

5 MIKE KEENAN: I'm Mike Keenan.

6 MR. CASPE: Just so I can do a
7 little bookkeeping here. Kristin Bonds, Joyce
8 Timpanelli, and Don Wood, are any of those
9 three here?

10 AUDIENCE: Don Woods passed.

11 KRISTIN BONDS: Hi. I'm Kristin
12 Bonds. I grew up in Saratoga County and I now
13 live in Albany.

14 Because I have lived close to the
15 Hudson for most of my life and because I'm
16 about to start my family near the Hudson, I've
17 been following this debate and I support the
18 EPA's plan to dredge. The river's got to get
19 cleaned up. Because it was polluted for so
20 long with such persistent dangerous chemicals,
21 it's got to be dredged.

22 No matter where you live or who you
23 work for, PCBs simply do not belong in the
24 bottom of the Hudson River. Unfortunately, GE

1 with its loaded pockets, has turned what
2 should be education and discussions among New
3 York State residents and the EPA into this,
4 which has divided communities and people along
5 the river.

6 In the spirit of GE's advertising
7 campaign, I have some facts for their upcoming
8 commercials.

9 Fact: GE does not have the best
10 interests of the upper, middle, or lower
11 Hudson communities in mind.

12 Fact: GE does not want to pay to
13 clean up the Hudson River.

14 Fact: If GE has to clean up their
15 mess here in New York, they may also be forced
16 to clean up all their other Superfund sites
17 across the country, which explains why they're
18 spending so much money here.

19 Let's stop delaying and stop
20 dividing. Let's start cleaning up this
21 beautiful river.

22 Thank you.

23 MIKE KEENAN: My name is Mike
24 Keenan. I'm president of the Troy area Labor

1 Council. I represent 1,000 union members in
2 Rensselaer County.

3 We didn't believe GE when they said
4 it was good for us to send our jobs overseas.
5 We do not believe them now. We support EPA's
6 proposal as described in Congressman McNulty's
7 statement. We believe it's important for our
8 members and their families that the river be
9 dredged to protect public health and the
10 environment, allow greater recreational and
11 commercial use of the river, provide needed
12 jobs to our area.

13 I've also -- this is a personal
14 statement, if I can fit it in. I've been a
15 resident along the Hudson River all my life.
16 I've migrated upstream as the PCBs have
17 migrated downstream.

18 I'm a licensed professional
19 engineer and I did my master's at RPI on the
20 Albany pool area of the Hudson River. Back
21 then, in the early '70s, the river was heavily
22 polluted by sewage and industrial waste. GE's
23 PCBs were one of the last vestiges of this
24 uncontrolled release of industrial waste,

1 which, ironically, EPA was created in 1973 to
2 control.

3 The graph that you presented
4 tonight earlier, I believe it tied the
5 sediment in the water columns together, I
6 thought was quite persuasive. In fact, you've
7 convinced me that I believe Alternative 5 is
8 what's called for.

9 Thank you.

10 LISA DWYER: My name is Lisa
11 Dwyer and I am a senior at Shaker High School.
12 I'm an AP environmental science student as
13 well. I have a question for the EPA.

14 What does the EPA plan to do if the
15 PCB levels in the fish do not drop to a level
16 fit for consumption after dredging has taken
17 place?

18 MR. CASPE: The answer is that
19 PCB levels will start improving. And, one way
20 or the other, the fish advisories, the
21 consumption advisories stay in place until
22 such time as they start coming down. As they
23 come down lower and lower, then it's actually
24 not the EPA, it's actually the State of New

1 York, the Department of Health, would modify
2 those advisories, then they would relax them.
3 They would say that, instead of not eating any
4 fish, you might be able -- certain people
5 might be able to eat certain types of fish
6 certain times of the year, you know, certain
7 number of times a year. And that would keep
8 on dropping.

9 LISA DWYER: And if the PCBs
10 levels do not drop, is the EPA willing to
11 consider and evaluate their plan of action,
12 maybe dredging is not the answer? Maybe
13 cleaning up the river in a less harmful way to
14 the ecosystems would better reduce the
15 levels --

16 MR. CASPE: Well, we haven't made
17 a final decision.

18 Again, that's what these -- you
19 know, we certainly have a proposal and we
20 certainly believe that -- we wouldn't have
21 gone forward if we didn't think that it was a
22 correct proposal and we hadn't thought it out.
23 But the purpose of these meetings is for us,
24 the same as we want to get our message out to

1 all of you, we're listening to all of this.
2 There's a stenographer here taking all of
3 that. And as we come to a final conclusion
4 we'll listen to all of these different ideas
5 and try to come up with the best solution we
6 can.

7 LISA DWYER: I have another
8 question.

9 Can you give me an estimated time
10 of how long the river would return to its
11 current state or its more natural state after
12 dredging has occurred?

13 MR. CASPE: We expect it to
14 return to its more natural -- we expect it to
15 be as good or better, better, actually, not as
16 good, better than it is when we start dredging
17 within one year after we finish the dredging.
18 And within two years we expect it to be fully
19 rehabilitated.

20 LISA DWYER: Now, I know that the
21 dredge is an extraction tool. It's not meant
22 to be used for cleaning up rivers or removing
23 PCBs. That's not what it was designed for.

24 Is there any other special plan of

1 action that you plan to take in order to
2 insure that PCBs are actually taken out and
3 they're not remaining in the sediment and
4 stirring up PCBs instead?

5 MR. CASPE: Actually, the dredges
6 we're looking at are dredges that are made
7 specifically for environmental dredging. They
8 are shaped differently. They have a whole
9 different design, aimed at not, trying not to
10 resuspend material as you bring it up, kick
11 the material up, try to get a clean cut. Some
12 of them are designed for shallow cuts, some
13 are then are designed for deeper cuts,
14 depending go on what, how deep the
15 contamination is in that area. They're
16 designed for different types of materials.
17 They have a whole different set of designs.
18 These are not your old-fashioned type
19 navigational dredges. These dredges are
20 specifically designed to remove material in an
21 environmental way.

22 LISA DWYER: Thank you for
23 providing additional information. I'm sure
24 the students at Shaker High will take this

1 into consideration with GE's information.

2 Thank you.

3 MR. CASPE: Thank you.

4 DAN DELLA ROCCA: My name is Dan
5 Della Rocca. I am from Shaker (inaudible). I
6 have read a number of papers. This whole
7 situation is unbelievable, how many web sites
8 I have seen. Throughout the whole time I have
9 only seen majorly(sic) one thing: White
10 space, blank space in time lines. Where was
11 everybody? 1984 you decided not to dredge,
12 and I'm not here blaming you for that, but why
13 all of a sudden now if you say it's the same?
14 After '93 when the mill broke down nothing
15 happened. There was -- maybe the PCBs in the
16 mill were removed, but for seven years, eight
17 years, nothing.

18 MR. CASPE: You have to remember
19 those charts I showed. In 1984 we were making
20 that decision the river was in a certain stage
21 and certain things happened. We were in the
22 midst of that big drop, as I said, as the
23 river was stabilizing as a result of stoppage
24 of the discharge of PCBs, and taking out of

1 the damn and the stoppage of navigational
2 dredging. So when we looked in 1984-85, the
3 river was at that stage. We then made a
4 decision that did not make sense to go forward
5 at that time. Five years later we were
6 requested by the State of New York to
7 relook(sic) at the area, take another look at
8 it, see what's going on and we did. And it's
9 also part of the law that we operate under
10 that we look at things five years after the
11 fact. So we start a re-investigation in 1990,
12 and it's taken this long because we started
13 off thinking we wouldn't need additional data,
14 that we would be able to look at it simply.
15 Then we find out we needed more data, then we
16 find out we need a new model. We wound up
17 spending around \$25 million on this study,
18 believe it or not. This study was not an
19 inconsequential thing. Even we take a while
20 to spend that kind of money. So it took us a
21 long time, you know, and actually now 10 years
22 later we come out with this conclusion that
23 some people argue that we have rushed to make.
24 So that's why it took as long as it did.

1 Now is David Bizzell here? Or
2 David Hunt? Or Ken Mobell, or Kristin Bonds,
3 or Craig Michaels, Bill Koebbeman, or Paul
4 Lilac? Are any of those people here? Yes.
5 You are?

6 DAVID HUNT: David Hunt. I had
7 the fortune to be born as one of the three or
8 more species that live on the bottom sediments
9 of the Hudson River, and are found in fewer or
10 no other places in New York. Species that are
11 unselfish and perhaps more intelligent and
12 live more sustainably(sic) on our planet than
13 our own species such as the short nosed
14 sturgeon and two native mussel species, tail
15 white bloater(sic) and tidewater mucklets(sic).
16 I would want those with the power and control
17 over the integrity of my home to restore it
18 back to a healthy state free of PCBs and other
19 ills.

20 I have read that these species are
21 in trouble in the river. The two native
22 mussel species are almost at the point of
23 disappearing all together from the state. And
24 the federally endangered short nosed sturgeon

1 has PCB levels averaging about three hundred
2 parts per million, about 150 times higher than
3 the two part per million criterion generally
4 used for consuming fish. As a human
5 individual, a native American citizen and as
6 an aquatic ecologist, essentially just as
7 powerless as these species that live on the
8 river bottom, I have little ability to be able
9 to heal them. Thus on behalf of these
10 creatures, other fellow humans that try to --
11 who want to live sustainably(sic) on the
12 earth, I humbly thank you for your insightful
13 plan to remove large quantities of PCBs from
14 the river. I praise any intention you have to
15 directly help these species, and I recognize
16 that you are among the few groups with the
17 power to decide their fate for better or
18 worse. Because I care deeply about these
19 species I support your recommendations. In
20 fact, I would like you to choose dredging
21 Alternative #5. Thank you.

22 BILL KOEBBEMAN: Bill Koebbeman
23 from Halfmoon, one of the communities along
24 the Hudson. I'm an engineer and someone who

1 cares deeply about the environment. I
2 followed this issue in recent years, and if I
3 thought that dredging would damage our river
4 and the people who live along it and the wild
5 life, I would be carrying one of those green
6 signs. But as I followed the issues I have
7 come to distrust what G.E. says, and I trust
8 what the EPA is doing. I commend you on your
9 report and go to it. Thank you.

10 MR. CASPE: Thank you.

11 CRAIG MICHAELS: My name is Craig
12 Michaels. I'm here tonight on behalf of River
13 Keeper an environmental group that (inaudible)
14 New York. The EPA knows we support their
15 proposed plan. However, we would prefer -- we
16 do urge you to adopt Alternative #5 which
17 would remove the most amount of PCBs from the
18 river. Obviously this is a somewhat divided
19 issue. There is a lot of people -- a lot of
20 communities up river that are against
21 dredging. There is a lot of communities down
22 river that are in support of dredging. And I
23 think all the concerns we have heard here
24 tonight and at the other hearings were

1 certainly valid concerns. I think upper river
2 communities, you all are the ones who are
3 going to have to -- this is going to be in
4 your face, it is going to be in your back
5 yards. You are going to have to deal with
6 this dredging project, the actual dredging
7 operation, more so than us down river. That
8 said, I think it's also important to note that
9 there are a lot of us down stream and this
10 issue does effect us too. It also effects the
11 commercial fisheries that have been closed
12 since 1976. It effects the low income and
13 minorities, subsistence fishers who regardless
14 of health advisories continue to fish for
15 themselves and their families. And it effects
16 all of our health.

17 The River Keeper feels that this is
18 an issue that effects us all. It would be
19 interesting to see what happened if you took
20 out two parties from this debate here. If you
21 took out the EPA, who as I have heard tonight
22 a lot of people see as an over regulatory
23 bureaucratic arm of the government. If you
24 took them out and at the same time, if you

1 took out G.E., who we feel epitomizes
2 corporate greed and irresponsibility, you
3 would be left with all of us. And I think we
4 would find that we actually, up river and down
5 river, we all have a lot more in common than
6 we really think. At the end of the day we all
7 are going to be the ones who have to live with
8 this for generations to come.

9 So River Keeper hopes that as this
10 process proceeds, our communities can sit down
11 without the EPA, without G.E., sit down and
12 find our common ground. And I would just like
13 to say, it's high time to put the Hudson River
14 communities -- all Hudson River communities,
15 first and G.E. profits last. Thank you.

16 MR. CASPE: Okay. We are going
17 take a 10 minute break now. After the break
18 these are the speakers: Joe Gardner, Baret
19 Pinyoun, David Higby, Harry Gary, Roxanne
20 Heller, Skip Patton, Susan Brander, Robert
21 Price, Robert Hall, and Jennifer Fayerherm.
22 Thank you. Ten minutes.

23 (Break in proceedings.)

24 MR. CASPE: Okay. Are we ready

1 to reconvene?

2 You are Joe Gardner.

3 Hold it, if the people up here,
4 especially my people, the EPA staff, if you
5 could all sit down, please, so we can go on.

6 Okay. Joe Gardner.

7 JOE GARDNER: Joe Gardner. I'm
8 with the Appalachian Mountain Club, and I've
9 attended most of the human health and
10 environmental risk assessment programs of EPA
11 and also peer reviews, and we heartily endorse
12 the EPA's plan to dredge the PCBs from the hot
13 spots of the Hudson River, being Troy and Fort
14 Edward.

15 Now, I want to ask you, as far as
16 what General Electric has been trying to feed
17 the public in massive million dollar, false,
18 misleading, and outright lies, with full-page
19 ads in the newspapers every two or three days,
20 with radio, TV, big bucks, big billboards,
21 okay, I've never found an ounce of truth in
22 anything they've ever come out with publicly
23 on this issue of PCBs, except one, just one
24 now. Listen now. Just one issue. This one

1 issue is that, no matter what General Electric
2 gets nailed for in the cost of cleaning up any
3 of their pollution, it'll never affect the
4 bottom line of the value to the stockholders.

5 Now, I ask you: If that's either
6 just another one of their major falsehoods or
7 the only truth that they've ever announced,
8 then why have they spent all this money on the
9 billboards, radio, TV, billboards, radio, TV,
10 and other media and on Jerry Solomon, John
11 Sweeney, Joe Bruno, John Fasso, Bob Prentiss.
12 I ask you now, I ask you now, is that the only
13 truth or is that just another one of their
14 falsehoods?

15 Thank you.

16 MR. CASPE: Thank you.

17 BARET PINYOUN: Hi. My name is
18 Baret Pinyoun and I'm from the Sierra Club.

19 I'm here tonight with a message in
20 a bottle for the EPA. We have worked with
21 eight other environmental organizations, the
22 Sierra Club, Environmental Advocates, NYPIRG,
23 Scenic Hudson, Hudson River Sloop Clearwater,
24 Appalachian Mountain Club, River Keeper, New

1 York Rivers United, and Arbor Hill
2 Environmental Justice Corporation, to collect
3 over 7,000 postcards all in favor of cleaning
4 up the Hudson River.

5 We feel strongly that because of
6 the major, serious health risks that PCBs pose
7 to humans and wildlife living in the Hudson
8 Valley, the Hudson River must be dredged and
9 we support your plan. In fact, we think your
10 plan should be strengthened.

11 So we have over 7,000 postcards for
12 you guys to read. Here you go.

13 MR. CASPE: Oh, great. Thank
14 you.

15 Are they all here tonight?

16 Do we have room in the trunk?

17 BARET PINYOUN: Thank you.

18 MR. CASPE: Thank you.

19 Next speaker.

20 SUSAN BRANDER: I'm Susan Brander
21 from Shaker High School. I'm a senior. I'm
22 in AP environmental science.

23 I've done a lot of researching on
24 this topic for papers, and in the course of

1 researching this topic, there doesn't seem to
2 be a clearcut decision as to what will be best
3 for the ecosystem.

4 How does the EPA justify the damage
5 that will be seen in the aquatic and
6 terrestrial habitats after dredging takes
7 place?

8 MR. CASPE: We minimize the
9 damage, first of all, by using environmental
10 techniques to try to minimize that, and we
11 look at the benefit. We look at the benefit
12 as far as cleaning the fish, the fish tissue
13 numbers are going to go down and they'll go
14 down significantly as time goes on. That's
15 number one.

16 We look at the downstream transport
17 of PCBs as well. And we see that 40 percent
18 of the PCBs that are -- right now, 500 pounds
19 a day -- 500 pounds a year, excuse me, go over
20 the dam in Troy, into the lower river. After
21 this project is done, it goes down to 300.

22 Now, some people have mentioned, we
23 could have picked remedies that would have, in
24 fact, lowered those numbers even further. The

1 problem there, as we looked at -- we looked
2 there at how much of the bottom we were going
3 to be disturbing and how much benefit we would
4 get. And, as we did that, we came to a
5 conclusion that this, this alternative that we
6 selected was what we considered to be the most
7 cost beneficial. We looked at the benefits,
8 we looked at the costs -- costs in terms not
9 just of dollars, but what it costs as far as
10 disruption of the environment, disruption of
11 people's lives, and so on and so forth. And
12 that's how we came up with this alternative.
13 It was a balancing technique.

14 SUSAN BRANDER: With your
15 dredging technique, doesn't that include
16 dredging part of the bottom of the river, like
17 the bed of the river, where bed dwellers live?
18 And not only the animals will leave but the
19 bed dwellers of the river will not leave
20 because that's just not their action is to
21 move. So what are you going to do about when
22 you take the sludge out and these bed dwellers
23 are still in the sludge, destroying their
24 ecosystem?

1 MR. CASPE: Some of those bed
2 dwellers are going to get picked up in the
3 dredge and they're going to be destroyed, and
4 they'll have to rehabilitate. It's a big river.
5 And the dredging is not -- we're not dredging
6 out a huge piece -- we're not dredging out a
7 huge, contiguous piece of the river all at one
8 time. There are parts of the river open. And
9 what happens is bed dwellers from other areas
10 move back in and they recolonize the area.
11 That's the way it happens all the time in the
12 environment.

13 SUSAN BRANDER: How can you
14 guarantee that it will always redevelop?

15 MR. CASPE: How do we guarantee
16 it? That's the way nature works.

17 I mean, we can certainly say that
18 we'll try to have a performance spec, you
19 know, if the time comes, and that's the way it
20 will work. But this is not -- how do I
21 guarantee. Things always recolonize. That's
22 the way nature always tries to seek out that
23 balance.

24 SUSAN BRANDER: So you're saying

1 you can't guarantee it?

2 MR. CASPE: We think we can
3 guarantee it, yeah. As much as anything in
4 life can be guaranteed, we can guarantee it,
5 yeah.

6 SUSAN BRANDER: All right.

7 Are the comments being taken into
8 consideration and is it evident that people
9 are over -- if it's evident that people are
10 overwhelmingly against dredging, would the EPA
11 ever change its decision?

12 MR. CASPE: That's a tough one.
13 The answer is yes. The public comment period
14 is open. We certainly -- again, we have a
15 preference for a proposed remedy, we've come
16 out with it, we think it's the right thing,
17 but we're listening to comments and we are
18 listening to what people say, and we learn all
19 the time. And we've learned things even --
20 you know, at every meeting we learn something,
21 we come back and we talk about it and we find
22 out different things that maybe we didn't
23 think about, so on and so forth. The question
24 is, is what we didn't think about, is it big

1 enough, is it big enough to change that
2 remedy? And if something big enough to change
3 that remedy comes to life, yes, we'll
4 certainly reconsider the remedy.

5 SUSAN BRANDER: Thank you.

6 MR. CASPE: You're welcome.

7 ROXANNE HELLER: My name is
8 Roxanne Heller.

9 I would just like to say shame on
10 you all, all of you, the EPA and GE.

11 First off, GE, we are not children
12 and we do not have to listen to your fairy
13 tales. It's not amusing to intelligent people
14 and we can see through it. So stop wasting
15 your money and our time.

16 Second, EPA, you should have -- you
17 have been less than truthful unless pushed,
18 and, as a government agency, we have come to
19 expect this. You will drive this project
20 regardless of public opinion.

21 Unless you live on one of the
22 possible sites, you don't have a right to tell
23 those who do what's best.

24 None of the proposed projects are

1 ready to be set in place. There are still too
2 many questions that need to be answered. And
3 unless -- there should be less talk and more
4 cooperative action needed to come up with a
5 way to clean the river that will not -- that
6 will satisfy everyone.

7 For now, just leave it be.

8 SKIP PATTON: I'm Skip Patton and
9 I'm chairperson of the Social Concerns for
10 Church of the Covenant, and that's the United
11 Methodist in Averill Park.

12 We, on the committee, basically
13 support the idea of the removal of the PCBs
14 from the river, mainly because they are a time
15 bomb waiting to blow up anyways.

16 You can have a 50-year flood come
17 down, and at some point that will happen in a
18 river. Rivers are constantly dynamic changing
19 things, and there will be, at some point, a
20 large enough flood to rip those beds wide open
21 and blow the pollution downstream and it will
22 go with the sediment.

23 We're also losing an economic
24 resource. If we can open it up further for

1 fishing, a man mentioned dredging the channel
2 for shipping and so on, we have a resource we
3 can't use.

4 We do urge you, though, two things:
5 That you use hydraulic suction dredging in as
6 much of the river as is absolutely possible,
7 because, based on what we have researched, it
8 is a far cleaner method than even the
9 overlapping clam shells of the environmental
10 clam shell dredge. So we urge you to use
11 hydraulic suction dredging wherever at all
12 possible.

13 And, secondly, I can't stress this
14 enough, you got to be sure you absolutely
15 safeguard the drinking water supplies of the
16 six municipalities along the river that draw
17 their drinking water from the Hudson. I
18 believe it's Waterford, Port Ewen, Rhinebeck,
19 Poughkeepsie, and there's a couple of others.

20 Finally, I do want to say, and this
21 is in response in part to the last speaker and
22 some other people, too, that I have spoken to,
23 we're all Hudson Valley residents. We may not
24 all live exactly in the townships, in

1 Washington, Saratoga, and Warren Counties that
2 will be most directly affected, but everyone
3 here has rights and concerns. We are all
4 Hudson Valley residents and I want people to
5 keep that in mind.

6 Thank you.

7 MR. CASPE: Thank you. I would
8 just clarify one item that you mentioned, and
9 that's the issue of flood. We did study the
10 river on a 100 year flood and determined that
11 the -- but we looked at it at a 100 year flood
12 and, in fact, found that the sediments -- that
13 was not a major concern for us. So a flood is
14 not the major concern as far as the PCBs
15 remobilizing. There are other things that can
16 happen within the river, sir, but not a flood.
17 (Inaudible response.)

18 Right. You don't know what that
19 flood is carrying. That's correct. Correct.
20 Correct. Correct. (Inaudible responses.)

21 MARIAN TRIESTE: Hi, I'm Marian
22 Trieste. I'm here on behalf of Scenic Hudson.
23 I'm also co-chair to EPA's Community
24 Interactive Group, the environmental liaison

1 group with that, and I also have residency in
2 Schuylerville. I want to briefly thank you,
3 the agency, for presenting a very well
4 balanced feasibility study. I think it was
5 interesting reading for someone of my nature.
6 I'm not a technical person, but I got through
7 most parts of it that are important, and I
8 appreciate that you had four panels of experts
9 peer reviewing that document, which really
10 assures me, as a citizen, that it has been
11 well studied and that the final review of the
12 Hudson River Reassessment has been seriously
13 taken into account over the ten years with
14 well documented information. I applaud the
15 agency for taking the necessary steps to
16 address the clean up of 200 pounds of PCBs
17 that still remain in the 40 identified hot
18 spots in the upper Hudson River. What I would
19 like to do is just talk about a little more
20 than what the plan is suggesting. The
21 residential exposures to up river shore lines
22 contaminated with PCBs really need to be
23 considered. As the river is cleaned and more
24 and more recreational uses of the beaches and

1 boat launches can be anticipated, we really
2 need to consider those exposures routes. For
3 example, New York State soil standard for PCBs
4 is one part per million, and there are areas
5 along the upper Hudson that show PCB soil
6 levels well above those standards. For
7 example, I recently discovered that soils
8 along the shore line of Schuylerville have PCB
9 concentrations as high as 3.5 parts per
10 million, and it's just really important that
11 we address this, and work with the state
12 agency on this.

13 I just want to say overall for the
14 past decade I have worked with citizens
15 involved with super fund sites cross the
16 nation, and a common positive outcome will
17 only result when the stakeholders work
18 collectively on these clean ups, and I'm
19 talking federal, state agencies, and most
20 importantly we need cooperation from the
21 principal parties who polluted those areas in
22 order for the benefits to be resolved, and the
23 residents have obtained those benefits. I
24 really urge a partnership in this clean up

1 design, all the parties. Thank you.

2 MR. CASPE: Thank you. I would
3 just point out that there were not four peer
4 reviews but 5 peer review panels. (Someone on
5 the panel said something, but this recorder
6 could not hear what was said.)

7 I'm sorry, but we also had a
8 national remedy review board review it also.

9 Okay.

10 JENNIFER FAYERHERM: Hi, my name
11 is Jennifer Fayerherm and I'm here with the
12 Sierra-Great Lakes Program and I come to you
13 from my home state of Wisconsin. And I come
14 here to share with you some similar
15 experiences we have all had. I come from
16 where we had a situation that is very similar
17 to yours. We too have a river that is
18 contaminated with PCBs. We too have been
19 exposed to PCBs for far too long as the
20 corporations responsible for polluting the
21 river drag their feet. We too have had to
22 wait while the polluters spend millions and
23 generate misinformation and not spend any on
24 cleaning up their mess. We too have had to

1 work hard to see through the misinformation
2 fed to us by those who refuse to accept the
3 responsibility for poisoning our community.
4 We too have had to join our voices struggling
5 and demanding to be heard above the roar of
6 corporate money and political influence. We
7 too want our river cleaned up for our families
8 and for our future. Our rivers are tied
9 together by more than just circumstances.
10 They are also tied together by the efforts of
11 polluters. The paper mills that polluted our
12 Fox River with PCBs are working together with
13 General Electric to say that dredging is not
14 safe, to buy ads that feed misinformation to
15 the public, and to lobby public officials so
16 that anything planned might be quashed. They
17 are working and conspiring to do, as G.E. so
18 eloquently puts it, as I saw in a quote, "Make
19 sure that projects like this don't ever
20 happen."

21 I do have good news to bring to you
22 from my state of Wisconsin. On our river we
23 have had two pilot dredging projects that have
24 gone on down on the river both of which were

1 successful. They removed two of the hottest
2 spots in the lower Fox River. Though we do
3 not have a full clean up plan these two pilot
4 dredging projects did a lot to prove that
5 dredging can be done safely.

6 I toured one of those clean up
7 operations. I have seen it done right. I
8 have seen the (inaudible) results in, and
9 contingency plans there to assure that if one
10 part of the process fails there is a back up.
11 I have seen the monitors that are there, I
12 have seen the monitoring data that came off of
13 that project that let me know that it was done
14 safely, and we know there were very, very few
15 PCBs left downstream. It can be done and it
16 can be done well. Dredging is a very
17 appropriate option.

18 MR. CASPE: Thank you.

19 HARRY GARRY: I'm Harry Garry,
20 owner and operator of Hill Crest Farms in East
21 Berne, Albany County. And I was naive enough
22 to believe that everyone here would only have
23 two minutes so I streamlined this thing, and a
24 lot of things I will not be able to say

1 because I don't want to drag this out. But
2 any how, my chief concern, as they say here, I
3 am concerned by the EPA's proposal to dredge
4 the Hudson River. I hereby urge that it abide
5 by it's 1984 decision to not dredge.

6 My first concern relates to the
7 disposal of the millions of tons of polluted
8 sediment to be dredged. As a commercial
9 farmer, I'm deeply disturbed by the
10 possibility of leakage of this polluted
11 material to be deposited in two 15 or 30-acre
12 sites, one in the Capital Region. This could
13 result in serious contamination of our wells,
14 streams and farm lands. I will interpose
15 there that I heard tonight that you don't
16 intend to put it there. So you are going to
17 truck it far away. So I think there are mixed
18 signals coming from your organization. You
19 should decide what you are going to do.

20 MR. CASPE: It's not mixed
21 signals from us. It's from other people.

22 HARRY GARRY: Somebody --

23 MR. CASPE: There are others
24 characterizing us differently.

1 HARRY GARRY: Well somebody --
2 well any how that bothers me.

3 The second concern is about the
4 total destruction of many forms of aquatic
5 life living in the bottom of the river. The
6 existence of the fish whose contamination lies
7 at the root of this problem is interwoven with
8 all other forms of aquatic life found there.
9 Why destroy nature's balance. I can tell you
10 as a farmer who has worked with nature for
11 over 50 years nature knows what she's doing,
12 and we should not interfere, and when you take
13 and scoop all that aquatic life out, you are
14 changing a lot more than you realize.

15 The third and equally disturbing
16 concern is with the underlying basis for your
17 dredging. Humans eating contaminated fish
18 acquiring cancer from carcinogens, and
19 possible reproductive problems. This is
20 predicated -- (People are saying his time is
21 up.)

22 This only takes me two -- I timed
23 this many times.

24 MR. CASPE: If you can just sum

1 it up in another 15 seconds or so.

2 HARRY GARRY: I will. All right.

3 There seems to be a large credibility gap
4 involved in feeding heavy doses of PCBs to
5 rodents resulting in tumors, and the
6 possibility of humans ingesting a
7 corresponding amount over many years. Until
8 there is conclusive evidence of cancer
9 occurring in workers once exposed to PCBs or
10 cases resulting from consuming the fish, the
11 promise -- the premise relies on conjecture.

12 MR. CASPE: Thank you.

13 HARRY GARRY: Thank you.

14 MR. CASPE: Thank you. Thank
15 you. Is David Higby or Robert Price or Robert
16 Hall? No? Okay.

17 The next ten speakers are -- and
18 they can come right up: Burr Deitz, Frank
19 Berlin, Bruce Hiscock, Joe Mahon, Ken Wells,
20 Warren Wielt, Kirstin Kolber, Mildred
21 Gittinger, Dorothy Matthews, and Richard
22 McGrath.

23 Are any of those people here? Come
24 on up. Say who you are and do your thing.

1 BRUCE HISCOCK: I'm Bruce
2 Hiscock. I live in Saratoga County and I
3 write and illustrate science books for
4 children. My background is in chemistry. I
5 have a Ph.D. in organic chemistry, and a few
6 years ago I wrote a book called *The Big Rivers*
7 which deals a lot with the whole process of
8 rivers, and in that process I did a tremendous
9 amount of research on rivers, in particular in
10 the midwest, and visited a Corp of Engineers
11 at the experimental station.

12 All of these things lead me to
13 believe I have a fairly well informed opinion
14 on rivers. And last year I was approached in
15 a telephone survey that asked if I would give
16 my opinion on dredging. And I said I would be
17 happy to do that. And then the caller asked
18 me if I was a member of any environmental
19 group or public radio station. And I said
20 indeed I was a member of both of those. And
21 then they said, then your opinion is not
22 wanted. And so my valued opinion was not
23 recorded by a survey. And I'm here today to
24 say that I do have a valued opinion, and I

1 definitely favor dredging at the highest
2 level. And I want to thank you for the
3 opportunity to tell you this. Thank you.

4 MR. CASPE: Thank you.

5 KEN WELLES: I'm Ken Welles, and
6 a major concern that we all talked about for
7 the contamination has been health, human
8 health. And the numbers that are in your
9 report are not clear in the website. I have
10 spent a couple of hours trying to come up with
11 one number that should be easily calculable
12 from what you have there. I'm trying to
13 figure out how much cancer is prevented. How
14 much human life is saved by the project? Now
15 if you use the cancer model in your report, in
16 the EPA report, not the G.E. model, but you
17 have models there for exposure and resulting
18 chance of cancer. If you use the EPA model of
19 people eating half a pound per week for 52
20 weeks each year for 40 years of Hudson River
21 fish, and if you use the PCB concentration
22 that you show over time with the different
23 remedies, for example, the monitored natural
24 attenuation versus preferred remedy, if you do

1 all of that, can you tell us, and the numbers
2 should be there I just can't see them, if you
3 do that, if you have 10,000 people eating the
4 fish, how many cases of cancer do you prevent?
5 How many lives do you save with this
6 multi-billion dollar investment?

7 MR. CASPE: \$500 million.

8 KEN WELLES: Okay. \$500 million.
9 How many lives? How many cases of cancer per
10 10,000 fisherman?

11 MR. CASPE: Our risk assessment
12 looked at cancer rates and non-cancer health
13 hazards. So I think you have to consider both
14 because PCBs do have the potential to cause
15 that effect. As we mentioned, there are
16 increased risks from ingestion as you
17 described it of half a pound for 52 weeks per
18 year for the next 40 years results in an
19 increase risk of one in a thousand.

20 KEN WELLES: One in a thousand.
21 And that's using the comparison of the red
22 line on the chart -- not using a (inaudible),
23 but the number that is remediated by the
24 (inaudible) version and by the preferred

1 version? That's the difference between them
2 is one in a thousand?

3 MR. CASPE: The difference is the
4 increased risk from someone ingesting into the
5 future would be one in a thousand.

6 KEN WELLES: Of that reduced
7 rate, not of a steady rate, right?

8 MR. CASPE: Right. We looked at
9 reduction and the models. The non-cancer
10 health risk was a 100 times higher than our
11 safe (inaudible).

12 KEN WELLES: Okay.

13 MR. CASPE: Thank you.

14 KRISTIN KOLBER: My name is
15 Kristin Kolber. I came to make my mind up
16 about this. I have some questions and
17 comments.

18 Why not do the MNA, which is the
19 Alternative 2? It will get the same result,
20 according to your chart, just not immediately,
21 like the act of remediations.

22 The sediment, according to --
23 referring, that is, to page 24, the sediment
24 is expected to be transferred to two

1 facilities along the river and then expected
2 to be removed after completion. Where is this
3 going to go? I would like, I would like not
4 to see another Love Canal.

5 You also said, with trucking, that
6 trucks won't be used, that barges to rail.
7 But according to page 23, increased traffic
8 will also present an incremental risk to the
9 community. The potential for traffic
10 accidents may be increased marginally as
11 additional vehicles are on the road. These
12 effects are likely to be minimal because most
13 transportation of sediments for disposal will
14 be accomplished by rail. In addition to
15 vehicle traffic, there will be increased river
16 traffic.

17 The only other thing I wanted to
18 say is that I do have a problem with should
19 be, likely, probably and not sure. As a
20 person who doesn't know which way she's
21 going, I now don't feel I can make an informed
22 decision, and I'm very sorry about it for both
23 sides.

24 Thank you.

1 DOUG TOMCHUK: I'll take the
2 first portion.

3 Why not the MNA? I think the key
4 thing there is the timeframe, that we deem it
5 acceptable to wait for the risk reduction. We
6 achieve reduced risk levels and use of the
7 resource much sooner by implementing the
8 remedy.

9 In addition, there are a lot of
10 uncertainties about how the river will react.
11 You know, basically we have model projections
12 that go out 70 years, and there are
13 uncertainties in those. And it's basing, you
14 know, all your faith on that model projection
15 to be accurate, and we have some data which
16 might suggest otherwise. So we actually, in
17 the full report, looked at other ways to
18 project the data out into the future. And,
19 you know, there are some ways that the MNA
20 does not, you know, achieve the same type of
21 risk reduction by the end of the modeling
22 period.

23 KRISTIN KOLBER: Because your
24 chart said it will. I was just curious.

1 DOUG TOMCHUK: That's an upper
2 bound estimate on the also? Okay. That's was
3 the other analysis that I was referring to.

4 KRISTIN KOLBER: It wouldn't be
5 immediate, but your end result is the same,
6 according to your chart. That's why I asked
7 for the Thompson Island Pool.

8 DOUG TOMCHUK: It's a 30 year
9 longer period, though, for the risk
10 reductions, the key thing there.

11 KRISTIN KOLBER: Right.

12 MR. CASPE: And then the other
13 questions dealt with, you wanted the work --
14 you said traffic. We have a statement in
15 there traffic is going to increase. I think
16 what we were referring to there is workers
17 coming -- it's kind of minor-type stuff, but
18 it's workers coming to work. You know, we
19 just try to cover all bases. We just can't
20 say there will be no increase in traffic, so
21 we say there will be a slight increase.

22 KRISTIN KOLBER: So none of the
23 sediment will be done by truck, it will all be
24 barge to rail?

1 MR. CASPE: That's correct.

2 And I think you had -- I wrote down
3 you had a question on the waste. I'm trying
4 to remember what the question was.

5 KRISTIN KOLBER: The sediment is
6 expected to be transported to two facilities
7 along the river and then expected to be
8 removed after completion. This is according
9 to page 24.

10 MR. CASPE: Right.

11 KRISTIN KOLBER: Where is it
12 going to go after completion at these two
13 facilities?

14 MR. CASPE: Okay. We priced it.
15 When we did the feasibility study, you have to
16 price out what the cost of this is, so we took
17 the two facilities only for pricing. We took
18 one in Texas and we took one -- and that was
19 where the hazardous waste was going to go, a
20 third of the waste, and the other two-thirds
21 of the waste, which was non-hazardous was
22 going to go to the Buffalo area, to a facility
23 up there. These are licensed facilities that
24 are made to do -- this is the way they make

1 their money.

2 What we would do is we would bid
3 the job. This is something that people,
4 there's people all over the country who will
5 make a lot of money by taking this material to
6 a licensed facility. Now, the material that
7 might go, for example, to the Buffalo area,
8 it's not a really hazardous waste. It's
9 not -- it cannot go to just a regular plain
10 ordinary landfill, but it can go to certain
11 types of landfills. And when it goes to those
12 landfills, it may, in fact -- they would
13 charge us, potentially, as if it were a waste
14 and, then, when they got it there, they would
15 have a productive use for it. They could
16 actually use it as cover material at that
17 landfill for different lifts between material.
18 So they would be using this as a resource,
19 even though they're charging, even though
20 they're kind of getting paid to take it away
21 as a waste.

22 And we're also still looking -- all
23 of this, we're still also looking at recycling
24 and reuse some of this material, where some of

1 this material might be turned into different
2 types of product, whether it's tile or things
3 like that. So there's a variety of different
4 things we're looking at. But that will all
5 come out in the design, really, and then it
6 will be bid.

7 Okay.

8 Burr Deitz, Frank Berlin. None of
9 these people were here? Joe Mahon, Warren
10 Wielt, Mildred Gittinger, Dorothy Matthews,
11 Richard McGrath.

12 Okay. Next group. The next group
13 is David Luck, Brian Smith, Mary Fitzsimmons,
14 Chris White, Chris Bowser, Edward Vanover,
15 David Page, Susan McCormick, Charles Noll, and
16 John Washburn.

17 BRIAN SMITH: Let me first say I
18 am for --

19 MR. CASPE: Could you first say
20 who you are?

21 BRIAN SMITH: My name is Brian
22 smith. I'm from Albany.

23 And I implore the EPA to go ahead
24 with dredging. I think it's the best idea and

1 it's been seemingly well researched.

2 I think I speak for a number of
3 people in the area who have seen, who have
4 been brought up, who have received thousands
5 of ads by GE spending thousands of dollars to
6 convince us that we have to keep this poison
7 in our rivers. And I think what we have to do
8 is draw the line here, because GE wants to do
9 this, stop having to clean up this poison and
10 other kinds of poisons from rivers across the
11 country, so they're spending a lot of money
12 here in order to stop it, to stop dredging.

13 What we've got to do is, we've got
14 to put our economic power to work, and we've
15 got to say, okay, before I buy this
16 refrigerator, before I buy this microwave,
17 before I buy any other products that GE makes,
18 I have to decide do I want to be supporting
19 this campaign that's putting up billboards all
20 around Route 90 and everywhere else across the
21 Capital Region. And I think that we have to
22 put our economic power to work to stop this or
23 otherwise it's going to happen all around the
24 country. So I think we've got to draw the

1 line here as well and use our economic power.

2 Otherwise, I just think that having
3 the river being polluted is horrendous. I
4 mean, I'm not sure -- I have a question,
5 actually.

6 Has there been any studies of
7 ducks, like other wildlife that people will
8 eat, like ducks, you know?

9 ALISON HESS: There is a New York
10 State health department consumption advisory
11 about ducks because of the PCBs.

12 BRIAN SMITH: Because I think
13 it's horrendous that migratory water fowl come
14 here, they depend on the bottom of the river.
15 And I think it's just horrendous and we've got
16 draw the line here.

17 Thanks.

18 CHRIS WHITE: My name is Chris
19 White and I'm with Hudson River Sloop
20 Clearwater. We're a small environmental group
21 with 10,000 members throughout the Hudson
22 Valley, from the Adirondacks down to New York
23 Bay.

24 I'd like to reiterate my support

1 for EPA's proposed plan and again say that
2 Clearwater would support a more rigorous and
3 comprehensive clean up than you've proposed.

4 At Clearwater, we're very concerned
5 about the emotionalization of this issue and
6 the massive media campaign that we're seeing
7 from GE. And I really feel they're doing all
8 the communities of the Hudson a disservice by
9 downplaying the health effects of PCBs.

10 In fact, Clearwater is going to be
11 sponsoring a science symposium tomorrow,
12 bringing in six of the leading PCB researchers
13 on human health and having a quorum from nine
14 a.m. to four p.m. tomorrow at the Albany
15 School of Public Health in Rensselaer. And I
16 know some of the EPA is coming. I invite the
17 local media and also elected leaders to please
18 come out and hear the real concerns about
19 these.

20 Some of the facts that we know,
21 PCBs are being transported down river. So
22 they are -- I live down river and they are a
23 part of my business. And they're not being
24 buried. They continue to contaminate fish and

1 we know people continue to eat those fish.
2 They're a threat to the upper river
3 communities, the mid Hudson and all the way
4 down to New York.

5 I'd like to just end up by reading
6 couple of quotes just to highlight the health
7 concern that we have.

8 The first is by Dr. David
9 Carpenter, who is a professor of Environmental
10 health and toxicology at the University of
11 Albany school of Public Health. And
12 Dr. Carpenter says, "PCBs are identified as
13 being probable human carcinogens on the basis
14 of definitive evidence that they can cause
15 cancer in animals and strongly suggestive
16 evidence for cancer in humans. PCBs suppress
17 the immune system and alter normal human
18 development by interfering with intelligence,
19 attention span, thyroid function, and sexual
20 development and function."

21 Another of the speakers, Kathleen
22 Carl, also a Ph.D. says, "PCBs, along with
23 other contaminants, are thought to play a role
24 in the incidences of breast cancer and

1 premature puberty observed in females, and the
2 altered gonad weights, reduced sperm
3 productions, and feminization observed in
4 males."

5 Thank you.

6 MR. CASPE: Thank you.

7 JOHN WASHBURN: My name is John
8 Washburn. I had a few questions, but the
9 Albany Shaker High students beat me to them.
10 But I do have a third question.

11 First, I want to tell you, I'm not
12 for the government. I don't work for GE. I
13 am an environmentalist. I don't believe in
14 dredging. I think it's detrimental to the
15 environment.

16 But the question I have is: How
17 come everybody's pointing a finger at these
18 big corporations, when, in fact, the
19 government and the local government gave these
20 companies a permit to dump whatever into the
21 rivers?

22 Why isn't the government taking any
23 responsibility for their actions at this
24 point?

1 Why are they all pointing the
2 finger at companies like GE, for example?

3 MR. CASPE: Sure. Well -- sorry.
4 Go ahead. I would just respond, you haven't
5 once heard me today, or ever, point my finger
6 at GE. This is not about GE and EPA. Again,
7 this is about the Hudson River. This is about
8 what you do to the PCBs in the Hudson River.

9 We have proposed -- people have
10 characterized it as we've ordered people to do
11 things. We haven't ordered anybody to do
12 anything. All that we did is propose a plan.
13 We have proposed a remedy for the Hudson
14 River. Find in that remedy where we've
15 ordered anybody to do anything. We're saying
16 what's good for the river. This is not about
17 whether who should pay at this stage of the
18 game. That comes later. What we're at this
19 stage is looking for what is the right remedy
20 for that river, and we have not in any way,
21 shape, or form tried to point a finger at
22 anybody.

23 Thank you.

24 JOHN WASHBURN: What I'm trying

1 to ask you, sir, is it's happened across the
2 United States, and you wonder why these
3 businesses are leaving the United States.

4 AUDIENCE: Profit.

5 MR. CASPE: Well, there's a
6 Superfund Law -- you want to explain?

7 DOUG FISCHER: Yeah. I'd like to
8 clarify the point about GE's permits for the
9 discharge.

10 The company received a permit for
11 PCB discharges in 1974. It had been
12 discharging without a permit for almost 30
13 years prior to its receiving a permit. There
14 have also been a number of releases from the
15 GE Hudson Falls plant that occur to this day
16 pursuant to a permit. The company was also
17 cited for permit violations by the state in
18 the mid-1970s and there also were some
19 additional violations the mid-1980s. So it's
20 not true really only a very, very small
21 percentage of the company's discharge
22 (inaudible) to the Hudson River occurred
23 pursuant to a permit, but the overwhelming
24 majority did not.

1 With respect to the permit,
2 discharge permit, Superfund Law basically --
3 whether or not GE discharges work (inaudible)
4 the Superfund.

5 JOHN WASHBURN: We have to find a
6 balance somewhere.

7 MR. CASPE: Thank you.

8 SUSAN McCORMICK: Hello. I'm Sue
9 McCormick. I'm a licensed professional
10 environment engineer, and I've worked in the
11 hazardous waste remediation business for
12 probably about 15 or 16 years.

13 I would just like to say that, over
14 the course of the last couple of years, I've
15 been personally involved in two major dredge
16 projects in New York State; one down Long
17 Island at a facility, a lake, Lake Capris in
18 West Islip, and one up in Plattsburgh, at
19 Cumberland Bay. In both cases, the dredging
20 projects were very successful. The
21 communities were extremely happy with the
22 outcome. And, you know, we had a lot of
23 contingencies built in for things that could
24 go wrong and the contingencies worked and the

1 projects were successful.

2 A couple other comments I wanted to
3 make is I'm very curious to know how much GE
4 has spent on all their PR. And, as an
5 engineer, I would say that their money would
6 have been better spent in investigating
7 technologies, perhaps finding a better
8 technology than the two forms of dredging
9 we've been talking about here. Perhaps
10 finding a refinement on those technologies,
11 and that would have been a much better benefit
12 to the communities.

13 And the last question I have is for
14 EPA. If GE refuses to implement your
15 (inaudible) decision, is EPA going to be able
16 to implement it? And, if so, in what
17 timeframe?

18 MR. CASPE: I think the right
19 answer to that will be we'll cross that bridge
20 when we get there.

21 First, we have to figure out what
22 the remedy is. That's in August. Then we
23 have to figure out how we're going to fund the
24 design, whether that's going to be funded by

1 us or whether it's going to be funded by the
2 responsible party. And then we have to figure
3 out how we're going to implement the remedy
4 itself, the actual construction. There's a
5 variety of different things that have to be
6 determined, and we're not there yet.

7 SUSAN McCORMICK: I would just
8 like to say I think you did a great job
9 tonight.

10 MR. CASPE: Thank you.

11 DAVID PAGE: Hi, my name is David
12 Page and I live in Troy. I believe the Hudson
13 should be dredged. PCB sediments are still
14 here and they seem to last forever.

15 Let's look at fish. In 1800 there
16 was a law on the books in Albany that
17 prohibited live-in servants from being fed
18 Hudson River sturgeon seven days a week.
19 That's how plentiful the fish in the Hudson
20 River used to be. The Hudson River is known
21 as the "river of life" in colonial days
22 through the entire United States. There is
23 another river of life in one of the other
24 greatest countries in the world. It's known

1 as the Volga of Russia. Over in Russia there
2 is no money for clean up, and a lot less will
3 power than we have in America for this. But
4 at least here we can do something about it
5 regardless of whether General Electric pays
6 for it, or the taxpayer pays, we can afford
7 it. This is an economic boom time for us. We
8 all know PCB effects are deadly, and it can be
9 passed on from mother to child. I support
10 EPA's Alternative 5, the strongest possible
11 method for removing PCBs.

12 MR. CASPE: Thank you. The other
13 people I called are not here? That's David
14 Luck, Mary Fitzsimmons, Chris Bowser, Edward
15 Vanover and Charles Noll.

16 Okay. Next group are Nancy
17 Grieseau, Dr. N. Sukumar, Fred Pocnisch, Barry
18 Finley, Peter Will, Lois Gundrum, Jennifer
19 Hanson, Kathy Ophardt, William Lysgorski, and
20 Christine Wickman.

21 Yes.

22 NANCY GRIESEAUX: My name is Nancy
23 Grieseau. I'm a geologist and hydrogeologist,
24 and I am an environmentalist in favor of

1 dredging -- I mean against dredging. I knew I
2 would do that.

3 MR. CASPE: The devil made you do
4 that.

5 NANCY GRIESEAU: An
6 environmentalist against dredging. I find two
7 major flaws in the EPA proposal. The first is
8 the basic premise that PCBs are a
9 carcinogen -- is this on?

10 MR. CASPE: Yes, it is.

11 NANCY GRIESEAU: And, therefore,
12 must be removed from the river. This has not
13 been proven. There was one study done years
14 ago by the Center for Disease Control in which
15 control lab rats were given PCBs. If you get
16 the crucial details of this study, however,
17 you find out that the rat was given massive
18 doses of PCBs and it was the type of PCBs, PCB
19 1060, which has a much higher percentage of
20 chlorine in it which is not the type that is
21 in the sediment in the Hudson River. The
22 United States Cancer Institute has repeatedly
23 come forward with the statement that they
24 cannot find any proof, definitive proof, that

1 PCBs can cause cancer.

2 MR. CASPE: Excuse me. Is that
3 what their statement is, or the statement that
4 eating fish from the Hudson River with PCBs
5 cause cancer?

6 NANCY GRIESEAU: I can't say.

7 MR. CASPE: I believe it's the
8 latter statement.

9 NANCY GRIESEAU: Other studies
10 dispute CDC's original test results claiming
11 that tests done with the type of PCB congeners
12 found in the Hudson River have not yet been
13 found to cause cancer.

14 People who worked at G.E. plants
15 for years who had dermal or skin contact with
16 PCBs did not show any heightened incidents of
17 cancer in another study.

18 The second flaw is that the
19 scientific model that EPA designed to describe
20 behavior of PCBs in the river system and upon
21 which they have based their justification for
22 dredging is the other problem. Other experts
23 have not been able to duplicate the numbers
24 that EPA claims they get from that model.

1 Also EPA has not recalibrated the model since
2 two years ago when G.E. began a project to
3 reclaim the leaking PCBs at the Hudson Falls
4 plant. To date they have greatly reduced the
5 only new known source of PCBs into the Hudson
6 River.

7 EPA has failed to incorporate the
8 new numbers into their model.

9 After all is said and done even
10 using silk curtains there will be a whopping
11 one to five percent loss of sediment into the
12 water column, delivered back into the water
13 column free to flow down the river. This will
14 happen at any dredge site. It is impossible
15 to prevent the lighter particles from
16 escaping. They can stay in suspension for
17 months, even years.

18 Cut short. So I will just end with
19 saying, I do indeed believe that the cure is
20 worse than the problem.

21 MR. CASPE: Thank you. Marian,
22 you want to -- I think Marian Olsen will
23 respond a little bit to the risk of PCBs,
24 because that's really important.

1 MARIAN OLSEN: I would like to
2 update you on several of the statements that
3 you made. You mentioned the CDC study which
4 was done back in the 1970s. Since that time
5 there were a number of other rat studies
6 including a major study that was conducted in
7 the middle of 1996 that essentially looked at
8 all Aroclors, Aroclors 1224, 1260, 1242 and
9 1016, and what was found in that study was
10 that the PCBs in females caused liver tumors
11 at the doses that were tested. Also the
12 testing that is done in the animals includes a
13 number of dose levels not just the maximum
14 tolerated dose. EPA has developed a formal
15 report on this issue. It was externally peer
16 reviewed by the agency. It's available on our
17 website, and I will be happy to give that to
18 you after we finish this.

19 In addition we have a summary of
20 the evaluation of the cancer studies and human
21 epidemiological studies that were done in
22 workers, and I can also give you a website
23 regarding that issue as well.

24 NANCY GRIESEAU: Was I right with

1 my correction on what the National Cancer
2 Institute -- was that correct on what they
3 said, or no?

4 MARIAN OLSEN: Yes, the people
5 that actually reviewed assessments and
6 determined that PCBs are probable, known or
7 likely carcinogens, is the National Toxicology
8 Program, which is part of the National
9 Institutes of Environmental Health Sciences,
10 EPA, and International Agency for Research on
11 Cancer, and those are all groups that have
12 determined that PCBs are probable carcinogens.

13 NANCY GRIESEAU: Thank you. I
14 just wanted to say as an aside the reason why
15 I shouted out before is because I felt that it
16 was really unfair that you allowed your panel
17 of experts to respond and rebut statements
18 made by speakers, and you didn't allow any
19 opposing viewpoints, expert witnesses, to
20 respond or rebut statements that we might have
21 felt were in error --

22 MR. CASPE: Thank you.

23 NANCY GRIESEAU: And I don't
24 think that's fair.

1 MR. CASPE: Okay. All the other
2 people I called are not here? Again that was
3 Dr. N. Sukumar, Fred Pocnisch, Barry Finley,
4 Peter Will, Lois Gundrum, Jennifer Hanson,
5 Kathy Ophardt, William Lysgorski and Christine
6 Whitman -- Christine Wickman -- that scared me
7 for a minute. Whitman, that's our new
8 administrator.

9 Okay. The next group: Sarah
10 Averill, Charles Mohr, Brad Cushing, John
11 McCloskey, Bill Dukas, John Thorpe, Ronald
12 Pisani, Ann Marie Lansey, Jackie Citriniti,
13 and John Reale.

14 CHARLES MOHR: Hi, my name is
15 Charles Mohr. I have lived at the river or
16 within 3 miles proximity since about 1961. I
17 went swimming in it when it was still
18 flammable. I have seen the evolution of it
19 since then. Blue crabs are as far north as
20 Coeymans. I know, I have seen them. They
21 don't live where it's polluted.

22 I have got a couple of questions.
23 What, as far as acceptable PGM in the river,
24 what's an acceptable level?

1 MR. CASPE: Are you talking about
2 an acceptable level in fish?

3 CHARLES MOHR: In the water.

4 MR. CASPE: In the water -- water
5 column, this is a parts per.

6 CHARLES MOHR: In the river, in
7 the river itself in the water suspended,
8 what's the acceptable level PGM of PCBs.

9 MR. CASPE: There's a state level
10 for water quality standards.

11 CHARLES MOHR: Very, very low.

12 MR. CASPE: The most stringent
13 being one part per quadrillion.

14 CHARLES MOHR: One part per
15 quadrillion? When you are dredging, even
16 though you've got the silk screens up, can you
17 guarantee you are not going to get increases
18 above that?

19 MR. CASPE: It is currently above
20 that. Basically the background levels coming
21 back from the site even after -- our
22 projection even after all the remediation at
23 Hudson Falls, if they get down to two
24 nanograms per liter, two parts per trillion,

1 we will exceed that level because of the up
2 stream sources of residual contamination from
3 years and years of PCBs discharges that we
4 will have levels exceeding those
5 concentrations in the Hudson --

6 CHARLES MOHR: That's an
7 assumption.

8 MR. CASPE: Hopefully over the --
9 the processes will help lessen that over the
10 years, but it's going to be very difficult to
11 achieve one part per quadrillion.

12 DOUG TOMCHUK: So while we dredge
13 that number -- it will be above that number,
14 but it's above that number today, and it will
15 be above that number --

16 CHRIS MOHR: By your dredging it
17 will be above what it is now?

18 MR. CASPE: While we are dredging
19 it will be localized -- in a very localized
20 area it might be above it. Overall what we
21 calculated as far as the amount of material
22 that will release versus the amount that we
23 will gain by taking the PCBs out will show
24 every year a net reduction in the PCBs levels

1 in the water column.

2 CHARLES MOHR: But during that
3 six year period --

4 MR. CASPE: Every year during
5 that five year period. We are talking about
6 the PCB levels in the water column going down.

7 CHARLES MOHR: Correct. Is it
8 going down far enough where the fish are --
9 during that five years and the two year
10 recovery after are the fish going to be
11 edible?

12 MR. CASPE: You will start seeing
13 improvements, certainly --

14 CHARLES MOHR: Are they going to
15 be edible? Not improved?

16 MR. CASPE: No, they are not.
17 Are they edible? People are eating them
18 whether they are edible or not.

19 CHARLES MOHR: I know that. What
20 are those people going to do for those six to
21 eight years that it takes for the river to
22 cure itself, that are eating them now? The
23 level is going to be even higher.

24 MR. CASPE: But the levels are

1 not going to be higher. The levels are going
2 to be lower. That's what I'm saying.

3 CHARLES MOHR: During the five
4 years of dredging and the two years of
5 recovery?

6 MR. CASPE: Yes, during the two
7 recovery years you are home free. During the
8 five years, absolutely, as well.

9 CHARLES MOHR: The fish PCB
10 levels will be lower?

11 MR. CASPE: Yes, yes, because of
12 what we are taking out of the sediment
13 compared to what we are resuspending, the net
14 reduction is greater than the net gain. So,
15 yes, the fish will get better every year even
16 during construction.

17 CHARLES MOHR: Hard to believe,
18 but I'll accept that.

19 MR. CASPE: Well you asked a
20 question you got the answer. Thank you.

21 ANN MARIE LANSEY: Hi, my name is
22 Ann Marie Lansey. Born, and, raised and
23 educated in Troy, New York, a wonderful town
24 alongside the Hudson River.

1 It's obvious from the comments that
2 we have all heard tonight that people are
3 obviously scared of the exposure that we have
4 already seen and what we are going to continue
5 to see, but I would like to add that what did
6 G.E, the largest corporation in the world have
7 to lose? The \$400 million cost of the EPA's
8 PCB Remediation Project. I highly doubt that
9 it will make any dents in General Electric's
10 profits, the number one and only motive of a
11 corporation that size.

12 We need not be swayed by the
13 propaganda and misinformation but listen to
14 the motive behind their anti-dredging
15 advertising campaign. Yes, river as dredged
16 will not be as picture perfect as we think it
17 is now which obviously isn't true. But we
18 need to no longer -- it is no longer only
19 politics that we need to fear, but also the
20 corporations and big business as well. As we
21 may all be aware this decision to clean or not
22 to clean this river will set precedent to hold
23 these large corporations responsible for the
24 damage they have done. We cannot set a

1 precedent telling big business that it is okay
2 to continue the damage and environmental
3 destruction. We need to show them that we,
4 the people, will hold them responsible for the
5 damage to the environment, ecosystem, and all
6 the life forms.

7 Please do all that is possible to
8 get those PCBs out of the river as quickly and
9 efficiently as possible.

10 And one final question is what role
11 did the new appointed EPA administrator play
12 in the unprecedented extension of the public
13 comment period, giving G.E.s misinformation
14 more time to infiltrate the public
15 consciousness?

16 MR. CASPE: Is that it?

17 ANN MARIE LANSEY: Yes.

18 MR. CASPE: Okay. The answer to
19 the question is that the new administrator
20 played no role. In fact, the new
21 administration played no role because the
22 extension was granted on June 17th by the
23 prior administration.

24 ANN MARIE LANSEY: January 17th.

1 MR. CASPE: January 17th, sorry.

2 BILL DUKAS: Hello. My name is
3 Bill Dukas.

4 Did you guys have anything to do
5 with that controlled burn that burned out 78
6 percent of the United States last year?

7 Did that have anything to with the
8 EPA?

9 MR. CASPE: Not that I know of,
10 no.

11 Why would you ask that question?

12 BILL DUKAS: Things do get out of
13 hand.

14 MR. CASPE: I guess so.

15 BILL DUKAS: I consider myself to
16 be a environmentally aware person, who opposes
17 dredging on the Hudson River. First of all,
18 as we all know from tonight dredging
19 re-releases toxins upon the people who share
20 the river. That, I assume, is what the EPA
21 was supposed to protect us from.

22 Second, dredging will interfere
23 with the natural process already underway. We
24 deduce from photographs from Mars rivers by

1 the ossification sediment they leave behind.
2 A hundred-year-old wagon wheel ruts frozen in
3 time on the bottom of the Reo Grand also
4 testified to compression solidification
5 process.

6 Simple sample course taken from
7 beneath the Hudson River show the compact,
8 well-defined strata of pre-existing river
9 beds. This process of nature is not
10 haphazard. In this process, PBCs go away by
11 getting themselves interlocked and compressed
12 within the sediment. That we want to
13 interfere with this process at this late stage
14 doesn't seem to be astute stewardship.
15 Containment should have been number one
16 priority 15 years ago. These curtains sound
17 nice now, they would have been very easy then.

18 Dredging will average a diminishing
19 one and a half percent a year. By no means,
20 can anyone call that cleaning the river. It
21 is no longer about quantity, it's about
22 keeping the membrane of the sediment intact.
23 The latest data suggests our river has been
24 quietly improving. Dredging will release

1 toxins that reach and linger in Poughkeepsie.

2 EPA studies try to say a mouthful
3 of PCBs is always it takes for the fish to
4 develop malignancies, so why let open-mouth
5 kids swim downstream during dredging. We all
6 know that dredging releases contaminants. We
7 can only guess to what extent.

8 At this stage, the only real
9 benefit from dredging, excuse me, is to handle
10 money. And that is not enough of a reason to
11 jeopardize people's health.

12 BRAD CUSHING: I'm Brad Cushing.

13 I have a question about
14 confirmation sampling.

15 In reviewing the feasibility study,
16 it's difficult to determine if the
17 confirmation sampling occurs after each target
18 area is dredged and after the dredge is moved
19 on, or will it be an iterative process during
20 the dredging, whereby you're testing to see if
21 you reached the clean up level, and, if not,
22 you will continue to dredge in a particular
23 target area?

24 Can you clarify?

1 DOUG TOMCHUK: I don't recall to
2 the exact language in the feasibility study.

3 In order to proceed down to the
4 next location, though, I believe that
5 confirmation sampling will have to be done at
6 the location before you move that dredge away.
7 So, basically, you would take the samples
8 prior to moving on to see if there's
9 additional passes that might be necessary, you
10 know, additional passes would be necessary.

11 BRAD CUSHING: It seemed to be
12 the opposite, because it looked like just one
13 round of samples is assumed. There's 36
14 samples per five acres, and it looked like the
15 dredging would be done, the dredge would move
16 on, and then a confirmation round would be
17 taken to determine what was left. But it
18 wasn't clear if there would be a response if
19 you were above a clean up level.

20 DOUG TOMCHUK: I don't recall the
21 exact sampling outlined, that was, you know,
22 outlined in the feasibility study. Of course,
23 a detailed sampling plan and confirmation plan
24 to see what levels you achieved would have to

1 be developed during the detailed remedial
2 design.

3 MR. CASPE: So if you have
4 specific, you know, suggestions on how we
5 might do that, we'd certainly be interested in
6 hearing them.

7 BRAD CUSHING: I don't. I'm more
8 interested in what you had in mind.

9 It looked like you could do it
10 either way and it wasn't clear in the
11 feasibility study.

12 Will you be shooting for a
13 particular clean up level and testing for it?

14 DOUG TOMCHUK: That, I think, is
15 clear in the feasibility study, that we intend
16 to reach 1 PPM in any of the areas that we did
17 do dredging.

18 MR. CASPE: So 1 PPM is the clean
19 up level we're shooting for.

20 BRAD CUSHING: Okay. Thank you.

21 MR. CASPE: You're welcome.

22 These other people weren't here, right, people
23 I called?

24 Okay. We go to the next group.

1 David Fonsela, Richard Grace, Sylvia Grace,
2 Brian Agosta, Bill Peck, Cliff Carl, Sue
3 Snyder, Dean Sommer, Kristin Hinkle, Thomas
4 Davin, Andrew Mason.

5 SUE SNYDER: The timer lady left.
6 Does that mean I'm on no limit?

7 MR. CASPE: It means I'm going to
8 time you. Go.

9 SUE SNYDER: Okay. My name is
10 Sue Snyder and I live on the Hudson in the
11 City of Watervliet. I am a teacher. I work
12 with elementary remediation. I'm also a
13 mother and a very-soon-to-be grandmother. So
14 I have several motives for wanting the river
15 cleaned up. However, General Electric Company
16 was responsible for feeding and clothing me
17 for 18 years and then putting me through
18 college because my father retired about 10
19 years ago from working with a career with the
20 company. So I don't hate GE. I owe them an
21 awful lot. However, I resent what they've
22 done with the PCBs and their current
23 propaganda.

24 Thirty years ago, as a college

1 student, I helped to form the first Earth Day
2 and I am now associated with the Sierra Club
3 and the Greens Party. I've also worked with
4 citizens rights organizations and the New York
5 Public Interest Research Group as well as the
6 Sloop Clearwater. I'm begging you, please
7 remove the PCBs from the river so you can live
8 up to your name of Environmental Protection
9 Agency; otherwise, why should you be called
10 that if you're not going to protect the
11 environment.

12 I have not always believed or
13 trusted those in authority. However, I am
14 trusting you now that you will figure out the
15 most efficient, the safest, and the least
16 disruptive way to get the PCBs out of there.
17 I am begging you, please, for myself, for my
18 daughter, for my grandson-to-be, and for all
19 the future generations of babies, both human
20 and animal.

21 Thank you.

22 BRIAN AGOSTA: Hi. My name is
23 Brian Agosta. I'm a student at Rensselaer
24 Polytechnic Institute in Troy, New York.

1 I have a question relative to what
2 someone else asked. What are you doing as far
3 as communicating to lower income people and
4 trying to solicit their feedback?

5 I mean, this is all fine for people
6 who are mobile, middle class, but what about
7 the lower income people that live along the
8 banks of the river, are you doing anything to
9 reach them for comment?

10 MR. CASPE: Actually, we have
11 provided funding to the State of New York to
12 post the river, certainly in this area and
13 also in down river communities as well. We've
14 also gone and we've had signs developed, we've
15 tried to get signs put into some of the
16 clinics, you know, so on and so forth, where
17 pregnant women might, you know, might be going
18 and children might be going. So we've
19 provided, we've provided a significant amount
20 of money, actually, in New York State for the
21 purpose of educating the communities. And
22 there's a whole plan for that.

23 That doesn't deal with this
24 project, per se, but it deals with the more

1 important issue, perhaps, of fish consumption
2 that they, people ought to understand what
3 they're consuming and ought to understand how
4 they can minimize those risks.

5 BRIAN AGOSTA: Okay. I'd just
6 like to say a few things about motives, and
7 I'm questioning -- I'm not questioning your
8 motives. What I'm wondering if I can ask you
9 if you have anything to benefit financially
10 from the decisions that you make. I mean,
11 it's a simple question and probably a simple
12 answer.

13 MR. CASPE: No. In fact, just
14 about everybody up here from EPA have to file
15 a financial disclosure report every year of
16 all of our holdings to make sure that nothing,
17 in fact -- of our holdings and our families'
18 holdings as well, to make sure that we could
19 not in any way financially benefit from any
20 decisions we make.

21 BRIAN AGOSTA: So you would say
22 then that your motives are purely on the
23 public interest and not on personal financial
24 gain in that case, in that instance?

1 MR. CASPE: Yes. Yes.

2 BRIAN AGOSTA: I would,
3 therefore, consider that a better motive as
4 far as, if the public interest is concerned,
5 you making good decisions, and I would
6 question other interests as far as corporate
7 or otherwise that have private interests at
8 heart.

9 Additionally, I was going to sing a
10 song for you guys tonight.

11 MR. CASPE: Do you have an
12 accompaniment?

13 BRIAN AGOSTA: I can do it a
14 cappella.

15 MR. CASPE: Is it all right for a
16 song at this late hour?

17 (Cheering)

18 BRIAN AGOSTA: That is a popular
19 tune, maybe many of you know. It was big in
20 the '60s.

21 (Sung to the tune of You've Lost
22 that Loving Feeling). If you would stop and
23 think of the harm PCBs have done, just let the
24 EPA clean them all up one by one. Though

1 someone tried to ignore it, well the sediments
2 stick, so I am implore it. Clean up the
3 Hudson River -- you know the words, come on --
4 whoa the Hudson River, whoa the hazard levels
5 till their gone, gone, gone, whoa whoa oh.

6 Baby, baby, the Hudson is not what
7 it --

8 MR. CASPE: Thank you.

9 BRIAN AGOSTA: All right.

10 MR. CASPE: Okay. We're down to
11 the final two dozen. Maybe they'll all be
12 singers. I don't think so.

13 Are you one of the people I called
14 already? I'm sorry. You are?

15 TOM DAVIN: My name is Tom Davin.
16 I came in her and sat down -- I live up in
17 Mechanicville -- I sat down, I heard you
18 saying the harmful effects of PCBs. In fact,
19 I come in a little late. I thought you were
20 talking about cigarettes and you were getting
21 ready to go down and dredge North Carolina.
22 That might be an easier solution for
23 everybody.

24 But I don't work for GE and I'm not

1 in the government. At one point -- although,
2 I run a small business and I think sometimes
3 the government takes a good piece of me with
4 them. But I was in the government for two
5 years and we were going to save the world from
6 Communism, and that didn't seem to work too
7 well. I think we took the wrong approach.
8 You know, I kind of think that what I'm
9 hearing tonight I own a little piece of
10 property up there in Mechanicville. It's not
11 a whole lot, but to me it's a big piece. I
12 heard you say there would be no trucks
13 involved. Now, believe me I work
14 construction. There's no way that you can put
15 a project like this together and not have some
16 kind of major truck traffic on 4 and 32, all
17 the way up through there. That's a personal
18 thing for me. And I'm wondering -- I don't
19 think any of you folks live along the Hudson,
20 where I'm from, up in Mechanicville,
21 Stillwater. I might be wrong. But I'm
22 wondering how many of you would be able to put
23 up enough holdings of your own personal wealth
24 to guarantee any damage that's done, any

1 residuals that's done to landowners like me.

2 You know, I haven't seen anything
3 on that. I walked in here, *The Times Union*
4 said \$460 million. Fifteen minutes ago you
5 said 500 million. It went up 40 million.
6 When I bid work, if I say a thousand dollars,
7 it's a thousand dollars. It's not a thousand
8 dollars, but we got these contingencies, we
9 got this, we got that. Just what is going to
10 be the final price tag?

11 You know all about this stuff
12 coming out of the fish and all that other
13 stuff, do you know about the nuts-and-bolts
14 numbers and how it's going to affect,
15 including all the infrastructure, the roads in
16 front of my house and so forth?

17 MR. CASPE: Sure. Let me start
18 off with trucks. What do we have to do -- I
19 mean, fine, take up, you know, our guarantee
20 on that. We're not talking truck traffic. If
21 that's the issue, then your issue goes away.

22 TOM DAVIN: There won't go a
23 single struck going up there?

24 MR. CASPE: There won't be a

1 single truck. There might be a van driving
2 people in. There might be a --

3 TOM DAVIN: How are you going to
4 build a dewatering station up there without
5 Curtis Lumber sending over 10-wheel trucks,
6 without somebody sending a lot of trucks? I
7 build houses for Marini Builders. It's a
8 small operation. It's a couple of million.
9 It's not \$400 million.

10 Now, you can't stand there, as a
11 man of good faith, and tell me that there
12 won't be heavy truck traffic on 4 and 32, and
13 maybe on the other side of the river.

14 MR. CASPE: When I talk heavy
15 truck traffic, I'm talking about heavy truck
16 traffic during the dredging operation. The
17 backfill and the PCBs, the material that
18 leaves and the material that comes back will
19 not be in trucks. That's not truck traffic.

20 Will there be truck traffic
21 required for construction? You know, to bring
22 material into a construction site. Yeah,
23 there might be some.

24 TOM DAVIN: There might be some?

1 MR. CASPE: Well, I would presume
2 there will be some, but I don't know for sure.

3 TOM DAVIN: In other words, the
4 last project that you did, there wasn't any
5 truck traffic?

6 MR. CASPE: The last project I
7 build, I did, was not on the Hudson River.

8 TOM DAVIN: Okay. Everybody
9 here, sitting here, all you esteemed people,
10 you're going to tell me that you're going to
11 do this job without using --

12 MR. CASPE: No, I'm not.

13 TOM DAVIN: That's what you've
14 been doing a number of times tonight.

15 MR. CASPE: Well, we're --
16 maybe --

17 TOM DAVIN: And that's where good
18 faith lies.

19 MR. CASPE: Well, let me clarify
20 that. What I'm saying is that, as far as the
21 dredging, we've been talking about dredge
22 material and fill material, that material is
23 not going to be moving by truck. That I can
24 clarify. But as far as whether material for

1 construction, I honestly don't know the answer
2 to that question. I would guess that there
3 will be some trucks involved in construction.

4 The second point you make is 460
5 versus \$500 million. I said \$500 million
6 because the gentleman who was up here was
7 saying billions. So I, rather than me
8 trying -- I tried to say something quick to
9 him, 500 million and not 460.

10 Can we guarantee that that's going
11 to be final number? That is an estimate
12 number in a feasibility study. When you get
13 done with the design, you'll have a better
14 handle on the number. When you bid the job,
15 you will still have a better handle on the
16 number. And, as you know, when you finish
17 construction, you know what it will really
18 cost.

19 TOM DAVIN: Oh, no, no, no, no,
20 not in the private sector. Before you even
21 sign the contract, you better know what it's
22 going to cost because it doesn't have the
23 government involved where you can say, well,
24 this is open ended, we ran into this, we ran

1 into that. The homeowner's going to say, no,
2 that isn't what it says here. Trust me on
3 that. That is how the real world works for a
4 guy my size. And I am small physically and
5 I'm small financially. And that's where my
6 concerns are.

7 My first question was were any of
8 you people of good faith, would any of you
9 people be willing to put up any of your
10 personal holdings to guarantee against damages
11 in the interim, assuming that no damages would
12 happen from this? Because that's what you're
13 asking me and everybody else that lives along
14 the river to do. I mean, it's not a big
15 request because that's what you're asking me
16 to do.

17 MR. CASPE: Thank you. No, I'm
18 not willing to.

19 TOM DAVIN: Nobody's going to
20 answer that, are they?

21 MR. CASPE: No, I'm going to
22 answer that. I think that we're not obviously
23 putting up our own assets on that. That's.

24 TOM DAVIN: But think about that

1 when you ask me to do that.

2 MR. CASPE: I hear what you're
3 saying, but perhaps you also have something to
4 gain.

5 TOM DAVIN: What?

6 MR. CASPE: What? Will the value
7 of your property increase if the river is
8 clean in front of it?

9 TOM DAVIN: I've seen government
10 projects before and I hardly doubt it.

11 If you're going to do the without
12 trucks, a, if you can do it without trucks,
13 you wouldn't have to dredge. You'd be a
14 magician.

15 MR. CASPE: Thank you.

16 ANDREW McPHERSON: My name is
17 Andrew McPherson. You may have said it
18 differently.

19 MR. CASPE: Go ahead. You're
20 there already. Go ahead.

21 Let me just call the next speakers,
22 please, first. James Murphy, Michael Carlow,
23 Eugene Rowland, R. Blake Kessler, M.D.,
24 Timothy Wolfe, Glenn Reish, J. Edward Kautz,

1 Dennis Karius, Lisa Palansky, Rich Chiaffo,
2 Lou Ismay, and Alan Feffer.

3 I'm sorry. Go on.

4 ANDREW McPHERSON: My name is
5 Andrew McPherson. I live on Galway Lake in
6 Saratoga County. I am a member of the water
7 quality committee for that lake and I'm also a
8 part of a water quality committee for Saratoga
9 County. But I come here as an individual and
10 as a fisherman and a person who is very
11 concerned about the environment and our own
12 health.

13 Though I'm a social worker by
14 training, I've done a lot of reading of your
15 humongous six-volume report and a lot of GE's
16 material. I've talked to Dr. Brown of the GE
17 research program. He was kind enough to spend
18 over three-quarters of an hour on the phone
19 with me talking about what my major concern
20 was how long would it take for PCBs to break
21 down. And his reply was, well, we can do that
22 in the lab and we can predict that it will
23 take a number of weeks or months under ideal
24 circumstances, with certain microbes,

1 anaerobic, aerobic. But when it comes to the
2 real world, you can't always predict that.
3 And what I'm getting from GE is that it will
4 take a very long, long time for PCBs to break
5 down in place.

6 The bottom line seems to be that we
7 all agree that we have soiled ourselves. And
8 we don't know how badly. I think it's
9 important for us to recognize that there's a
10 certain amount of secrecy an politics
11 involved, emotions and passions, but the
12 bottom line is responsibility. Yes, there's
13 going to be a certain amount of ignorance.
14 Our own humanity has caused us to soil
15 ourselves. I think we all, as a people, need
16 to take responsibility for cleaning ourselves
17 up, including our river. And I think it's
18 important for all of us to share that
19 responsibility.

20 I would urge that, when it comes
21 down to the bottom line, that we perhaps go
22 more like 50/50 with GE, and as a community
23 and as a humanity to carry the other 50
24 percent. That might help with the

1 negotiations.

2 MR. CASPE: Thank you.

3 ANDRE MASON: My name is Andrew
4 Mason and I'm Conservation Chair of the
5 Delaware-Otsego Audubon Society, an
6 organization of over 500 members many of who
7 use the Hudson River and Hudson Valley for
8 wildlife observation, boating, swimming, and
9 other activities. We strongly support the
10 EPA's proposed plan under discussion here
11 tonight. It's a plan based on a large body of
12 science on the recognized need to restore our
13 waterway. That is important not just to the
14 municipalities and residents of the immediate
15 area of contamination, but for the entire
16 state and nation. We commend the EPA and
17 Carol Browner for having the integrity and
18 courage to stand up and do the right thing in
19 the face of self-serving politicians and the
20 heavy hand of the General Electric
21 Corporation. This is a classic case of a
22 corporation despoiling a public resource for
23 profit, and then attempting to evade
24 responsibilities. It's precisely for this

1 reason that the federal super fund was
2 enacted. It is interesting to note that G.E.
3 is also engaged in a parallel effort to
4 overturn this law, one of our nation's basic
5 environmental statutes. The extremes that
6 G.E. has gone to to avoid cleaning up their
7 mess, a multi-million dollar public relations
8 campaign, buying off politicians in
9 communities, twisting scientific facts, that
10 alone should tell us that they are in the
11 wrong. This is not an issue of the year 2001,
12 or the people in this room, or over the next
13 ten years. It's an issue for future
14 generations. If the Hudson is not remediated,
15 the persistent and continuing escape of PCBs
16 will haunt our grandchildren, our great
17 grandchildren and beyond. It's not surprising
18 that the G.E. executives don't care about
19 this. Their sole motivation is profit. But
20 if they can escape responsibility, they will
21 walk away happy. But should not the rest of
22 us recognize the toxic legacy we will be
23 leaving those who come after? Among the most
24 important roles of government are protecting

1 public health, defending citizens against
2 illegal acts, and insuring that the natural
3 resources will not be spoiled. In this case,
4 EPA is acting properly and responsibly for all
5 citizens.

6 MR. CASPE: Thank you.

7 ANDRE MASON: I urge the agency
8 to continue its efforts to bring back the
9 Hudson and bring General Electric to justice.

10 MR. CASPE: Thank you.

11 JIM MURPHY: Jim Murphy,
12 Carpenters Local 370. I would just like to
13 thank the EPA. I know you guys are going
14 through a lot of stuff. I have lived in
15 Cohoes on the island surrounded by water all
16 the way around in the back waters of the
17 Hudson up through there. When I was a kid
18 growing up, it was prohibited to fish, and,
19 you know, you couldn't fish there. You know,
20 there was -- it was pretty bad. You didn't
21 want to swim in the water, you know. If you
22 ever did, you might get a little bit in your
23 mouth. You had a chance of getting some of
24 that stuff in there, you know.

1 So anyway a couple of infomercials
2 there they show a cow drinking out of the
3 water, the kids swimming. So, you know, that
4 kind of -- some of them things kind of really
5 struck me, you know, and I said, Jeez, you
6 know, when I was kid, they didn't even want
7 you next to the water let alone drinking out
8 of it, or, you know.

9 So what I was going to say is even
10 their own charts were showing how it went up
11 and down with the PCBs, and so, like you say,
12 if you have a down fall or heavy flood or
13 something, you know, my question is wouldn't
14 this, you know, raise or lower the level? As
15 long as that stuff is still in there, you are
16 going to constantly have that chance of this
17 level going up or down, and, like you say,
18 it's always going to be in the fish. So I
19 think they should be able to get that stuff
20 out of there. And then maybe in our kids'
21 lifetime, or even further down the road, maybe
22 we might be able to eat the fish at some point
23 in our life. That was my question.

24 MR. CASPE: Yes. I guess -- do

1 you want to respond?

2 DOUG TOMCHUK: There is natural
3 variations in water column levels and in fish
4 levels, but in general there is a decrease
5 over time as new sediment comes in. That's
6 not enough to make it acceptable within a
7 reasonable time frame so that's why we believe
8 remediation is necessary. But, yes, there
9 will be natural variability. But soon the
10 peaks will be smaller as you go out in time.
11 The worst occurrence happened in the late '70s
12 as far as our records go.

13 JIM MURPHY: Well, again, thanks
14 a lot guys, and good luck.

15 MR. CASPE: Thank you.

16 TIMOTHY WOLFE: Good evening. My
17 name is Timothy Wolfe. I work for the State
18 Comptroller's Office, State of New York. I
19 moved here for a position in accounting 12
20 years ago from Buffalo after working in
21 private industry for ten years in Buffalo.
22 I'm not speaking on behalf of the Comptroller
23 tonight, but as a private citizen, as a
24 resident here in the Town of Colonie, and as a

1 former hospital corpsman on the U.S. Nimitz
2 working in the medical department for four
3 years from 1975 to '79 and having had to study
4 some form of pharmaceutical science as part of
5 my job description as a hospital corpsman. My
6 question is that the issue seems to be based
7 on two points: One is how toxic is PCBs?
8 When I was a corpsman I learned that any
9 substance can be a toxin if it's in a highly
10 concentrated form, enough to harm the human
11 body. Whether it's too much smoking, too much
12 sugar, too much salt. There is many chemicals
13 we have eliminated through your agency, lead
14 in lead paint. That was very beneficial. We
15 eliminated leaded gasoline a number of years
16 ago going unleaded. So those are known metals
17 and heavy metals that we know have caused
18 damage.

19 Where are the definitive studies
20 such as double blind studies and studies which
21 isolate PCBs and other possible variables of
22 cancer in humans, and not in rats because we
23 know that there's been studies in rats which
24 have overdosed the rats to cause cancer, which

1 the equivalent pounds in a human is
2 unrealistic and impractical. So where are the
3 human studies of cancer being caused by PCBs?
4 That's my first point.

5 MR. CASPE: First one. You give
6 them all then we'll answer them.

7 TIMOTHY WOLFE: And the second
8 point is if it is a major causing carcinogen
9 that has been defined by scientific evidence,
10 then is dredging the best form of solution to
11 solve that problem? And from my understanding
12 from what I can hear now dredging is causing
13 more damage to the river and creating more
14 damage and havoc, uncovering the compressed
15 layers of sediment which our previous
16 scientists here have mentioned, and causing
17 more havoc in a naturally healing process of
18 the river itself over the last few decades,
19 and dredging it would cause more damage
20 creating more decades of recovery.

21 MR. CASPE: Let me respond to the
22 second one.

23 TIMOTHY WOLFE: That's my second
24 point.

1 MR. CASPE: Do you have a third?

2 TIMOTHY WOLFE: No.

3 MR. CASPE: Let me go back the
4 second first and then we'll come back to the
5 first. I thought I showed beginning with
6 graphs that this concept that the river --
7 that everything is just going away by itself
8 and the river is healing itself, that that
9 isn't happening. The PCBs have largely
10 leveled off. They are in the environment.
11 They are in sediment. They are available in
12 the sediment. They are moving around in the
13 sediment. They are getting into the water
14 column, and getting into the fish, and those
15 were the numbers I showed you. We didn't make
16 those numbers up.

17 TIMOTHY WOLFE: I'm not disputing
18 the numbers. How toxic are PCBs? Assuming
19 that that is happening, then how toxic really
20 are PCBs as a material, and how relative are
21 they, as a related question, to other known
22 carcinogens such as lead and mercury, which we
23 know causes damage in humans?

24 MR. CASPE: That's a number of

1 questions. Let me quickly go through them.
2 PCBs are a probable carcinogen, lead is also
3 identified as a probable human carcinogen and
4 known for it's toxicity. Mercury, I don't
5 believe has been identified as a carcinogen.
6 That's a question at this point, but they are
7 concerned about non-cancer's health effect,
8 similar to what we see with PCBs, namely
9 neurotoxic effects. Epidemiology studies
10 looked at a number of workers that have been
11 exposed to risks (inaudible) filed (inaudible)
12 risk on the EPA home page. I would be more
13 than happy to give it to you.

14 TIMOTHY WOLFE: What page?

15 MR. CASPE: After we finish I can
16 go through the details of how you can gain
17 access. The human epidemiology studies have
18 looked at workers who have been exposed to
19 (inaudible) PCBs with you, but the numbers are
20 very small and what EPA has concluded is that
21 this evidence is suggestive. One of the
22 problems in conducting epidemiology studies on
23 workers who are exposed to other chemicals as
24 well, they used different methods. They do

1 not conduct pharmaceutical studies similar to
2 what you mentioned. You are looking for a
3 toxic dose which is a different type of
4 (inaudible). And for the relative potency of
5 the PCBs, it's cancer exposing potency of the
6 PCBs is 2 milligrams per kilogram per day.
7 For a comparison arsenic is about 1:5. That's
8 a known carcinogen. We do (inaudible) that
9 type of information. So you can do
10 comparison.

11 TIMOTHY WOLFE: So in simple
12 terms that would mean that PCBs are almost 50
13 percent more carcinogenic than arsonic?

14 MR. CASPE: Yes.

15 TIMOTHY WOLFE: Okay. Thank you.

16 MR. CASPE: Okay. Next? Thank
17 you.

18 LISA POLANSKY: Good evening. My
19 name is Lisa Polansky. I have no affiliation
20 with the EPA or G.E.

21 I would like to start by saying, of
22 course, I want a clean Hudson River as I'm
23 sure all of us do. I mean, that's not the
24 question here. However, I am skeptical about

1 dredging, and by stirring up the river I'm
2 afraid that this will cause a great deal more
3 harm than good. I will certainly be living,
4 not currently, but living in the Town of
5 Waterford where they get their drinking water
6 from the Hudson.

7 I have a question for the panel.
8 Do any of you get your water from the Hudson
9 River?

10 MR. CASPE: No.

11 LISA POLANSKY: Okay. So you can
12 see where this would be an upsetting thought
13 thinking you are going to swish around
14 something in their water and putting up a silk
15 screen, would you even sustain the thought of
16 allowing yourself or your family to drink
17 river water after it's been stirred all up and
18 put through the silk? You still wouldn't
19 drink it. So now we are set up with a
20 situation where we are going to be forced to
21 have our drinking water -- I'm not saying the
22 Hudson River doesn't need to be cleaned. I'm
23 just --

24 MR. CASPE: If I could just -- we

1 could probably respond to your concerns in a
2 way that would make you feel comfortable.
3 What we plan on doing and Doug spoke about
4 that earlier, to make sure your water
5 treatment plant is working, having a
6 contingency plan in place if you had a
7 problem, how to solve the problem quickly so
8 the health of your family would never be at
9 risk.

10 LISA POLANSKY: (Inaudible). It
11 wouldn't be, thank goodness, the cancer
12 problem. Prior --

13 MR. CASPE: It would be prior to
14 us ever put putting a dredge in the ground,
15 absolutely.

16 LISA POLANSKY: Okay. And the
17 other thing was one of the things that comes
18 from G.E.'s ads, it certainly has stirred up a
19 lot of public interest. It's good, but
20 (inaudible) it's the public's chance to speak
21 it's mind, and I would like to thank you very
22 much for caring. Thank.

23 MR. CASPE: you.

24 DENNIS KARIUS: My name is Dennis

1 Karius, and I also want to thank the panel for
2 spending your time tonight. I think you did a
3 great job, and I would like to mention that I
4 spent the first 20 years of my life less than
5 one mile from the river. I know it very well.
6 Those PCBs, from what I understand, 500 pounds
7 per year of PCBs, basically, is what's going
8 down river, and if there are 1,300,000 pounds
9 deposited, then I come up with guesstimate of
10 nature taking care of itself is 1,300,000
11 pounds.

12 MR. CASPE: That was an estimate
13 of what was released. Our current estimate is
14 about 200,000 pounds. So the 1.3 million,
15 that went over the federal dam and into the
16 lower Hudson years ago.

17 DENNIS KARIUS: Okay.

18 MR. CASPE: So some went into the
19 ocean, some entered into the lower Hudson.

20 DENNIS KARIUS: The question is
21 what is the estimate if we did no dredging for
22 years, what would be the acceptable levels of
23 the PCBs in the fish so you can use the fish,
24 roughly by your estimate?

1 MR. CASPE: Where you could eat
2 the fish?

3 DENNIS KARIUS: Yes.

4 MR. CASPE: Never. Never from
5 the Thompson Island Pool until we get down
6 to -- it's a very complicated question because
7 you are looking at three different sections of
8 the river, and you are looking at different
9 values and different things. You are looking
10 at .2 parts per million which allows you to
11 eat the fish .04 is (inaudible), less .5 is
12 (inaudible), you are looking at .05. You will
13 never get there. You may get to some of the
14 others eventually. Generally we estimate to
15 .2, generations longer than we estimate would
16 happen with dredging. On the record we also
17 believe that the model may, in fact,
18 underestimate what that gap maybe. It may be
19 even larger.

20 DENNIS KARIUS: It seems to me
21 the dredging that you do, you would want to
22 extend the program and clean up the river, and
23 more if the first phase were successful. So,
24 basically, I'm in favor of dredging, and I'm

1 opposed to G.E. spending \$3 million each week
2 to convince us that we should not dredge. And
3 I would like to second the opinion of an
4 assemblyman who was here earlier saying there
5 should be some media campaign to counter the
6 \$3 million that G.E. spends, basically, to our
7 \$0.

8 Thank you.

9 MR. CASPE: Thank you.

10 LOU ISMAY: My name is Lou
11 Ismay -- I-S-M-A-Y. My comments are rather
12 general. It seems to me as I have listened
13 it's a public health issue, and as a public
14 health issue all along the river, it should be
15 that. I realize some people are interested in
16 the inconveniences, some of the fears about
17 dredging, but if it is a public health issue,
18 then it should have been addressed as that all
19 along. And as I listen, it occurs to me that
20 in the future it very well might be that there
21 will be (inaudible) regarding corporations or
22 any entities that impacts adversely on the
23 public health and public well-being, and these
24 organizations with their charters would have

1 their charter or corporation rescinded,
2 restitution made, company dissolved. It's a
3 pretty harsh issue, but these issues regarding
4 pollution impacting public health are being
5 heard around the world. (Inaudible) reports
6 from various correspondence regarding the
7 pollution and unfortunately by American
8 corporations.

9 So that's a very general statement
10 not directly addressing the situation
11 regarding the river itself, but just a comment
12 to put on the record for some people to be
13 thinking about, and so many things started in
14 the Albany area as a first and someone will
15 pick that up. And by the way, you guys are
16 doing a very fine job.

17 MR. CASPE: Thank you. Next
18 speaker?

19 Okay. The last group. Jen Teater,
20 Mark Birch, Charlene Murray, Werner Hexner,
21 Mark Ferran, Lynn Jackson, Herbert Orth, Brian
22 Conway, Mia Boswell, Devin Kryzakowsky, and
23 Adam Ayers.

24 Are any of those people here?

1 LYNN JACKSON: Hi. My name is
2 Lynn Jackson. I live at 223 South Swan
3 Street, which is nine-tenths of a mile from
4 the Hudson River. Oh, that's in Albany.
5 Excuse me. Nine-tenths of a mile from the
6 Hudson River.

7 First off, I want to say thank you
8 very much for inviting us here tonight. There
9 was an awful lot of people here. I didn't
10 hear the first part because I couldn't fit in
11 the room. But I'd like to say, for the last
12 20 years, I've lived within a mile of the
13 river and every week, in the good weather, I
14 go bicycling up the river and I have often
15 seen many years the river overflows its banks
16 all the time on the bicycle path and you can
17 see all the sediment from the river. And I
18 don't understand why people think that this
19 sediment is compressing its little self at the
20 bottom of the river when you can see it
21 overflows the banks every, every year.

22 Now, when I go bicycling along the
23 river, I see people fishing in the river.
24 There is no signs in the City of Albany that

1 say you should not eat the fish. There is a
2 sign in Watervliet, but not in Albany. People
3 fish there all the time, parents, children,
4 everybody, for years people are fishing. Now,
5 people have been fishing the Hudson River for
6 around 20,000 years, I believe. And I resent
7 the fact that I can't go fishing in the river
8 and eat it, even though people have been doing
9 this for 20,000 years.

10 Now, I live in the part of Albany
11 which is one of the poor neighborhoods, and
12 the City of Albany wants to make a major
13 investment in my neighborhood. I'm very
14 excited about this. What they want to do is
15 they want to celebrate the 400th anniversary
16 of Henry Hudson by building, rebuilding Fort
17 Orange. And I want a clean river so that we
18 can go fishing when they make this.

19 Now, I'd like to also make a
20 comment that I believe that GE is -- that they
21 don't want to allow -- that GE is missing a
22 tremendous opportunity to make a fortune by
23 using all of their technology to do good
24 things and to find the technology, good

1 technology to dredge the river well, and that
2 I think that we really need to look at the
3 fact that GE is missing -- they could make a
4 fortune at this because they have 80 other
5 sites to clean up, too.

6 Thank you very much.

7 MR. CASPE: Thank you.

8 These are the last three people.
9 We ought to give them three minutes each.

10 WARNER HEXNER: Hi. My name is
11 Warren Hexner. I don't represent anybody but
12 myself.

13 And the only reason I'm here is
14 because I don't think you should be dredging
15 the river. As far as I'm concerned, this
16 effort is just another well-intentioned
17 promise with a price tag. In the end, after
18 five years or six years or whatever you're
19 going to be here doing your stuff, actual
20 price tag is the only thing that will be left
21 is the price tag and it will make no
22 difference whatsoever.

23 The reason I'm saying this is
24 because, according to what I've been reading

1 lately in order to find out more about this
2 business of dredging and your agency, I came
3 across an article written by a couple of
4 professors, one from Duke and one from
5 Harvard, who seem to indicate that scare
6 tactics is basically what your agency lives
7 on. And to back it up they wrote a book on
8 the study they did on 150 Superfund studies
9 that your agency which was involved in. Their
10 conclusion was, basically, that they cost as
11 much as \$7.2 billion to avert a single case of
12 cancer. Now, maybe you think this is a great
13 idea, but I'm not so sure.

14 That's not the only reason I'm here
15 today. I'm here because I also found out what
16 happened in Love Canal. Love Canal, as you
17 remember, was what caused your agency to be
18 born. I find out from reading the web sites
19 that Love Canal is not cleaned up. You guys
20 spent I don't know how many hundreds of
21 millions of dollars on the most important
22 thing that caused you to be here in the first
23 place, and it's not done. The same pollutants
24 are still there. The only thing you did was

1 cover it up. It was covered up before you
2 guys came and before the City of Niagara and
3 the local school board bought the property
4 against the wishes and desires of the owner
5 and opened it all up to start the leaks. Now,
6 for 250 million or \$300 million you covered it
7 up and you're putting people back in.

8 Now, the same way here. This is
9 just another Love Canal, another reason to
10 spend a few hundred million dollars for
11 nothing, and it won't have any affect in the
12 end. It will just be another government
13 boondoggle, and that's all.

14 Thank you.

15 MR. CASPE: Thank you.

16 Bill, do you want to respond the
17 statements on Love Canal issue, since you were
18 involved in that. I think the statements on
19 Love Canal were a little bit off base.

20 BILL McCABE: I'm Bill McCabe,
21 Deputy Director for the Superfund Program.

22 Love Canal was cleaned up fairly
23 effectively. What you referenced was the fact
24 that there is a containment system with

1 leachate collection and treatment and that
2 area is completely fenced off. The public is
3 isolated from any of that contamination. The
4 sewers and creeks were cleaned up. The
5 residential areas were cleaned up. The entire
6 area is now, that people are in, is now
7 considered habitable. So the main point being
8 that there is no exposure anymore at Love
9 Canal. And that's what the intent was to do
10 there.

11 I mean, you could have spent a
12 great deal more money removing the entire mass
13 that's there in the fenced-off area, but this
14 is considered to be the most cost-effective
15 remedy at the time.

16 MR. CASPE: Thank you. Yes.

17 HERBERT ORTH: My name is Herbert
18 Orth. I live in Albany, New York. I'm a
19 retired electrical engineer, P.E.

20 Comments from both sides are plenty
21 and well presented. What we really need is a
22 method of PCB removal which is less drastic
23 and less costly. I suggest a suction process,
24 removing 75 to 90 percent of the PCBs, which

1 may be suitable for recycling, because present
2 PCB registered transformers have to be topped
3 off from time to time.

4 A hydraulic suction process, which
5 was identified already earlier by one person,
6 may be the ideal method for the bulk of the
7 PCBs present and let nature do the rest.

8 I'd like to hand this card to you
9 because the box outside is not available
10 anymore.

11 MR. CASPE: Sure. Thank you.

12 HERBERT ORTH: In closing I would
13 say, it's very difficult for any government
14 agency to do a job, so when you catch hell
15 from both sides equally, you're doing the
16 right thing.

17 MARK FERRAN: My name is Mark
18 Ferran, and I'm an RPI grad, an engineer, and
19 I own some GE stock. I'm also a fisherman,
20 amateur fisherman. I like to fish.

21 I'd like to fish in the Hudson.
22 I'd like to eat the sturgeon once in my
23 lifetime. I don't know whether you'll be able
24 to meet that reasonably safe proposition or

1 not. I'm trying to form an opinion about the
2 proposals and I'm -- I find it remarkable that
3 according to your numbers, in option number 3
4 you will remove 0.52 kilograms of PCBs per
5 cubic yards, for cubic yard of sediment;
6 option 4 it's .57, and option 5 it's .59.
7 Even though, you're -- in between 4 and 5,
8 supposedly, you would be removing less densely
9 polluted sediments, to explain the difference
10 between options 4 and 5. It seems to me that
11 that number in option 5 should have a much
12 more diminishing return, unless the overhead
13 to get started is so large that most of the
14 sediment removed does not contain any PCBs at
15 all. That's been suggested in some of the
16 comments in option number 3.

17 My concern is that you will find
18 that, after you get into this project or you
19 choose one of these projects and you proceed
20 and you don't take note of what you're doing,
21 that you will ignore information that would be
22 important to inform you as to how to continue
23 or whether to continue in that plan. The
24 Soviets had a lot of five-year plans and some

1 of them resulted in the production of the
2 ugliest buildings to ever be built on the face
3 of the planet. And the reason they were
4 finished was because the engineers involved
5 were too scared to tell their superiors that
6 it was hideous and shouldn't be done. I'm
7 concerned that in a five-year plan or in a
8 seven-year plan you may just ignore the
9 evidence and the knowledge and the learning
10 that you've acquired in the first three or
11 four years. And I don't see any mandated
12 review or reconsideration of the plan. It
13 seems you're committing three years and how
14 many hundreds of millions of dollars to one
15 course without reserving the ability to study
16 what you've already done and what you've
17 learned from what you've done. And I think
18 you really should add some oversight
19 provisions to your plans.

20 MR. CASPE: Okay. Thank you. Is
21 there anybody else who I didn't call who
22 wanted to speak?

23 LYNN JACKSON: I have a question,
24 I forgot to ask.

1 MR. CASPE: Just say who you are
2 again.

3 LYNN JACKSON: I'm Lynn Jackson.

4 And I wanted to know, I know one
5 person who had his PCB levels tested and he
6 would be illegal to, you know, like if he were
7 dead he'd be illegal to eat because he had so
8 much PCBs in his body. And I guess I'm
9 wondering if -- I'm worried, I'm worried about
10 the amount of PCBs that -- well, I mean, they
11 found PCBs in Indian people. PCBs are all
12 over the world. Right? Am I correct? Right?
13 And I want to know like how can I get tested
14 to see how many PCBs I have and what can I do
15 to like get rid of them?

16 I mean, I don't think you can get
17 right of them. Right?

18 And how dangerous is this going to
19 be if cancer runs in my family or if I lose
20 weight, Heaven forbid? If I should get thin
21 all of a sudden, do the PCBs come into my
22 bloodstream?

23 I mean what happens with those
24 kinds of things?

1 MARIAN OLSEN: Okay. If you --
2 to get your blood level tested, you would have
3 to contact New York State Department of
4 Health. I think that that would be your best
5 approach to doing that.

6 PCBs over time do degrade in the
7 human body and it takes varying amounts of
8 time depending on the type of PCBs the
9 individuals were exposed to.

10 You are correct, in the United
11 States right now, there is some controversy in
12 the scientific literature but, in general, the
13 general population has levels from two to four
14 parts per billion in their body.

15 LYNN JACKSON: So, if they were
16 fish, is that higher than the level allowed in
17 fish?

18 MARIAN OLSEN: No, that would be
19 significantly less. But, again, it's the way
20 they're testing and they're testing it in
21 different material. They're testing it in
22 blood versus fish tissue or fish flesh, which
23 is what, the way we would test it.

24 LYNN JACKSON: So is the EPA

1 going to study all us poor people who live by
2 the river to find out if there are more
3 hazards? I mean, are there more hazards that
4 you live near the --

5 MARIAN OLSEN: Well, at this
6 point, the New York State Department of Health
7 is conducting a study. They're looking mostly
8 at adults. Again, I believe the ages are --
9 I'm doing this from memory -- 45 to 50 up to
10 about 65, is the pilot study, I believe. And
11 they're looking at 50 people, males and
12 females, both, that were not exposed
13 occupationally. And they are conducting this
14 study at this point. I can give you a contact
15 at the New York State Department of Health.

16 LYNN JACKSON: Do they need more
17 subjects?

18 MARIAN OLSEN: I don't know
19 exactly at which point the study is. I know
20 it's ongoing and I don't know if they've
21 completed their selection.

22 It is on their home page. I can
23 tell you that, but I can also give you a
24 contact to reach for additional information on

1 the study.

2 LYNN JACKSON: Thanks. Great.

3 Go, go, dredge it.

4 Thanks is.

5 PATTY O'TOOLE: My name is Patty
6 O'Toole. I grew up in Albany. I currently do
7 not live in Albany. I live in Voorheesville.

8 If the PCBs are transported by
9 rail, they literally will go through my
10 backyard.

11 I have a question. I came with an
12 open mind to try and make a decision on how I
13 feel about this issue. I'm hearing a lot of
14 confusing things about PCBs. I still don't
15 know. I'm hearing that they don't break down.
16 Now I'm hearing they degrade over time. I
17 don't understand. I'll have to do a little
18 more research. I don't think anybody here
19 fully understands it.

20 What I do want to know is, if they
21 are toxic at the bottom of the river, aren't
22 they going to still be toxic wherever you move
23 them to and what do we do about that?

24 MR. CASPE: There are different

1 options.

2 First of all, where they're moved
3 to, they would be encapsulated in an area,
4 they wouldn't be in a marine environment
5 available to fish anymore. They would be in a
6 controlled environment, with a cap and a
7 dewatering -- and a wall around it, so on and
8 so forth, to make sure that the material and
9 any potential ground water that might be in
10 the area would not move through the area.
11 That's one option.

12 The other option is it might be
13 recycled. If it would be recycled -- one of
14 the things we're looking at in New York
15 Harbor, for instance, is looking at
16 contaminated sediment down there, where there
17 is contamination also, sometimes with PCBs,
18 sometimes with dioxin. And we're looking
19 there to see whether there are certain types
20 of processes where this can be made into a
21 usable product, where it would not cause any
22 harm, it would be totally stabilized. For
23 instance, like tiles, as an example, where you
24 can turn it into something that -- that if I

1 showed it to you would almost look like a
2 bathroom tile, as an example. So we're
3 looking at different technologies like that as
4 well.

5 So the decision on just exactly
6 where it goes hasn't really been made, but
7 wherever it goes it will be safe and it will
8 be controlled. Right now, it's not controlled
9 and it's not safe.

10 So, you all set the record, 5 to
11 12. So far, that's the latest one we've had
12 so far. I want to thank you all for your
13 patience and energy and your time. I think
14 it's been a good exchange. I hope you all
15 found it as usable as we found it.

16 Thank you very much. Good night.

17 (Concluded at 11:55 p.m.)

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C E R T I F I C A T I O N

We, SANDRA L CAMPOLI and MARY LOUISE STASOLLA, Shorthand Reporters and Notary Publics in and for the State of New York, do hereby CERTIFY that we recorded stenographically the foregoing testimony taken at the time and place herein stated and the proceeding testimony is a true and accurate transcript hereof to the best of our knowledge and belief.


SANDRA L. CAMPOLI


MARY LOUISE STASOLLA