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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

PUBLIC HEARING
HUDSON RIVER PCBs SUPERFUND SITE
NEW YORK
PROPOSED PLAN

Hudson Falls High School
Hudson Falls, New York
Wednesday, February 7, 2001
7:10 p.m.

PANEL MEMBERS

- RICH CASPE
- ANN RYCHLENSKI
- WILLIAM McCABE
- MEL HAUPTMAN
- DOUG TOMCHUK
- ALISON HESS
- MARIAN OLSEN
- DOUG FISCHER, ESQ.

**DISK
ENCLOSED**

1 MR. CASPE: Okay. I'd like to
2 welcome you to the EPA's sixth public meeting
3 on our proposed remediation of the Hudson
4 River PCB site.

5 Before we get started, I'd just
6 like to go over a few ground rules with you.
7 We're going to, EPA will make about a
8 20-minute presentation to open up, then we'll
9 have some elected officials come up to speak,
10 then we have, so far, over 120 people signed
11 up who would like to make statements or ask
12 questions. I would just point out that we
13 have a two-minute limit on those statements.
14 That's so that we can get out of here at some
15 type of a reasonable timeframe. So please
16 try, in consideration for people who are
17 coming after you, please try to keep to that
18 two-minute limit.

19 We have people up front with signs.
20 Karen will hold up a green sign, which means
21 that you're going good. When you have 30
22 seconds left, she's going to hold up the
23 yellow. And when you're time is up, she's
24 going to hold up the red. I'd ask you,

1 please, again, in consideration, there are lot
2 of people here and there's a lot of people who
3 want to be heard, so please try to be
4 considerate of them.

5 Okay. Sorry for the delay, but
6 there was a power failure up here to start
7 off, so it took us a little bit of time to get
8 going.

9 Anyway, I'd like to start off by
10 giving you a quick refresher of what EPA's
11 proposed remedy has been. Our proposed remedy
12 is what we call target dredging. It's
13 targeted to 13 percent of the area of the
14 40-mile stretch of the upper Hudson River
15 between the Federal Dam in Troy and Fort
16 Edward. It encompasses 2.65 million cubic
17 yards of dredging, which would remove over a
18 hundred thousand pounds, that's over 50 tons,
19 of PCBs from the Hudson River. The most
20 intensive part of the area of the dredging
21 would be in the upper six miles of what we
22 call the Thompson Island Pool, which many of
23 you are familiar with, which runs from the
24 Thompson Island Dam again up to Fort Edward.

1 There's no local landfilling involved in this
2 proposal whatsoever. The material will be
3 removed outside of the Hudson Valley for
4 disposal elsewhere.

5 There is a three-year design period
6 after a remedy would be finalized in August.
7 That's three years to design, when a lot of
8 details would be developed, and then there's a
9 five-year construction period after that
10 envisioned.

11 As far as the comment period goes,
12 we're almost two months into it. We've
13 announced a 60-day extension, which now closes
14 on April 17th. There have been four
15 meetings -- excuse me, there have been five
16 meetings so far, one in Saratoga, two in
17 Poughkeepsie, one in New York City, one in
18 Albany, we're here tonight in Hudson Falls,
19 and we're in Haverstraw on Friday night. I'm
20 sure there will be others following that.

21 I'd like to open this meeting by
22 responding to some of the issues that have
23 come up so far and try to clarify what EPA's
24 position is on those issues.

1 I'd like to start off with the
2 toxicity of PCBs. PCBs are known to cause
3 cancer in laboratory animals and they probably
4 do cause cancer in humans as well. Major
5 national and international health
6 organizations, not just EPA, believe this is
7 true. That includes the National Institutes
8 of Environmental Health Sciences, the National
9 Institute of Occupational Safety and Health,
10 and the World Health Organization.

11 PCBs are also known to cause
12 illnesses other than cancer. That includes
13 low birth weights, learning and memory
14 problems, thyroid disease and immunological
15 deficiencies. EPA is very pleased that in
16 January of 2001, the National Academy of
17 Science, which had been charged with looking
18 at the issue of PCBs and dredging PCBs, came
19 up with the following statement: Exposure to
20 PCBs may result in chronic, for example,
21 cancer, immunological, developmental,
22 reproductive, neurological effects to humans
23 and/or wildlife. Therefore, the committee
24 considers the presence of PCBs in sediments

1 may cause long-term public health and
2 ecosystem risks.

3 We're very pleased with that. That
4 is actually a direct quote in what EPA's view
5 of the matter is as well.

6 We are concerned, on the other
7 hand, by recent statements by people in the
8 public venue, which seem to indicate that PCBs
9 do not have a health impact and they're safe
10 to eat the fish. We strongly advise everybody
11 here and all within the listening area not eat
12 fish, and, you know, eat the fish from the
13 Hudson River, PCBs are a real health problem,
14 and you should observe the State Health
15 advisory, which say eat none between Troy and
16 Fort Edward or Hudson Falls.

17 The next issue I'd like to talk
18 about is fish consumption advisory as a
19 long-term management plan. The discussion
20 has been, you know, we've heard comment to the
21 effect of, well, so we'll have nobody eat the
22 fish and, therefore, there will be no risk,
23 and that's all there is to it. Number one,
24 that's not in the public interest for a

1 variety of reasons. First, it writes off a
2 very important, natural resource. Fish are
3 there. Fish should be allowed to be eaten.
4 The second issue is that it ignores reality.
5 People continue to eat the fish, despite the
6 health advisories right now in the fishing
7 banks right now. These include people who eat
8 catfish for recreational reasons, for cultural
9 reasons, and for subsistence reasons as a food
10 source. This isn't EPA's idea of where we're
11 just making this up. This is based in fact,
12 based upon a 1996 New York State Department of
13 Health survey, where they found that anglers
14 within this area, within the Upper Hudson
15 River, one in six had at least one fish in
16 their possession, and one in ten had more than
17 one fish in their possession.

18 The next thing I'd like to talk
19 about is the recent study by the National
20 Academy of Sciences. As the study was being
21 performed at the direction of Congress, it was
22 being performed to try to -- this was going to
23 be the study that would look at EPA's
24 procedures and EPA's view of whether sediments

1 are a problem or not, whether dredging should
2 occur or not, and to come out with statements
3 that would be very informative to EPA. The
4 executive summary of that study was released
5 in early January of this year. That had 11
6 conclusions and recommendations. We have
7 copies of those recommendations and
8 conclusions outside at the tables. I think we
9 should have enough for the whole audience. If
10 not, we certainly will get it to anybody who
11 requests it. I urge you to read it and see
12 what they say in the independent analysis and
13 see whether what they said, in fact, very
14 closely follows what EPA has done on this
15 project.

16 The next thing I'd like to talk
17 about is PCB levels in at water, in the water
18 column. We've heard about the dramatic
19 improvements that have occurred. We've heard
20 that the PCB loads have dropped by 90 percent
21 at Waterford. Well, this chart shows that 90
22 percent. And, if you look at it, you can --
23 if you look at the 90 percent, it's there, all
24 right, but look when it occurs. You'll notice

1 that it occurs early. Since 1985, if you look
2 at that bar chart since 1985, if you look at
3 it since 1985, you'll notice that it's
4 basically flat since 1985. There has been no
5 improvement since 1985. Improvements occurred
6 before that and they occurred for a variety of
7 reasons. They occurred because in 1973, that
8 was when the dam was removed, in 1977 the
9 discharge of PCBs to the Hudson River were
10 stopped, and in 1979 navigational dredging of
11 the river stopped. So there was a very fluent
12 environment in the river early on, in the late
13 '70s and early '80s. And that's what this
14 reflects. It reflects a stabilization since
15 1985. And if you look at that, you'll see
16 that basically those PCBs levels are the same.

17 The next thing I'd like to talk
18 about is PCB levels in fish. We've heard that
19 they're decreasing. Well, certainly you can
20 always look at one species at one location and
21 you can find an example, you can find an
22 example to prove your case. So you have to
23 look at more than that. You have to look at
24 all the species, you have to look at all the

1 locations, and you have to understand the data
2 sets from which that information, you know, is
3 developed. The error bars, you try to
4 understand, well, I only collected a half a
5 dozen fish or eight fish in one particular
6 year. Well, how sure am I that -- one of the
7 fish the level was here. One of the fish the
8 level was here. Well, was the average, was
9 that the correct average. Maybe if I would
10 have taken more samples, the average would
11 have been a little bit higher or a little bit
12 lower. And you develop error bars, you try to
13 understand just what the confidence of your
14 data is.

15 If look at the next four charts of
16 data that has not been collected by EPA. This
17 is State data. And if you look at the error
18 bars and again you look at the last 10, you
19 look at the last 10 years, certainly, with the
20 exception of some -- well, if you look at --
21 I'll try it again.

22 AUDIENCE: Turn the lights off so
23 we can see it.

24 MR. CASPE: If you look at it

1 here, this is Black Bass, Large Mouth Bass in
2 the Stillwater Pool. If you look at the
3 levels since 1985, again, you see that it's
4 very level, you see that drop early on, but
5 since then you see that the levels haven't
6 gotten any better. If you go to the next
7 slide, which is Brown Bullhead, catfish at the
8 Stillwater Pool, again you see very level,
9 very level in the last 15 years.

10 Now we look at Thompson Island
11 Pool. If you go to the Thompson Island Pool,
12 you look at Large Mouth Bass, you say, "Oh,
13 look at that, there's a drop," and then it
14 goes back up and it's kind of staying the
15 same. If you take into account that this rise
16 over here was the Allen Mill event that was a
17 little blip, and if you take that out from
18 that release that occurred, you know, during
19 that period of time and you start looking at
20 it, you start again seeing a very level trend.
21 And if you look at the last species that I
22 have here to show, again, which is the Brown
23 Bullhead, catfish in the Thompson Island Pool,
24 again, you see the same blip early on but then

1 you see level.

2 So the stories about the
3 information about the levels of PCBs in fish
4 declining don't seem to have much of a
5 foundation.

6 The next thing I'd like to get into
7 is visible improvements in the river over the
8 past 20 years. Yes, there have been very
9 visible improvements in the river over the
10 past 20 years, very substantial. But the
11 improvements that you see, what are they? The
12 water is a lot cleaner, there's no slime in
13 the water, it looks nice and it is nice. You
14 have to remember that you can't see PCBs.

15 AUDIENCE: Let's keep it that
16 way.

17 MR. CASPE: The results of the
18 improvements that you see --

19 (Applause)

20 We plan on doing that.

21 The improvements -- if everybody,
22 please, we've had some really -- we have a lot
23 of people here and I know a lot of people want
24 to be heard and I'd like to be heard as well.

1 So if you just go around and everybody will
2 have there opportunity to come up here and say
3 what they want.

4 Anyway, if you look at what those
5 improvements are, it's not a matter of the
6 river cleaning itself, it's a matter of Clean
7 Water Act providing over \$200 million in
8 funding for sewage treatment plans above the
9 Troy Dam. Over \$200 million of investment by
10 the state, by the federal government and by
11 the municipalities in the area in improving
12 those sewage treatments plants made the river
13 a lot better. That doesn't say the PCBs are
14 not there and the PCBs are not a problem.

15 The next thing I'd like to talk
16 about is source control. Is it a part of the
17 solution? You bet it is. Hudson Falls has to
18 be controlled. And we're anxiously looking
19 forward to GE's submittal in March to New York
20 State DEC of their plans for remediating that
21 site. But I would point out, first of all,
22 that that's three ounces of PCBs that that
23 site contributes to the Hudson River. Our
24 estimate of the Thompson Island Pool, the

1 sediments in the Thompson Island Pool alone,
2 as the water flows over it, is that that
3 increases, that's roughly one to one and a
4 half pounds of PCBs per day. So if you look
5 at that, that's five times, six times larger
6 than the Hudson Falls plant.

7 You say how do we know this. Well,
8 the way we know this is through fingerprinting.
9 And what we do is we look at the PCBs and we
10 look at the pattern of the PCBs. PCBs are
11 made up of mixtures of different types of
12 substances, different types of chemicals.
13 And, as you look at that, you look to see
14 whether it's -- what does it look like, what
15 does it look like coming into the pool, what
16 does it look like going over the dam, and what
17 does it look like in the sediment. When you
18 compare what's going over the dam, the
19 Thompson Island Dam to what's coming in at
20 Rogers Island, it doesn't quite match as far
21 as the pattern. The pattern of what you see
22 doesn't quite match. If you look at the
23 sediment and you compare the sediment, on the
24 other hand, to what you see going over, you

1 get a much better match, if you look at it.
2 That's a fingerprint. That tells us that the
3 PCBs that are flowing over that dam that are
4 getting into the water column in that area,
5 they're not coming from upstream, they're, for
6 the most part -- some of them are coming from
7 upstream. I should take that back. But the
8 majority of them are coming from the sediment
9 within the Thompson Island Pool.

10 So, with all this, this is why EPA
11 believes that we cannot leave the river to
12 take care of itself. We think the fish will
13 be safer to eat almost immediately and that
14 fish advisories can be relaxed one to two
15 generations sooner, a the minimum.

16 And so we get to the big question.
17 Is the cure, which is dredging, obviously,
18 worse than the disease?

19 AUDIENCE: Yes.

20 AUDIENCE: No.

21 MR. CASPE: Right.

22 I would point, please, I would
23 point first at one of the statements that have
24 been made about the Spanish Armada. Spanish

1 Armada was 150 ships, largest ever assembled
2 at that time, which was 1588, and carried
3 30,000 men. We don't plan on anything quite
4 that big.

5 If you look at this overhead, this
6 overhead shows the top two and a half miles of
7 Thompson Island Pool and it takes into account
8 the worst situation that we believe could
9 possibly occur. We have all four dredging
10 groups. Here we have clam shell type dredges,
11 we have mechanical dredges. We don't have
12 hydraulic dredges. The worst case, again,
13 example, because we would need more equipment
14 this way, so we have all the equipment shown
15 that we would need basically. There are 20
16 vessels in the two and a half miles of the
17 pool, and they're basically drawn to scale on
18 this pool. You can see where they are and you
19 can see what they look like, and we don't
20 believe the will be back-to-back dredges and
21 barges the way some have characterized it.
22 The other thing I would say is that we would
23 envision that a dredge would generally, in
24 almost all cases, would be operating in front

1 of a residence for a matter of weeks, not
2 months and, certainly, not years.

3 The next thing I would just like to
4 talk about, the next thing I'd just talk about
5 examples of where dredging works. We believe
6 dredging does work. He believe it's worked in
7 the lower Fox River in Wisconsin, where the
8 material -- where, in that case, the
9 concentrations of PCBs in the sediment have
10 gone from 50 parts per million to two parts
11 per million. We believe it worked at the
12 General Motors facility in Messina, New York,
13 where, according to GM's numbers, they removed
14 99.8 percent of the PCBs that were in the
15 river. And we believe it's worked up
16 Queensbury, in Niagara Mohawk dredging, where,
17 as a result of the dredging there are
18 significant reductions in the bass and the
19 perch resulted in DEC actually lifting the
20 fishing bands.

21 AUDIENCE: How much did you take
22 out up there?

23 MR. CASPE: We believe that
24 dredging -- please, if you don't mind, let me

1 finish and then you can come up. You can fill
2 out that form and you can come right up to the
3 mike. Okay. You'll get your turn.

4 Dredging works. It's not rocket
5 science. We believe we can do it.

6 On the other hand, you know, I
7 would just talk a little about navigational
8 dredging. One way or the other, whatever we
9 do here, we believe navigational dredging is
10 going to be necessary from everything we hear.
11 The estimates are that a half a million cubic
12 yards, from the Canal Authority, roughly a
13 half a million cubic yards of navigational
14 dredging may be required. That doesn't
15 include small marinas that may need some of
16 the flats dredged in order to be able to deal
17 with that. I mean, the anti-dredging, the no
18 dredging, you know, we don't understand how
19 that would be accounted for in navigational
20 dredging. Who would pay for that? How would
21 it be done? How would you keep it from being,
22 from the material from being recontaminated if
23 the source of PCBs is not removed and you just
24 continually have the contamination moving

1 around in the pool, which is what we believe
2 is happening?

3 Not to say that we have all the
4 answers. We certainly don't. We've had these
5 meetings, the same as we hope you've learned a
6 little bit from what we've said, we've learned
7 a little bit from what you've all said. We
8 recognize the concerns of noise, of odor, of
9 lights, of dust, even the working hours we've
10 thought about. And we plan on working on each
11 of those items and trying to get it back to a
12 point where we think that we can deal with
13 your concerns and deal with our concerns.

14 I would just point out that the way
15 the schedule is current -- we'll certainly try
16 to do as much as we can, you know, by August
17 to allay people's fears as we decide whether
18 we will go forward or not go forward. But I
19 remind everybody there's a three-year design
20 period after that, three years in which
21 certainly all of you would be involved with us
22 in a very careful program to try to insure
23 that all the things we say can be done are
24 done.

1 With that, I'd like to turn it over
2 to Alison Hess, who is going to address the
3 environmental results of dredging.

4 ALISON HESS: Thank you, Rich.
5 Can everybody hear me okay? Okay. I would
6 like to talk about the environmental result of
7 dredging. There are two conflicting views
8 that we hear, and they are amply represented
9 tonight. The one recognizes that there are
10 temporary short term impacts with significant
11 long term benefits from removing the PCBs from
12 the river. Another paints the picture of
13 devastation and destruction, and no long term
14 benefits. Well EPA believes quite strongly
15 that the first view is the accurate one. Why?
16 Well we have a mandate to protect human health
17 and the environment. We completed a
18 comprehensive ten year study of PCBs in the
19 river which underwent rigorous peer review by
20 independent scientists, and we found
21 unacceptable risks to human health and the
22 environment posed by the PCBs in the river.
23 Following that we performed an extensive
24 engineering study of a full range of cleanup

1 options. We are not alone. Other agencies
2 have agreed with EPA. New York State DEC has
3 stated, and I quote, "There is an ongoing,
4 unacceptable risk to human health in the
5 environment posed by the PCB contaminated
6 Hudson River sediments. The state supports
7 active remediation aimed at mitigating these
8 unacceptable risks. EPA's preferred remedial
9 alternative is one approach which would likely
10 be successful in significantly reducing the
11 risks associated with the site."

12 And the U.S. Fish and Wildlife and
13 National Oceanographic and Atmospheric
14 Administration has stated, and again I quote,
15 "NOAA and U.S. Fish and Wildlife strongly
16 support the removal of PCB contaminated
17 sediments from the upper Hudson River.
18 Sediment removal is the only cleanup action
19 that will unequivocally reduce future adverse
20 impacts to the Hudson River's resources. We
21 believe that the long term benefits from
22 sediment removal outweigh the unavoidable
23 short term impact."

24 EPA and these other agencies have

1 biologists, ecologists, and environmental
2 scientists on staff, but I would like to talk
3 about some common sense reasons that every one
4 can relate to for deciding which view is true.
5 We know that PCBs are toxic, manmade,
6 industrial chemicals that do not occur
7 naturally and don't belong in the river. So
8 common sense tells us that removing them will
9 be good for the river. EPA's proposal is to
10 remove the worst contamination from about 13%
11 of the river bottom. This means that the vast
12 majority of the upper Hudson, 87%, will remain
13 undisturbed. Common sense tells us that this
14 will not destroy the river.

15 Next, fish move away during
16 dredging. They swim away from any underwater
17 activity. I'm sure this makes sense to anyone
18 who ever tried to catch a fish in a bucket.
19 And after dredging our plan calls for
20 restoring the river bottom to provide a
21 suitable habitat for the plants and animals.
22 Common sense tells us that when the activity
23 in the specific area is completed and the
24 plants and animals return, so will the fish.

1 And they will return to thrive in an improved
2 environment.

3 Now I would like to -- excuse me.
4 Now I would like to show you just a minute of
5 a video of what a dredged river looks like.
6 This is the St. Lawrence River in 1998 that
7 was taken three years after the river was
8 dredged. You can see quite lush vegetation, a
9 number of different aquatic -- and this is
10 done by an underwater diver taking the video
11 so fish moved off, but you do see the lush
12 vegetation, and there is -- there is a fish
13 that actually appears in the video. You have
14 to be fast to find it. But the vegetation has
15 come back. Obviously because the diver's
16 there the fish had moved off, but they do --
17 the plants do recolonize, and it provides an
18 excellent habitat for the fish.

19 Okay. Great. I'm sorry -- from my
20 vantage point I can't see it, but somebody saw
21 the black bass. That's great. Okay. All
22 right, thank you.

23 So common sense tells us that
24 removing the worst contamination and providing

1 clean habitat will not destroy or devastate
2 the river.

3 And now I would like to turn this
4 over to Doug who will discuss the next steps
5 in the Superfund process. Thank you.

6 DOUG TOMCHUK: Okay. We've
7 talked about our proposed plan, and obviously
8 we are in our public comment period, which
9 extends until April 17th, but I'm here to tell
10 you what the next stages are so that you
11 understand our process a little bit better and
12 you know what to expect.

13 The first thing we do is we take a
14 look at all the public comment and consider it
15 and incorporate that as appropriate into our
16 decision-making process. The decision is
17 memorialized in a Record of Decision, a formal
18 document that's signed by the EPA Regional
19 Administrator and that's due out in August.
20 As part of that Record of Decision there is a
21 document prepared called the Responsiveness
22 Summary in which EPA responds to all the
23 public comment. All significant comments will
24 be responded to in that document.

1 The next step is the remedial
2 design stage, but one thing I want people to
3 be aware of is that at the same time that this
4 is process going on -- the remedial design is
5 going on, we expect the upstream source
6 control at the G.E.-Hudson Falls plant site to
7 be implemented through DEC order with G.E.
8 That will alleviate a lot of additional
9 upstream load and allow our -- the remedy when
10 the dredge materials would be removed, to be
11 effective.

12 The remedial design is really what
13 I'm going to be concentrating on here. I will
14 talk about that next, and that's followed by
15 the remedial action, which I will discuss
16 also.

17 The remedial design is a detailed
18 document. In the feasibility study we gave a
19 lot of design-type terms, we have described
20 the process. But what we have done is
21 basically describe a general plan judging the
22 feasibility of actually implementing the plan.
23 We have done enough work to see that it would
24 be feasible, but we have not done the detailed

1 analysis that is actually necessary to
2 implement that. So the first thing --
3 basically -- say we are going to build, maybe
4 a brick house and so many bedrooms, but we
5 still need to do the blue prints, and draw up
6 the contracts and see how we are going to
7 actually implement that. Of course, one of
8 the steps that's necessary, and Rich has
9 mentioned, is that we will also be doing
10 community interaction during this time so that
11 we can accommodate the concerns of the
12 community. We have done a lot of public
13 meetings and had a lot of interaction through
14 the previous ten years of this study, and we
15 continue to do so during that time frame. We
16 will actually -- in the Record of Decision, or
17 when we make our decision, we will outline a
18 plan for that remedial -- for intercommunity
19 interaction during remedial design phase. So
20 that we can present an outline to the public
21 and receive some feedback to make sure that
22 everybody has a process that they believe can
23 work for them.

24 As Rich also said, it's a three

1 year design period. First part we have to
2 keep up the monitoring that we have been doing
3 to monitor the fish levels and the water
4 levels and understand what's going on in the
5 system. We also will be doing site -- design
6 sampling to determine the depth in detailed
7 areas where we will have to conduct the
8 dredging, preconstruction sampling.

9 I want to point out here that last
10 night we did a question about the design
11 sampling, confirmatory sampling, and I want to
12 clarify that I said that we would probably do
13 a pass of the dredge, and then do confirmatory
14 sampling, and then, you know, do another pass
15 of the dredge to make sure we got everything.
16 Actually our plan really calls for going out,
17 getting detailed information so we can catch
18 everything in the first cuts of the dredge is
19 the intention, going down to clean material so
20 that we will not have to go back for
21 additional passes. We believe that this will
22 save us time in implementing the remedy.

23 During the design period we also
24 need to get access agreements, we will need to

1 arrange for transportation and disposal at
2 facilities, coordinate with the -- we also
3 will need to coordinate with the Canal
4 Corporation so that we can keep the canal open
5 for recreational and commercial traffic, also
6 have to coordinate water supplies. There are
7 six communities that draw water off the
8 Hudson. We want to make sure that they are
9 protected through monitoring and contingency
10 plans to make sure that nothing would
11 interfere with those water supplies.

12 The design is going to call for
13 implementing the remedy in five years. We are
14 specifying that. We expect that that should
15 be -- that is the specification we are giving
16 to design that in. It is very doable. How is
17 it doable? We will use multiple dredges and
18 we will use water treatment facilities that
19 will be sized appropriately to handle our
20 water supplies. These are some of the things
21 that would normally delay a project. When
22 they are taken care of, it makes the project
23 very doable.

24 We specify to our contractors

1 through performance specifications how to
2 address a lot of things. The cleanup levels,
3 the production rates, noise allowable, the
4 resuspension and turbidity that we will allow,
5 and the monitoring that will be required to
6 make sure that we don't see that, and any
7 emissions that would be coming from the site.

8 So we make sure that not only do
9 they clean up to the specifications that we
10 want, but they do it the way we want it. We
11 also have oversight on the field to make sure
12 that that happens.

13 When it comes to remedial action,
14 again, we have community interaction. We are
15 not running away once this project starts. We
16 will probably have a field presence with
17 either the Army Corps of Engineers or US EPA
18 personnel.

19 Okay. We will be working with
20 people -- excuse me. We will be working with
21 people who have docks, you know, and access to
22 the water front so that we can alleviate any
23 inconveniences to them. And, as I said, we
24 will have a framework in place so that this is

1 all laid out and people can understand the
2 process.

3 One important thing about this is
4 we will be using environmental dredges. These
5 are dredges that will minimize the amount of
6 resuspension and do not make the problem worse
7 than it is now. We will also be using silk
8 curtains -- we will be using silk curtains as
9 a secondary precaution to make sure that any
10 resuspension that would occur would not move
11 downstream. As I said we will be having
12 oversight in the field to make sure this is
13 all followed by the contractors, and the
14 monitoring programs in place to make sure that
15 we have the data available to support that.

16 Okay. I will turn it back over now
17 to Rich and we'll move on.

18 MR. CASPE: We have several
19 public officials who would like to make
20 comments as we open the meeting. So I'd like
21 to do that --

22 AUDIENCE: Two minutes max.

23 MR. CASPE: At this stage --
24 folks, this is going to be a very long night.

1 If some people want to just disrupt, then, you
2 know, I don't know what to say. I'd like to
3 try to do this in a civilized manner. There's
4 a lot of people who want to be heard. I think
5 everybody should be heard. Certainly, we'd
6 like to hear everybody.

7 AUDIENCE: Let them wait until
8 last.

9 MR. CASPE: First speaker will be
10 Marty Torrey, representing Congressman
11 Sweeney.

12 MARTY TORREY: Can you hear me
13 all right?

14 First of all, Congressman Sweeney
15 wishes more than you could imagine that he
16 could be here tonight. He's in Washington,
17 he's in Washington, and that apparently comes
18 as a surprise to some that congressmen work in
19 Washington. And I know that, in some cases,
20 some of the folks, certainly on the panel and
21 some here, heard some of this statement that
22 I'm going to make on his behalf tonight. But
23 for the benefit who were not in Albany, I'm
24 going to read it again, and there are some

1 changes, anyway.

2 It's disheartening that it has been
3 nearly 60 days since the EPA released it's
4 proposal on the Hudson River and this is the
5 first meeting in the upper Hudson River region
6 for residents to ask questions, make
7 statements -- (applause) -- I appreciate that,
8 but I really think, on both sides of this
9 issue, it would be better if people were just
10 allowed to proceed. Thank you -- to make
11 statements and learn more about the EPA's
12 massive dredging plan.

13 As I have now said countless; times
14 since mid 1998, the health of the Hudson River
15 is of utmost importance to New York State,
16 but, in particular, to those residents living
17 near and around the area targeted for
18 dredging.

19 When over 60 communities organize,
20 pass resolutions and speak out with one voice
21 to protect their homes and their region
22 against the plans of a large federal agency,
23 something is drastically wrong.

24 The EPA is not fully considering

1 the impact on the quality of life of thousands
2 of families who live right here. Something is
3 drastically wrong.

4 I am pleased that the EPA has
5 extended the public comment period to give
6 more time for public input, but additional
7 time does not fully solve the problem. Rather
8 than more same, our residents need full
9 details on the EPA's plan. This information
10 must include the many logistical issues of
11 dredging, treatment, transport, the disposal
12 of sediment, as well as the timeline and the
13 ecological impact on the river.

14 The EPA has historically given the
15 residents of the upper Hudson River Valley
16 little reason to believe the agency is acting
17 in good faith and providing the maximum amount
18 of information to community leaders and
19 members of the community. We all here
20 remember when it was revealed in 1997 that the
21 EPA was conducting landfill siting studies
22 while denying the public knowledge of those
23 studies. Now we learn that the EPA has failed
24 to discuss siting plans of treatment

1 facilities in localities along the river.
2 Time and again, the EPA has given residents
3 here more reasons to distrust than to trust.

4 The EPA asks what can they do to
5 convince the people of the upper Hudson Region
6 that they will do them no harm? A better
7 question is: What can the people who live
8 here, pay taxes here, and raise their families
9 here do to convince the EPA that they want to
10 be left alone? (Applause)

11 This whole matter is a question
12 less about a corporation, less about a federal
13 agency, less about visiting activists, and
14 less about the opinions of high ranking
15 elected officials than it is about the people
16 who live along the Hudson River right here.

17 I am pleased that EPA is under new
18 leadership. I am optimistic that the new
19 leadership will be enlightened by the public
20 outcry of concerned citizens, and I look
21 forward to working with them. But I pledge to
22 the people most affected by a large-scale
23 remediation project that I will do all that I
24 can to insure greater openness in the process

1 and insure that any decision made regarding
2 the river and the lives of those most affected
3 is made with the full participation of the
4 people who reside in the area of concern,
5 right here.

6 In short, this is America and the
7 rights of tax-paying residents still matter.

8 Thank you.

9 MR. CASPE: The next speaker is
10 Liz Grisaru, representing State Attorney
11 General Eliot Spitzer.

12 LIS GRISARU: Thank you, Rich,
13 and thank you for the opportunity to speak.
14 My name is Liz Grisaru, and I am an Assistant
15 Attorney General in the office of the Attorney
16 General, Elliott Spitzer, the Environmental
17 Protection Bureau.

18 The Attorney General's office
19 supports US EPA's decision to dredge sediments
20 from the most contaminated areas of the Hudson
21 River. Fish throughout the Hudson from Hudson
22 Falls to the Battery are contaminated with
23 PCBs, wildlife is contaminated. Humans are
24 exposed and are also contaminated with PCBs.

1 It is high time to address the problem.

2 Congress made a decision 20 years
3 ago and has repeatedly reaffirmed it since
4 that time that there is a compelling national
5 need to clean up toxic waste sites. Companies
6 responsible for the contaminants must clean
7 them up, preferable by removing them. The
8 Hudson River after decades of study is long
9 overdue for a cleanup.

10 Based on the extensive evidence in
11 the record and EPA's and the State of New
12 York's technical and scientific review of that
13 evidence, four points are clear and should not
14 be in dispute:

15 First, PCBs cause harm to humans
16 and wildlife.

17 Second, PCBs in the river sediments
18 are available to fish and other animals and
19 from there can be ingested by humans. We know
20 for a fact that people are still eating
21 contaminated fish from the river.

22 The river, third, is not cleaning
23 itself of PCBs.

24 And, fourth, dredging hot spots in

1 the river will remove large quantities of PCBs
2 and in conjunction with the control of
3 continuing discharges from Hudson Falls, will
4 lead to major improvements in the river. We
5 believe EPA has correctly concluded that these
6 long term benefits outweigh the limited short
7 term impacts that may result.

8 Nevertheless, we also believe it is
9 critically important that EPA take into
10 account the concerns of the communities who
11 will have to bear the brunt of those short
12 term impacts. The EPA can and must identify
13 those concerns, address them in the planning
14 process, and mitigate them.

15 We believe the Superfund process is
16 flexible enough to allow EPA to do that. For
17 example, we strongly urge EPA to continue and
18 even to improve it's communication with upper
19 river localities after the remedy is finalized
20 and through the design phase of the project.
21 We offer to assist in any way we can to make
22 sure that the details of the remedy and it's
23 implementation are well understood, and that
24 local communities concerns are incorporated in

1 EPA's future planning.

2 Finally, we believe that based on
3 long existing law it is both fair and legal to
4 require G.E. to clean up it's PCBs from the
5 Hudson. It's lawful because that's what the
6 law says. It's fair because for 20 years
7 companies large and small around the country
8 have cleaned up the residues of their toxic
9 discharges under the Superfund program. It is
10 also fair because tax payers and residents
11 here have paid over the last 20 years for a
12 cleaner river, and yet it is still not
13 restored. To those tax payers who will have
14 to pay for the cleanup if G.E. does not, and
15 to those towns and industries who have already
16 done their share to clean the river, and to
17 New Yorkers who hope for a fully restored
18 Hudson fairness demands that G.E. remove it's
19 waste from the river.

20 Thank you very much.

21 MR. CASPE: Thank you. The next
22 speaker is Assembly Little. Assemblywoman
23 Little?

24 Okay. Let me just say anybody

1 having a statement -- Mel would you stand up
2 for a second? If you have statements rather
3 than trying to get to the stage, which is real
4 difficult, Mel will collect the statements as
5 you have the statements when you come up to
6 speak.

7 The next speaker will be
8 Assemblyman Bob Prentiss.

9 ASSEMBLYMAN PRENTISS: Well, I'm
10 not a contractor, but I always thought that
11 you started with blueprint designs before you
12 built a house, otherwise the roof comes
13 tumbling down and then the walls.

14 Stillwater, one of the communities
15 I represent, is well known as the turning
16 point the American Revolution. Now more than
17 two centuries later it could very well be the
18 turning point of another revolution against
19 governmental oppression and trampling of
20 people's rights. Sixty communities, plus the
21 counties of Saratoga, Warren, Washington, and
22 Rensselaer, and Albany, and Albany may be
23 next, have all passed resolutions expressing
24 strong opposition to the dredging of the upper

1 Hudson River.

2 AUDIENCE: That's not true. Tell
3 the truth.

4 ASSEMBLYMAN PRENTISS: And as a
5 member of the Assembly, on behalf of my
6 constituents, I've received hundreds and
7 hundreds of letters and faxes and phone calls
8 from them. I have contacted Christine
9 Whitman, the new EPA director, administrator
10 directly expressing opposition to the dredging
11 of the Hudson River.

12 Frankly, I am appalled to hear at
13 last night's meeting in Colonie that the EPA,
14 an agency that is supposed to be working for
15 the public and for the protection of the
16 environment, has been caught red handed once
17 again hiding critical information from the
18 public. Only three years ago the EPA was
19 found to be conducting a secret landfill
20 siting study in the upper Hudson River to
21 locate a site to build a Yankee Stadium sized
22 hazardous waste landfill for dredged material.
23 And as a result, EPA promised, over and over
24 again, as I recall, to no longer hide any

1 aspects of its reassessment from the public.
2 Now we have just learned that EPA conducted a
3 similar study more than a year ago which
4 targeted 10 communities in the upper Hudson
5 for very large and very loud, very ugly
6 hazardous waste storage and treatment plants.
7 And we heard at last night's meeting that we
8 may even be looking at other sites.

9 They claim, EPA claims that this is
10 exploratory. But you know what that means
11 when the actual implementation occurs during
12 the design period. You will have no say in
13 the design itself.

14 Now, these facilities won't be the
15 quiet, benign building office space that you
16 drive by and don't notice. These will,
17 according to EPA's own report, be 30-acre
18 sites. We can only imagine the equipment that
19 you're going to need at these sites; massive
20 dewatering tanks, storage areas for tons and
21 tons of dewatered sludge, loads of pipelines
22 going in and out of the facility, storage of
23 60 rail cars and off loading and staging
24 areas. Again, bear in mind, we haven't seen

1 these blueprint designs. Who knows if any of
2 these pipelines are going to rupture.

3 What I want to know is why hasn't
4 the public been informed about this study.
5 Apparently, it was conducted more than a year
6 ago, in November 1999, so you certainly had
7 time to let the public know that this was
8 going on. And why did you keep it a secret?

9 Now, I can understand that the EPA
10 agency can't make every small detail about its
11 reassessment project available to the public,
12 but this is not an insignificant report. This
13 document, probably more than any other, has
14 the capacity to directly affect every single
15 person who lives anywhere near the Hudson
16 River. And almost every community on the
17 river has been targeted; Moreau, Fort Edward,
18 for Miller, Mechanicville, Troy, Rensselaer,
19 Albany, Green Island, Schaghticoke. Hardly
20 any community was spared. And this means that
21 every single person who lives in a community
22 that borders the river will be gravely
23 impacted by EPA's monstrous and disruptive
24 dredging plan.

1 EPA has said it won't decide where
2 these facilities will be located until the
3 design phase of this project. Well, as we all
4 realize, you would no longer be accepting
5 public comment in the design phase of this
6 project and leaving these key issues to the
7 design phase -- bear in mind, no blueprint
8 designs so far -- is a deliberate attempt, I
9 believe, by EPA to avoid everything to answer
10 the most controversial questions related to
11 this project. For example, you haven't told
12 us how you expect to get this project done in
13 five years when you haven't even come close to
14 dredging that fast at other sites.

15 I'd like to point out that down in
16 Colonie, the United States Department of
17 Energy and now the Army Corps of Engineers,
18 it's taken them 16 years and they haven't
19 still cleaned out the contaminated nuclear
20 waste sites down there, since 1984. So that's
21 our federal bureaucracy in action.

22 You haven't told the public how
23 many dredges will be in the water and,
24 frankly, you haven't assured the public that

1 you will be even using hydraulic dredges. Of
2 we heard any specifics from you, the EPA,
3 about which dredges you're going to be using?

4 And, you know, in fact, this is
5 just another issue that you have deflected
6 until the design phase. We haven't received,
7 we haven't heard specifics. And probably most
8 important, you haven't told the public where
9 this sludge will ultimately go. You only get
10 it to these temporary dewatering facilities.
11 Well, unless you locate a place willing to
12 accept this much material -- and keep in mind
13 that not only must they want the stuff but
14 they also have to be permitted to accept this
15 much material in this time period of five
16 years --

17 MR. CASPE: Would you please wrap
18 up?

19 ASSEMBLYMAN PRENTISS: Yes, I
20 will.

21 MR. CASPE: Thank you.

22 ASSEMBLYMAN PRENTISS: -- then
23 this hazardous waste is going to be sitting at
24 these dewatering facilities for an unspecified

1 amount of time, maybe even forever.

2 To wrap up, my point is that you
3 have left the public completely in dark about
4 the most critical aspects of this proposal,
5 the blueprint designs, and yet you are
6 expecting the public to give the EPA
7 meaningful, thoughtful, substantive comments
8 on this plan. Well, you know, that's like
9 asking a professor to grade papers his
10 students haven't even written yet. We're
11 completely in the dark here.

12 MR. CASPE: Thank you.

13 The next speaker is Assemblyman
14 Faso.

15 DAN FARRELL: I would like to
16 start off by saying thank you to the EPA for
17 finally making its way to Washington County.
18 My name is Dan Farrell. I am going to be
19 reading a statement on behalf of the
20 Republican Leader in the New York State
21 Assembly, John Faso.

22 The question of whether or not to
23 dredge the Hudson to remove PCBs not only
24 raises a number of technical challenges, it

1 also sparks intense emotional debate.
2 Unfortunately the manner in which the EPA has
3 handled this entire process calls into
4 question the agency's impartiality. Many of
5 the citizens most effected by dredging
6 believe, as I do, that the EPA has already
7 made up its mind about the merits of their
8 dredging proposal. But isn't it the EPA's
9 responsibility as a so called objective
10 government agency to fully consider both sides
11 of this issue? In short the residents most
12 effected by the dredging plan have not been
13 given a fair and equal say thus far by the
14 EPA. During the evaluation of this project
15 the EPA has acted in ways to undermine the
16 public's ability to take part including
17 unveiling the massive dredging proposal more
18 than 100 miles from the communities most
19 effected by it. We all know the EPA's
20 untested plan to dredge the Hudson River could
21 have devastating consequences for residents,
22 but instead of providing the public with
23 complete and factual information, they hide it
24 from us. Time and again the EPA has failed to

1 be open with the people of New York about the
2 details of their plan, particularly when those
3 details call into question the fundamental
4 shortcomings of their proposal. By failing to
5 disclose the siting of PCB sludge, transfer
6 sites in our communities, the EPA has tainted
7 the public comment process, and once again
8 cast serious doubt on it's credibility. Let's
9 not forget for one moment that this is the
10 same mammoth federal agency that didn't take
11 the time to determine if PCB's were harmful
12 before they mandated their use by
13 manufacturers, and allowed G.E. to discharge
14 them in the first place. Now decades later
15 it's clear the present EPA officials have
16 learned nothing from their past mistakes as
17 they continue to ask New Yorkers to accept
18 their predictions, assumptions, and beliefs
19 without sound scientific evidence to base them
20 on.

21 An independent report recently
22 released by the prestigious National Academy
23 of Sciences clearly states that dredging is
24 dangerous because no current method or

1 technology can eliminate the possibility that
2 stirred up PCBs could recontaminate the river
3 or nearby soil. The study recommends
4 improvements in cleanup methods, calls for
5 additional testing and urges a better analysis
6 of risk posed to human health and the
7 environment to be conducted. This unbiased
8 report strongly challenges the EPA's position
9 that dredging will not worsen the
10 contamination in the river. Yet true to form
11 the EPA has publicly downplayed the concerns
12 raised in the report rather than promising to
13 give them the full consideration that they
14 deserve. Never mind that in the process the
15 EPA is condemning the people of New York to
16 years of endless disruption and economic loss.
17 Extending the public comment period allowed
18 time for more citizens to be heard and more
19 important questions to be asked and answered.
20 But without additional hearings in the most
21 effected communities, the opportunity to
22 establish a true dialogue and reestablish some
23 level of faith with the EPA will be lost.

24 This is why Assemblyman Faso has

1 called on EPA to hold additional public forums
2 in the most effected communities along the
3 Hudson.

4 Yes, the Hudson River should be
5 restored to the best of our ability, but
6 dredging might not be the most effective
7 solution. It only makes sense to review the
8 best scientific data available before deciding
9 the fate of our communities.

10 In closing I would like to stress
11 that it is my firm belief that until we know
12 exactly what dangers dredging presents to the
13 thousands of people living in communities
14 living along the river, that the EPA should
15 halt this ill conceived effort.

16 MR. CASPE: The next speaker is
17 Marilyn Pulver, Supervisor of the Town of Fort
18 Edward.

19 MARILYN PULVER: Is it working?
20 Yes, it is, and it's just my size.

21 Clearly there are many differences
22 of scientific opinion about whether dredging
23 is the right answer for the river. There are
24 differences of interpretation and there are

1 differences of perspective. But one thing
2 couldn't be any clearer: The people of the
3 upper Hudson River are overwhelmingly opposed
4 to dredging.

5 Before EPA even announced it's
6 intentions for our local -- for our river, our
7 local elected officials from more than sixty
8 upper river communities joined the Town of
9 Fort Edward in opposing dredging and dumping.
10 Now that you have made your plans known by
11 proposing a massive plan to destroy our river,
12 these communities are passing new resolutions
13 reiterating their opposition to your plan.

14 I have with me today eighteen new
15 resolutions opposing dredging, eighteen
16 resolutions. The Washington County Board of
17 Supervisors, the Warren County Board of
18 Supervisors, the Inner County Legislative
19 Committee which consists of 11 counties north
20 of Saratoga County -- excuse me. You know, I
21 put up with you people in New York, in Albany,
22 and it's my turn to talk now so you please,
23 shut. I'm in my home this time.

24 The Town of Moreau --

1 MR. CASPE: Will you please let
2 the speaker speak? Thank you.

3 MARILYN PULVER: The Town of Fort
4 Edward, Saratoga, Fort Edward, Fort Ann,
5 Easton, just to name a few, and I am expecting
6 many, many more. I appeal to you, the
7 representatives of EPA, to pay special
8 attention to the views of the elected
9 officials in these effected communities.
10 Public opinion must not just be considered,
11 public sentiment must be paramount. These are
12 not the views of the uninformed either. These
13 are the views of the local elected officials
14 who were elected by upper river citizens to
15 protect their well being and their
16 communities. These are the officials who have
17 been involved in EPA public participation
18 programs from day one in 1990. We have
19 attended all the meetings and have read all
20 the reports, and on balance we say this
21 proposal is not what we want for our
22 communities. It isn't good for our region,
23 and we don't want it. I submit to you the
24 resolutions I have in hand. Additional

1 resolutions will follow shortly. Thank you.

2 MR. CASPE: The next speaker is
3 Don Cummings, who's the chair of the
4 Washington County Board of Supervisors.

5 DON CUMMINGS: Thank you.

6 I must say, when I have a
7 microphone in my hand, I either sing a song or
8 tell a bad joke, but I won't do neither
9 tonight.

10 I'm not here to pick on the EPA or
11 pick a fight with the EPA. I'm not a speaker,
12 per se, I'm just a country boy that likes to
13 talk.

14 And I represent the Washington
15 County Board of Supervisors, and, as Marilyn
16 said, we have passed a resolution opposing
17 dredging.

18 I can't add too much to anything
19 that's already been said, but I think I do
20 have a solution. For the communities that
21 were divulged Monday, which was studied in
22 secret, from Fort Edward down to the Port of
23 Rensselaer, Port of Albany, I have a solution
24 for these people, not to worry, because I

1 believe the EPA should take under
2 consideration, the people that seem to be for
3 dredging, seem to be south of Albany, down
4 river. And not too many weeks ago I received
5 a letter, as did a lot of elected officials,
6 asking me to change my mind. Well, I'm not
7 going to change my mind. But I would suggest
8 that these treatment facilities be put down on
9 Croton-on-the-Hudson, and then we won't have
10 to worry.

11 Thank you.

12 MR. CASPE: Thank you. Next
13 speaker is Robert Hall, who's the vice chair
14 of the Saratoga County Board of Supervisors.

15 ROBERT HALL: Good evening.

16 This isn't for short people, but
17 we're going to work at it anyway.

18 I'd like to go over a bit of
19 history regarding EPA's behavior on this
20 project. I'm extremely concerned about the
21 emerging patterns that the agency has no
22 regard for an open public process on this
23 issue, despite the meetings such as this. A
24 little more than three years ago on October 2,

1 1997, during hearings conveyed by Congressman
2 Solomon, EPA officials assured us that the
3 public would be informed every step of the way
4 in this process. I was at that meeting, too.

5 As you recall, at the time, it was
6 discovered EPA had conducted a secret study to
7 find a possible location for PCB dumps, all
8 the while saying it had no predisposition to
9 dredging.

10 Let me quote William Bazinsky's
11 Deputy Regional Administration for Region II
12 during the hearing. If you don't believe
13 these quotes, I can get you a copy of the
14 transcript. "I'd like to begin my remarks
15 first by apologizing to you, to the public,
16 and its communities up here for our handling
17 of this siting survey."

18 Mr. Bazinsky also stated,
19 "Regarding this landfill siting survey,
20 mistakes were clearly made to undertake this
21 type of study, to not inform the public was
22 wrong, regardless of the reason. Jeannie Fox
23 has asked me to assure you that she is
24 personally assessing the facts behind this

1 mistake, that she is fully committed to an
2 open and public process." Jeannie Fox is
3 EPA's Region II administrator, for those who
4 don't know.

5 In addition, Mr. Caspe, who was
6 quoted in a Saratoga newspaper on September
7 27, 1997, after the secret study was
8 uncovered, as saying, "We make sure that
9 everything is extremely open." On the same
10 day you were quoted in *The Post Star* as
11 saying, "We have to work harder to regain our
12 credibility, but I think we can do it."

13 How can you expect anyone to trust
14 you when it's discovered that you conducted
15 yet another secret study a little more than
16 three years later to determine suitable
17 dewatering facilities? How dare you patronize
18 us with the language that sounds apologetic at
19 the time but now is shown to be hypocritical.

20 So I ask you: Why was this
21 decision made to not place this study in the
22 feasibility study, why did you keep it a
23 secret? Will you provide us with the copies
24 of all the other documents regarding this

1 project that were not included in the
2 feasibility study no matter how small or
3 insignificant you may consider? We live here,
4 we want to have every document you ever
5 produced on this issue.

6 Thank you.

7 MR. CASPE: The next speaker is
8 Paul Lilac, Supervisor of the Town of
9 Stillwater.

10 PAUL LILAC: Good evening. My
11 name is Paul Lilac, I am the Supervisor of the
12 Town of Stillwater. Welcome to the North
13 Country.

14 I will be brief because I'm already
15 on record in strong opposition to your
16 dredging proposal. I believe the recent
17 disclosure of possible sites for a sludge
18 disposal, which was not included in your
19 proposal, just adds to the lack of credibility
20 to this entire process. I'm beginning to
21 think this entire public comment period is a
22 sham, and if I could add the letter -- and if
23 I could add the letter "E" to the word sham,
24 that makes it a shame.

1 I would request -- I would request
2 that you withdraw this proposal. I certainly
3 hope that somebody starts listening to the
4 municipalities along the upper Hudson River.
5 I cordially invite the new EPA administrator
6 to visit with the elected officials who
7 represent residents all along the upper Hudson
8 River so that we can present our views
9 directly to her. Please extend the invitation
10 to Administrator Whitman.

11 At this time, for the record, I
12 would like to present individual letters that
13 came into my office the past few days signed
14 by 378 residents of the Town of Stillwater in
15 opposition to dredging. Just a small sampling
16 of our community. Also for the record allow
17 me to present you with a unanimous resolution
18 in opposition to dredging as passed by the
19 Stillwater Town Board.

20 In conclusion, I love this river.
21 Please stop this dredging proposal or your
22 name will soon change from the Environmental
23 Protection Agency to the Environmental
24 Destruction Agency.

1 MR. CASPE: Next speaker is Ken
2 DeCerce, Supervisor of the Town of Halfmoon.

3 KEN DeCERCE: Thank you very much
4 for the opportunity to speak before you and
5 voice my opinion and the opinion of my
6 townspeople.

7 The Town of Halfmoon has formally
8 opposed dredging for many years. I personally
9 oppose dredging for three main reasons. I'm
10 not convinced that we have, as yet, a
11 technology to safely remove and dispose of
12 PCBs. I just don't think you're there.

13 (Applause) I sat with you in Saratoga a few
14 months ago and it sounded to me as if your
15 intention is to remove just more than about 50
16 percent of the material that is the goal to
17 get rid of in this river. None of us really
18 want PCBs. We don't want to have them in the
19 river. I just don't think we're ready to do
20 that. Number three, it makes very little
21 ecological sense to me to take the PCBs from
22 one place and put them somewhere else.

23 (applause) I'm not ready to bring my trash to
24 your house, whether it's going -- whether you

1 want to take it to Love Canal or to Texas or
2 to wherever, you're going to destroy something
3 else and something else needs to be -- in some
4 other time, it's going need to be taken out of
5 there.

6 For those reasons, I oppose
7 dredging.

8 Thank you.

9 MR. CASPE: The next speaker is
10 Andrew Williamson, Supervisor of the Town of
11 Argyle. Andrew Williamson?

12 The next speaker is Kenneth
13 Wheeler, Supervisor of the Town of Hartford.

14 KEN WHEELER: Good evening. In
15 all of my political -- excuse me. I am a
16 politician, as a second job -- second job I
17 guess. My first job is an engineer. I have a
18 BS degree in Civil and Environmental
19 Engineering. I am a Licensed Professional
20 Engineer in the State of New York. I was
21 Superintendent of Public Works in Washington
22 County for almost 10 years, and I'm presently
23 a Senior Project Manager for a nationally
24 recognized engineering design firm.

1 Unfortunately, the EPA seems to
2 have turned PCBs into a pro-dredging versus an
3 anti-dredging issue. Most pro-dredging
4 advocates -- excuse me. Most pro-dredging
5 advocates are unaware that there are viable
6 alternatives to PCB clean up. Pro-dredgers
7 just want the river cleaned up. Again,
8 unfortunately, anti-dredging advocates are
9 equally uninformed that there are alternatives
10 that could be used for this issue. They just
11 don't want to live with the adverse impacts
12 that dredging brings us. Both appear unaware
13 that NEPA, the National Environmental Policy
14 Act exists and that Superfund projects are
15 exempt from NEPA. For those of you that are
16 unaware, NEPA is the national equivalent of
17 SEQR at the state level, State Environmental
18 Quality Review Act. NEPA requires federally
19 funded projects, among other things, evaluate
20 alternative solutions to the proposed project.
21 In the PCB issue there are a few alternatives
22 such as bio-remediation and aquatic plant
23 remediation, which are there but have not been
24 evaluated thoroughly by the EPA. A recent

1 article last year in the US News and World
2 Report cites how bio-remediation through the
3 use of microbes is being considered and used
4 by the Department of Energy for nuclear waste
5 clean up. However, I have not heard any
6 evaluation done for PCB cleanups. Yet
7 microbes are used for petroleum cleanups in
8 the area and it's not a problem.

9 Another recent article in our local
10 newspaper talked about PCB-eating plants.

11 The alternatives are nondestructive
12 methods that do not involve dredging, but they
13 can be more effective than dredging is in
14 removing PCBs. Dredging will only move a
15 small percentage of the PCBs from the Hudson
16 River and place them in a landfill some place.
17 The alternative methods can break down the
18 PCBs and remove PCBs from our environmental
19 concerns.

20 As a former Highway Superintendent,
21 I have big concerns regarding dredging because
22 dredging requires backfill to replace the
23 dredged sediments. Backfill will be sand and
24 gravels that are limited, non-renewable supply

1 that was deposited by the glaciers centuries
2 ago. Clay is a predominant soil in the area
3 with few sand and gravel deposits. Just for
4 instance and for comparison, if you assume a
5 ten foot base of a sand or gravel pit, it
6 would take 62 acres of gravel for each million
7 cubic yards of backfill. And we are talking
8 about millions and millions of cubic yards.
9 Where is this material going to come from?
10 It's not along the Hudson. It's several miles
11 away from the Hudson. It's going to have a
12 big impact on local communities who are going
13 to have to face siting and permitting of large
14 aggregate source.

15 The other alternative may be to
16 backfill with materials back hauled from Texas
17 because Texas appears to be where this
18 material is going for.

19 In closing I urge the EPA to
20 thoroughly evaluate the alternatives that
21 might be less damaging to the river's ecology
22 than dredging; that doesn't destroy the
23 fishing habitat; that minimizes adverse
24 impacts on local communities; that minimizes

1 impacts on recreational and commercial use of
2 the river; that doesn't deplete our limited
3 supply of sand and gravel that would be less
4 costly and more effective than dredging.

5 Advocates and opponents alike of
6 dredging should focus on alternatives. These
7 alternatives may be a solution that finds you
8 both have common grounds.

9 Thank you.

10 MR. CASPE: The next speaker is
11 Jean Carlson, Supervisor of the Town of
12 Schaghticoke.

13 JEAN CARLSON: Thank you for the
14 opportunity to speak. I did not come prepared
15 with a written statement, but my town boards,
16 the town board before me, and the one before
17 that, have previously passed resolutions
18 opposing the dredging and the town board in
19 this month's meeting will again pass a
20 resolution opposing the dredging. I don't
21 think I can say anymore than has already been
22 said, and we'll continue to support the
23 non-dredging effort.

24 MR. CASPE: Thank you.

1 Next speaker is Harry Duthiel,
2 Supervisor of the Town of Moreau.

3 HARRY DUTHIEL: Good evening.
4 Thank you. The Town of Moreau -- the Town
5 Board has passed a resolution opposing the
6 preferred -- EPA's preferred method of
7 remediation. Mechanical dredging is too messy
8 and too risky. We have great concerns about
9 resuspension of PCBs. It's better off to err
10 on the side of caution. We have concerns
11 about noise pollution from the booster pumps
12 and generators; the visual effects of the
13 night time lighting; leaks and plugs in slurry
14 lines; the location of the treatment
15 facilities that apparently are supposedly not
16 identified; the source of the backfill
17 material has not been identified. What will
18 be the effects on the neighborhood with 57,000
19 trucks rolling through? Will the source of
20 the backfill material be depleted in the
21 community in which it comes from be faced with
22 higher costs in future years and to have to
23 transport sand and gravel from greater
24 distances? This could effect the cost of our

1 road sand, construction projects that need
2 concrete, which is made up of a significant
3 volume of sand. Portland cement is mentioned
4 as a stabilizing agent. Whose road will this
5 be transported on? Beneficial uses: Non
6 TOSCA material could be used as construction
7 backfill, landfill cover, or abandoned mine
8 reclamation. This could be material with up
9 to 50 parts per million of PCBs being used
10 right here in our local area. EPA has to
11 involve the local people.

12 We are all for making the river
13 better, but we must be careful that we don't
14 make it worse.

15 Science and technology is advancing
16 by leaps and bounds. We should wait until
17 there is a better remedy. The proposed
18 project is too massive to be experimenting
19 with. EPA should abort their preferred
20 remedy, and I am asking that an environmental
21 assessment be done to identify all the impacts
22 to all the communities and identify all the
23 communities.

24 Thank you.

1 MR. CASPE: Next speaker is
2 Assemblyman Little, Assemblywoman Little.

3 ASSEMBLYWOMAN LITTLE: Thank you.

4 I represent the 109th Assembly
5 District, which includes Warren, Essex, and
6 parts of Clinton and Franklin Counties.

7 I have received numerous
8 resolutions from towns in my district, near my
9 district, and throughout the whole area, as
10 well as hundreds and hundreds of letters from
11 people who have a concern in regard to this
12 proposal and this project. In all that I have
13 read, and I have read the report from the
14 National Academy of Sciences and many of the
15 other reports that have been put out, I am not
16 convinced that the end product is going to be
17 any better, should we leave the river the way
18 it is and continue to monitor it, than if we
19 were to dredge it. I believe that our focus
20 should be on continuous monitoring of the
21 river as well as continuing to clean up the
22 source of the PCBs to see that there is no
23 further contamination in this river.

24 The project as proposed is going to

1 move the contaminated soil, which is really
2 encapsulated beneath the river, move it to
3 another area and only take the project and
4 move it from one place to another. It will
5 disrupt the shoreline, disrupt the river,
6 disrupt the economy of our area for many
7 years.

8 I really and truly believe that all
9 of us want to see this project and see this
10 river cleaned up. And it is been, it has been
11 cleaned up, everything we see, all of the
12 reports, we are finding the river in better
13 condition than it was in several years ago. I
14 think we should continue that way, continue to
15 look at other ways of continuing our
16 monitoring and testing of the water and just
17 wait.

18 I encourage the EPA to have more
19 hearings and to continue to have hearings in
20 the areas that are going to be impacted by
21 this project. And that's up in this area.

22 Thank you.

23 MR. CASPE: Thank you. The next
24 speaker is Supervisor Chiamano from Warren

1 County.

2 Those Italian names are tough.

3 SUPERVISOR CHIAMANO: I can't
4 imagine how anybody could say it any more
5 eloquently than the Supervisor from Halfmoon,
6 Supervisor King and Assemblywoman Little. All
7 that needs to be said has been said by them.

8 I will ask you to think about this
9 before we turn it over to the people who
10 really matter, and that's the folks here, and
11 that's the fact that your veracity is in
12 question in this whole matter. In all your
13 reports, in all your talks, even tonight you
14 say things like, we believe, we think, we
15 hear, we don't know all the answers. And what
16 we are saying is until you can say, we know,
17 we know all the answers, don't do this.

18 MR. CASPE: Thank you. Next
19 speaker is Edward King, Supervisor of the Town
20 of North Cumberland.

21 EDWARD KING: Thank you very
22 much.

23 Good evening. I'm Ed King. I'm
24 Supervisor of the Town of Northumberland.

1 And some time ago, our town board
2 supported our neighbors and opposed the
3 dredging of the PCBs. That position stands
4 today.

5 For the record, the Town of
6 Northumberland is located in Saratoga County,
7 on the west side of the Hudson River, just
8 south of here. We're about 5,000 strong and
9 our major industry is agriculture, and we're
10 concerned about everyone that lives in our
11 town.

12 I'm here tonight to call for
13 reason, and I want to emphasize reason. I
14 suspect that, if we lined up all of the
15 scientists who have expressed their opinion on
16 the pros and cons of dredging the river, we'd
17 have a line that would go from here to Heaven
18 knows where. Each side has quoted reams of
19 scientific analysis to substantiate their
20 conclusions.

21 Now, I'm a farmer, and the farmers
22 I know rely on science and good old
23 tried-and-true common sense. For me, all of
24 the varying scientific analysis which has been

1 generated, tells me one thing, and that's that
2 your decision is not a slam dunk. Good old
3 common sense says otherwise, especially when
4 those of us who live nearby and in the river
5 corridor are not informed. It's very
6 troubling that we do not and will not know the
7 particulars of your design phase until after
8 the fact.

9 Now, the bankers I know would laugh
10 you right out of their office if you stepped
11 in and said, "Hi, I want to start this
12 business and I need funding. And, oh, by the
13 way, I'm going to tell you how I'm going to
14 accomplish this later on."

15 As others have said, at the very
16 least, you're agency must, and I want to
17 emphasize must, place all of the details of
18 this project on the table and allow public
19 discussion and comment. Only then, and only
20 then, can an informed decision be made.

21 Tonight, I'm here as
22 Northumberland's representative to support our
23 neighbors who say no dredging.

24 Please let reason and common sense

1 prevail.

2 Thank you.

3 MR. CASPE: The next speaker is
4 Larry Bowman, Councilman for the Town of
5 Moreau.

6 LARRY BOWMAN: First of all I
7 want to thank everybody for coming out
8 tonight. This is a very important issue
9 pertaining to all of us.

10 I am a little upset with the EPA.
11 I'm from Moreau, as stated earlier, Councilman
12 of the Town of Moreau, and this dewatering
13 facility has been looked at being located in
14 Moreau, and I am upset by the fact that we
15 have to base our decisions for our
16 constituents and our families on knowledge.
17 The EPA never made any attempt to come to our
18 Town Board to speak with us so we could be
19 advised of the exact plans that were going to
20 take place.

21 However, as a Councilman who has
22 dealt with General Electric on contamination
23 with our computo-dump(sic) site, I want to let
24 everyone know that in my opinion G.E. is

1 putting out this blitz ad saying that they are
2 partners of the communities, and I just feel
3 that a lot of our people, rightfully so, might
4 agree with their position this time on this
5 issue. However, I do not feel that they are
6 looking out for the best interests of the
7 communities. We spent \$2 million -- hold on
8 please -- our town, small town, spent \$2
9 million fighting for municipal water, fighting
10 for water that our people could drink that
11 wasn't contaminated. It took us 15 years, \$2
12 million to reach a \$5 million settlement. We
13 still don't have water. However, I don't feel
14 that dredging may be the perfect stance at
15 this point in time. I think that we need to
16 be better informed, and that's why we need
17 people like the EPA to advise us, and to tell
18 us where they are at, and why they have
19 reached their verdict. Because I have not
20 heard it yet. And I think instead I would
21 urge our Congressman John Sweeney instead of
22 taking political donations for reelection, to
23 take money for all his constituents because I
24 believe G.E, whether or not this gets dredged

1 now, they should pay the monies so that this
2 can be fixed.

3 As you have heard the other
4 supervisors state from the other three
5 counties, so that better technology comes down
6 the road, we have the money in escrow. I also
7 feel, and I have stated this prior in the
8 newspapers that I feel that the monies could
9 be used, some of the monies could be used
10 towards infrastructure such as water lines and
11 sewer lines, and also towards economic
12 development along the upper Hudson River.
13 Let's put the dollars to work that's going to
14 help all of us. I urge the Congressman other
15 elected officials to bring the environmental
16 groups, to bring the local municipalities, the
17 EPA, we all sit to the table and we come up
18 with a solution that's going to take care of
19 everybody. Thank you.

20 AUDIENCE: Are you guys listening
21 up there? Are you hearing this?

22 It's America. Hang your heads.

23 How much of this can you
24 comprehend?

1 MR. CASPE: Now you get the
2 opportunity to come up and speak.

3 AUDIENCE: Listen to the people.

4 MR. CASPE: We have -- please,
5 just so we all get this straight, we have 148
6 people who have signed up to speak, and that's
7 good. I'm sure you want those people to be
8 heard. The way they're going to be heard is
9 if we're a little respectful of each other and
10 allow people to speak quickly and move on.

11 I'm going to call people up in
12 groups of 10 at a time. I ask them to come up
13 to the microphone. If you come up 10 at a
14 time, we can move the process through as
15 quickly as possible.

16 I would like -- let me call the
17 first 10. Dick McGuire, Chris Ballantyne,
18 Jennifer Zeh, Baret Pinyoun, Patrick Shannon,
19 Dave Perham, Bill Cook, Bob Foster, Larry
20 Bowman, and Ken Duffy.

21 As they're coming up, I just want
22 to address, if I can, quickly this issue of
23 this siting, the siting.

24 AUDIENCE: Let's see you shuffle

1 the cards. Stop stacking the deck.

2 MR. CASPE: Did you fill out a
3 card? Then come up and say that.

4 What I'd like to say -- okay.
5 Fine. We'll just go right to the speakers
6 then. Okay.

7 Dick McGuire.

8 DICK MCGUIRE: Representatives of
9 the EPA, I'm not turning in a statement
10 because I had it hand delivered to Secretary
11 Whitman on the 23rd of January.

12 Concerned citizens on both sides,
13 I'm a farmer, third generation, from
14 Washington County. I first testified at EPA
15 hearing on dredging 20 years ago. At that
16 time, I was president of the New York Farm
17 Bureau and concerned that PCBs were being put
18 on farmland. Soon after that, you may
19 remember, there was a fire in an office
20 building in Binghamton, New York. PCBs
21 contaminated the building. At that time, I
22 was invited to attend a briefing by the Health
23 Department New York State. Maybe 50 people
24 there. They told us that PCBs were not

1 harmful, but they couldn't prove it, and until
2 we can, they're going to continue to say
3 possible carcinogenic and may cause problems.
4 Remember right after that, Governor Carey
5 stood on the steps of the building in
6 Binghamton and offered to drink a glass of
7 PCBs.

8 Since that time, I have read and
9 studied and heard a lot of things,
10 particularly as Commissioner of Agriculture
11 and Markets of the State of New York,
12 concerned about the food supply. All that
13 time, as you all know, thousands of articles,
14 thousands of things on television have always
15 said possible carcinogenic. The words may and
16 possible have been around for 20 years. If,
17 in that length of time, the EPA cannot find
18 enough evidence to say yes or no, I wonder how
19 much longer they're going to have to take to
20 do it. If, in fact, they had irrefutable
21 evidence by medical people, I'm not a doctor,
22 I'm not a scientist, if they have irrefutable
23 evidence that says they cause cancer, this
24 meeting wouldn't be taking place.

1 Twenty years in incubation, if
2 there's people going to become sick by cancer
3 or any other disease caused by PCBs, we would
4 have a record of it by now.

5 MR. CASPE: If you can please
6 wrap up.

7 DICK MCGUIRE: And so, what I'm
8 saying that the point is, you can tell a lie
9 so many times that folks believe it. Possible
10 and may have run their course. It's time the
11 EPA, if they've got the evidence that this is
12 a dangerous substance, say so and prove it.

13 MR. CASPE: I would just say we
14 do say so and we think we do prove it and we
15 think that many other organizations do as
16 well.

17 The next speaker is Chris
18 Ballantyne. Or just announce who you are.

19 CHRIS BALLANTYNE: Thank you.

20 My name is Chris Ballantyne. I'm a
21 resident of Clifton Park. I'm here tonight as
22 a father and a cancer survivor to urge you to
23 continue to move forward with the clean up.
24 We all live down river and we need to

1 recognize that these PCBs are a serious human
2 health risk. And regardless of the GE
3 multi-million dollar ad campaign, you need to
4 move forward with an expedited proposal.
5 Three years may be too long to do the design
6 and remediation phases. You may need to move
7 faster, rather than slower, and you need to
8 consider about all of the type of these
9 communities that are allegedly against it.
10 The town that I live in never debated this.
11 You folks never came to my town. We never had
12 an open and honest forum. It was contrived in
13 a back room deal in Saratoga, and it's not
14 fair to those of us that suffer with these
15 poisons.

16 I would urge you to work with our
17 elected officials, including all of those
18 tonight that were talking about blueprints,
19 and I would urge them to come up with a
20 blueprint for political leadership, because
21 this is an issue that divides us north and
22 south, east and west. And it is high time
23 that the political leaders and the residents
24 and our neighbors work to resolve this

1 festering problem.

2 I thank you.

3 JENNIFER ZEH: Good evening. My
4 name is Jennifer Zeh.

5 I'd like to begin by stating I'm a
6 lifetime resident of Upstate New York. I'm
7 from Gansevoort.

8 I'd like to thank the EPA for the
9 proposed clean up plan for the Hudson.
10 Although Alternative 4 is a great start, I do
11 not feel it goes far enough to remove the
12 PCBs. If we are going to temporarily disrupt
13 the ecosystem over the river, we may as well
14 clean up as much as possible at one time.
15 However, I do feel that the PCBs must be
16 removed from the Hudson River as soon as
17 possible. I certainly don't buy the GE TV,
18 radio, and newspaper ads that the river is
19 cleaning itself. In an ideal world, that
20 would be nice, if that were true, but it
21 simply is not. Mother Nature cannot do the
22 job herself, nor should she have to. GE
23 dumped manmade toxins into the river, and we
24 cannot expect the river to bear the burden of

1 these. GE is responsible and must pay to
2 remove them.

3 I, unfortunately, I feel this
4 entire clean up proposal project has been
5 centered around GE versus environmentalists.
6 This issue should not be about money, instead
7 it should be about public health. It deeply
8 saddens me that the people in the upper Hudson
9 Valley are dying from cancer and other
10 health-related PCB effects. While I
11 understand that this has not been proven yet,
12 if you look at expected cancer rates along the
13 river, they are much higher than they should
14 be.

15 Although I can be classified as an
16 environmentalist, I want the residents of the
17 local Hudson River Valley to know that the
18 environmentalists are looking out for your own
19 good. We want the river to be clean, the
20 towns around here to thrive once again, and
21 for the residents to stop falling ill and
22 dying unnecessarily. The only thing we have
23 to gain is a clean, viable river.

24 I feel the trouble with our society

1 today is we are selfish. We are concerned
2 with what is in our backyards only. We need
3 to all stand up as a whole and stop thinking
4 only of ourselves, expand our perspectives and
5 think of the future generations, our legacy
6 that will inhabit this river valley for years
7 to come.

8 My hope is that all the groups
9 present here tonight could work together to
10 support the best solution for the river,
11 cleaning it up once and for all.

12 Thank you.

13 BARET PINYOUN: My name is Baret
14 Pinyoun, and I'm from Saratoga Springs.

15 I'm here tonight for a couple of
16 reasons. First of all, the EPA's proposal is
17 a good proposal for the river, and I feel
18 strongly that the river should be dredged of
19 PCBs because of serious human health risks.

20 The other thing that I just want to
21 say is that, as a resident of Saratoga Springs
22 and of Upstate New York, I'm extremely
23 concerned by the amount of misinformation
24 that's out there. I was speaking with some

1 people last night at the Albany hearing and
2 people are so confused about what's going on,
3 about what the facts are, and a lot of that is
4 because of General Electric's misinformation
5 campaign that we are all really sick of.

6 I urge people living in the Hudson
7 Valley, who are being subjected to this
8 campaign and to all sorts of other
9 information, to look and evaluate, look at the
10 messengers, look at the motives of those
11 messengers. The goal of the Environmental
12 Protection Agency is to protect the public
13 health of people and wildlife. The goal of
14 the environmental groups along the Hudson
15 River Valley is to protect the environment in
16 the Hudson River Valley. The goal of General
17 Electric is to make money and to maintain
18 their bottom line.

19 Who do you think has the Hudson
20 River's best interests in mind?

21 Thank you.

22 PATRICK SHANNON: Hello. My name
23 is Patrick Shannon. I'm from Saratoga
24 Springs.

1 Let me start off by saying I
2 support Alternative Number 5.

3 And I've heard two arguments from
4 the groups CEASE and those opposing the clean
5 up project proposed by the EPA. The first is
6 that the project poses a threat to farmland.
7 This argument seems to have no merit, as the
8 EPA's plan does not call for disposing any of
9 the river's materials in the Hudson River
10 Valley.

11 General Electric seems to have
12 misled people.

13 I can talk louder, if I would like,
14 too.

15 The second argument is that there
16 is --

17 MR. CASPE: Please let people
18 make their statements.

19 PATRICK SHANNON: The second
20 argument is that there's a threat to property
21 value. Again, I see no merit in this
22 argument. Property value would not decrease
23 from a clean up project. In fact, there may
24 be an increase. It may be difficult to sell

1 river front property on the Hudson due to PCB
2 pollution. No one wants to buy land next to a
3 highly polluted river.

4 AUDIENCE: I just bought three
5 acres.

6 PATRICK SHANNON: Congrat-
7 ulations.

8 MR. CASPE: Folks. There's going
9 to be both sides, and we can scream and holler
10 at each other and people won't be heard. Go
11 ahead.

12 PATRICK SHANNON: Instead of
13 fighting the EPA's clean up proposal, people
14 should like at the possible benefits it would
15 bring. With the project under way, there
16 would be added income to towns from the jobs
17 that would be created. People should be aware
18 of the high-paying opportunities that are
19 possible. Also, local businesses would
20 benefit with workers bringing their income to
21 spend in town. Tourism could be a major
22 source of income to the river town, but can
23 only be possible if boat traffic is allowed up
24 river. Currently, the touring boats cannot

1 make it up river because it is too shallow.
2 The river needs to be periodically dredged for
3 navigation, which has not happened due to the
4 PCBs in the river. With a functional river,
5 these towns could be a major tourist
6 attraction and can benefit the community as a
7 whole.

8 People opposed to the clean up
9 project should look beyond the next few years
10 and see what is best for generations to come.
11 You have an opportunity to secure jobs and
12 keep your community thriving. Don't pass up
13 this economic opportunity. Support the EPA's
14 dredging plan to protect your future.

15 Thank you.

16 BILL COOKE: Good evening. My
17 name is Bill Cooke and I am the Director of
18 Government Relations for the National Audubon
19 Society in New York State. I also grew up in
20 Washington County.

21 First, I want to honestly applaud
22 all the folks who came out tonight, both
23 sides. This is a contentious issue, and a lot
24 of strong feelings. I understand that and I

1 recognize that, but I have got to be honest
2 with you, I am impressed that this many folks
3 came out to express their views. I am sure a
4 lot of us are going to disagree, but we are
5 giving each other time to speak and to be
6 heard, and I think that's the appropriate way
7 to deal with this.

8 Am I concerned about the PCBs in
9 that river? Yeah, you bet. Does my
10 organization support dredging? Yeah, we do.
11 Is it a perfect answer? No, it isn't. We
12 understand that. But when you look at the
13 long term, when you look at generations out,
14 when you look at our children and their
15 children, there is no better answer.

16 I appreciate you folks coming out,
17 I appreciate the strong interest and strong
18 feelings. Together we are going to get
19 through this, and that's what it's about.

20 Thank you.

21 MR. CASPE: Let me just call the
22 next 10 speakers to the stage: Marian
23 Trieste, Andy Mele, Manna Jo Greene, David
24 Higby, Vernon Dorgan, Kristi Plunkett, Tolly

1 Ganotes, Robert Henrickson, Michael LaPan,
2 John Haggard, Benn Tripp.

3 Yes, sir.

4 ROBERT FOSTER: My name is Robert
5 Foster. I am an Albany resident and
6 Legislative Director for the Citizens Campaign
7 for the Environment which is an 80,000 member
8 environmental advocacy organization in New
9 York State with over 10,000 members in the
10 Hudson Valley.

11 We have already submitted written
12 comments in support of the EPA's proposed
13 plan, but I just want to make one brief
14 comment. In the wake of the half hour t.v.
15 buy by General Electric that we were all
16 subjected to last week, for all the money that
17 was spent on p.r. and all the money that was
18 spent on sound science, evidently the best
19 they could come up with was source control?
20 Well, yeah, you had better be doing source
21 control. You were already told to, but,
22 unfortunately, because of inadequate source
23 control for decades the Hudson River bottom
24 itself is now the largest source of PCBs for

1 the river, and that mess needs to be cleaned
2 up, too.

3 Thank you for the opportunity to
4 comment.

5 KEN DUFFY: My name is Ken Duffy.
6 I am Executive Director of the Rensselaer
7 County Environmental Management Council, and
8 also newly elected President of Concerned
9 Citizens for the Environment. Both these
10 organizations have been involved in the PCB
11 reassessment project for 11 years. For the
12 first ten of those years we reviewed your
13 data, we looked at your science, we peer
14 reviewed volumes and volumes of scientific
15 reports, and we didn't take a stand.

16 The facts and science were not in
17 place for us to form a decision.

18 MR. CASPE: Excuse me. Just for
19 a second. I don't know. Could you just close
20 that back door, maybe? Somebody back there is
21 talking real loud.

22 I'm sorry. Go ahead.

23 KEN DUFFY: That's okay.

24 However, today we know that fact and science

1 give us unassailable conclusions and give us a
2 very firm foundation on which to base our
3 decision. The fact of the matter is we know
4 today, we didn't know in 1990, we know today,
5 that even low levels of PCBs have very real
6 and measurable negative health impacts both on
7 wildlife and human health, especially
8 children. Today we know what we didn't know
9 in 1990, that PCBs are mobile in the upper
10 river environment. Five hundred pounds of
11 PCBs are moving over the Troy dam every year.
12 These PCBs, these chemicals, are not being
13 entombed, they are not being covered by clean
14 sediments. They are moving in the river. We
15 know today that the fine for catching and
16 keeping a fish in the upper Hudson River is
17 \$250 or 15 days in jail. That is not going to
18 change for 70 years unless we get the
19 chemicals out of the river.

20 Trucks dripping toxic mud will not
21 go through our streets; habitat will not be
22 destroyed; and fact and science today tells us
23 that rivers all over the nation and all over
24 the world are being cleaned and returned to

1 productive use through environmental dredging.

2 Therefore, both of these
3 organizations support your decision. I only
4 ask one thing: That you move forward
5 listening to the legitimate concerns of the
6 upper river and lower river communities before
7 you pass judgment.

8 Thank you very much.

9 MR. CASPE: Thank you. Please
10 fill out a card and you can come up and you
11 can say what you want.

12 Yes?

13 MARIAN TRIESTE: Hi, my name is
14 Marian Trieste. I'm a resident of
15 Schuylerville, co-chair of the Environmental
16 Liaison Group, and I am also a consultant paid
17 for by Scenic Hudson to run an environmental
18 information campaign, and an up river
19 informational campaign on what's actually been
20 discussed here in the feasibility study, and
21 what the proposal actually involves at this
22 point. For the past eight months I have
23 visited communities all along Saratoga and
24 Washington County, town boards, village

1 boards, and high schools, you name it.

2 I want to just make the record
3 clear that we have a big confusion problem
4 here in the upper Hudson River about what all
5 this entails.

6 We have the Village of Fort Edward
7 that did sign onto a resolution unanimously in
8 favor of cleaning the yacht basin and above
9 Lock 7 because of the reason being that you
10 cannot navigate through the canal the way we
11 are intended to.

12 We also have the Village of
13 Stillwater that abstained from voting on a
14 resolution that would disallow dredging. They
15 have not made an opinion on this as yet.

16 We have the City of Saratoga
17 Springs and Ballston Spa that asked to be
18 removed from the General Electric ads because
19 they have not taken a position on this issue.

20 There are many uninformed people
21 when I go to these villages and give them the
22 other side of the issue that they have not
23 heard. They think about it and they realize,
24 well maybe we have some options here, that

1 maybe we should remove the sediments from the
2 river.

3 The proposed plan, I'm for it. We
4 need to enhance that plan and go further. We
5 can feasibly remove sediments from the Fort
6 Edward yacht basin, that has to be addressed.
7 Roger's Island, the shore lines on Roger's
8 Island, clean them up. Clean up the shore
9 lines. Schuylerville shorelines are infested
10 with PCBs, people. We have shore lines all
11 along the Hudson River that have to be
12 addressed, and this is the agency that can
13 force this action to happen. Let's think
14 about this. Our economics is also involved
15 here as much as public health.

16 Thank you.

17 DAVID HIGBY: My name is David
18 Higby. I am the Solid Waste Project Director
19 for Environmental Advocates. We are an
20 environmental, education, and policy institute
21 in Albany. We represent 130 groups statewide
22 and six thousand members.

23 I also speak to you tonight as a 25
24 year resident of Washington County. I live in

1 Salem with my wife and two children. My wife
2 grew up just below the Thompson Island pool on
3 a farm, on her family farm where they have
4 been growing vegetables for the last five
5 generations.

6 Environmental Advocates has for a
7 long time opposed the establishment of any
8 landfills in the upper Hudson region, whether
9 it be for PCBs in Fort Edward, or sludge, or
10 municipal waste. I myself have testified many
11 times against turning working farm land into
12 dumps in this region. So we congratulate the
13 EPA that you have taken the local landfilling
14 part completely off the table. But the fact
15 is that the largest, single, PCB toxic
16 landfill in the world is the upper Hudson
17 River itself, and the problem is that it has a
18 water column going through it that is still
19 carrying 500 pounds of PCBs over the Troy dam
20 into the lower river and into the world's
21 ecology every year. And that has to come to
22 an end.

23 We are very happy to see that the
24 National Academy of Sciences included two

1 provisions in it's executive summary to
2 include the local economy because we know that
3 the local economy has suffered a great deal
4 because of it's contamination and will
5 continue to do so.

6 It's time for everybody in
7 Washington County to stand up and say, we care
8 about our children, our grandchildren and our
9 great grandchildren because their health and
10 their economic futures are in your hands.

11 Thank you very much.

12 VERNON DORGAN: I just want to
13 begin by saying my name is Vernon Dorgan. I
14 was born and raised in Hudson Falls. God, I
15 love this place.

16 Two minutes is not even enough to
17 begin to say what I think about the EPA.

18 I think this dredging is a big
19 joke.

20 Generations and generations, me and
21 my grandfather have fished, we have swam, he
22 taught me how to swim in the lower part of
23 South Glens Falls Hudson River.

24 Well, dredging will only ruin the

1 nice bass fishing, nice catfishing, nice
2 bullhead fishing. May I might add, there's
3 some big bull heads out there.

4 I'm kind of short of words, but I'm
5 to make my time good.

6 Now, all these people out here are
7 saying, "no, I want to dredge, da, da, da,
8 da." Well, come on people, let's wake up.
9 Jesus.

10 Now, we dredge, we ruin the fish,
11 we ruin the birds. Hey, I like nature.
12 Mother Nature loves Mother Nature, obviously,
13 because it's Mother Nature. Now, we heard
14 Mother Nature, she's going to get up here and
15 slap us right in the face.

16 Now, I'm just one person, but if we
17 all just stand together, the people that are
18 for no dredging, I think we can stop the jokes
19 up there, EPA, from dredging. Now, let's
20 stand together and tell these people, man, to
21 let us, let us talk and have them not
22 interrupt us. Now, I think that's just
23 sensible.

24 Now, for these guys up here who are

1 saying, you know, whole bunch of hocus pocus
2 about the -- I don't even know. I'm just so
3 upset with these jokes up here. Now, I'm
4 going to stop before I get myself arrested.

5 Now, I just say stop dredging, no
6 dredging now and forever.

7 MANNA JO GREENE: I'm Manna Jo
8 Greene. I am the environmental director for
9 Hudson River Sloop Clearwater and I am a
10 registered critical care nurse for 20 years.

11 It breaks my heart to see that
12 people in the upper Hudson River, who are most
13 vulnerable to the health effects of PCBs also
14 be most opposed to cleaning up our river. I
15 spent the entire day today listening to the
16 most current research on PCBs and their health
17 effects. They are probable, not possible,
18 human carcinogens. They definitely cause
19 cancer in animals. They suppress the immune
20 system, they alter normal human development by
21 interfering with intelligence, attention span,
22 thyroid function, sexual development and
23 function, including abnormalities in both
24 males and females of reproductive organs and

1 reproductive patterns. All of this is proven.
2 It is fact. It is real.

3 When asked today how you get rid of
4 PCBs if they're in your system, the only thing
5 that the scientists could refer to is they
6 leave the body when a mother feed her baby and
7 they pass out through the mother's milk.

8 GE has poisoned our river and now
9 they are trying to poison our minds. It was
10 both illegal and immoral to commit this crime.
11 It was illegal. They violated their permits
12 from 1972 to 1977.

13 In this river, PCBs are moving
14 throughout the environment, they are not
15 encapsulated, and this river is not cleaning
16 itself up. If the river is not cleaned up,
17 you are exporting your garbage daily down
18 river.

19 And I support, thoroughly support
20 EPA's plan and hope you will, too. Use the
21 precautionary principle. Do you really want
22 to take a chance with your health and your
23 children's health.

24 MR. CASPE: Thank you.

1 CHRIS WHITE: My name is Chris
2 White, and I'm also with Clearwater. I'm
3 speaking on behalf Andy Mele, who had to leave
4 early.

5 I also grew up along the Hudson. I
6 grew up swimming, fishing, and boating. My
7 father was the last commercial fisherman for
8 striped bass in Garrison, New York. That
9 fishery was closed down due to the PCB
10 contamination. And that was a 20 to \$40
11 million a year, vibrant industry down there.
12 A lot of families got -- there were over 300
13 families that were supported by the fishing
14 industry. And that's gone now.

15 GE's doing a lot of ads now that
16 are saying that dredging will destroy the
17 river, it will wreck the economy. And I think
18 all we need to do is just look upstate to Lake
19 Champlain to see what dredging is actually
20 like.

21 In Cumberland Bay, near
22 Plattsburgh, the opposite took place. Over
23 three summers, and that's just one season,
24 dredges took out over 20,000 pounds of PCBs,

1 which is about a fifth of what they're talking
2 about taking out of the Hudson. During the
3 dredging, there were two swimming beaches that
4 were open in a stone's throw of this dredging.
5 They stayed open for the entire time because
6 the trepidity was so low. There was an intake
7 pipe for Georgia Pacific Paper Company, and
8 they have very low thresholds for trepidity
9 for the stuff that they take in to use. That
10 stayed open the entire time. So if this was
11 throwing up a lot of resuspension, that would
12 have had to shut down.

13 The motels and the hotels up there,
14 didn't close down. The economy didn't fall
15 apart. And we've gone up and we've
16 interviewed people in the area. They don't
17 have any major complaints about the noise.
18 They hardly knew the folks were out there
19 doing this work. And they used to end up
20 waving to them in the morning and offering
21 them coffee in the morning.

22 Their property values are going up,
23 their economy didn't fall apart, and Lake
24 Champlain is a healthier body of water now and

1 the residents have a lower risk of health
2 effects from PCBs.

3 I support dredging. It worked in
4 Lake Champlain and it can work in the Hudson
5 River.

6 Thank you.

7 BEN TRIPP: My name is Ben Tripp.
8 I'm a resident of Hudson Falls.

9 I have a few questions for what's
10 going to happen after you dredge the river.

11 I understand that you plan to
12 backfill two billion pounds of sand and gravel
13 into the river. And can you tell me where you
14 plan to get that material from? A quarry?

15 Where is that quarry going to be
16 located?

17 How will you get that backfill from
18 the quarry to the river?

19 Are you going to use trucks, rail
20 cars? And how many of them trucks and rail
21 cars are going to be needed to transport that
22 material?

23 How will the backfill project take
24 place? Will it happen simultaneous as you are

1 dredging, or will it happen all at once when
2 the dredging is completed?

3 Where are you going to dump the
4 stuff into the river? How is that going to be
5 done?

6 And also, for all of those that are
7 for the dredging, I just wish -- why don't you
8 take some of that PCB dredge, put it right in
9 your backyard and then we won't have to deal
10 with it anymore.

11 BOB HENDRICKS: I'm Bob Hendricks
12 and I'm president of the Nassau Union of
13 Concerned Citizens.

14 The Nassau Union of Concerned
15 Citizens is an organization representing
16 approximately 250 members whose purpose is to
17 inform, educate, and empower citizens of
18 southern Rensselaer and northern Columbia
19 Counties regarding issues of historic and
20 rural preservation.

21 The Environmental Conservation and
22 good government held their most recent meeting
23 on January 24th of this year. At that
24 meeting, members discussed the U.S. EPA clean

1 up plan for the Hudson River and considered
2 the facts that PCBs are persistent, organic
3 pollutants that pose an increasing threat to
4 public health.

5 PCBs in the Hudson River fish have
6 remained at a level that is up to a hundred
7 times higher than that deemed safe for human
8 consumption. Almost 500 pounds per year of
9 PCBs released from sediments are pouring over
10 the dam at Troy. Clean up of contaminated
11 sediments will be done by environmental
12 methods deemed to be safe and effectively
13 recently on Lake Champlain.

14 The now-forgotten removal of almost
15 one million cubic yards of sediment from the
16 river during the 1970s demonstrates the river
17 will not be disrupted or shut down. PCB
18 contaminated sediment now uncontained in the
19 Hudson, will be placed in a contained,
20 permitted site outside the river valley.

21 This inevitable pollution clean up
22 can be done now by the responsible party, GE,
23 and not later, at taxpayer expense.

24 The health, safety, and welfare of

1 Rensselaer County and Columbia County
2 residents will be positively impacted by this
3 proposal. Therefore, the NUCC voted to
4 endorse the U.S. EPA PCB clean up plan for the
5 Hudson River and to forward this letter of
6 support to the U.S. EPA.

7 I'm should add, I'm also going to
8 forward to you a letter from Rebecca Caters, a
9 resident of Green Bay, Wisconsin, and she
10 wrote about the success of a dredging proposal
11 that started out as a disaster when done by
12 the polluter's contractor and was a success
13 after the EPA took it over.

14 Thank you.

15 KRISTI PLUNKETT: Hello, my name
16 is Kristi Plunkett and I'm from the Hudson
17 Falls area. I'm speaking tonight on behalf of
18 my little girl, Lila(sic). I'm a breast
19 feeding mother. I live every day with the
20 knowledge and the stress of poisoning my own
21 child through the breast milk. I hope that
22 when she has her offsprings and her offsprings
23 have offsprings as well, I hope that they
24 won't have to deal with the knowledge of

1 contaminating their children with toxic waste.
2 And I hope that that's what will be happening
3 when you remove the PCBs from our river.

4 And I thank you for your honorable
5 decision and I am grateful that, hopefully, it
6 will be going ahead as planned. And I do want
7 to also state that I do support Plan #5. I
8 think it's important to take care of the whole
9 problem, and that would include the Thompson
10 Island pools and Roger's Island.

11 And I thank you.

12 JOHN HAGGARD: Well, Rich, time
13 now for something a little different.

14 My name is John Haggard. I'm
15 G.E.'s Project Manager for the Hudson River.
16 We at G.E. proudly stand next to our neighbors
17 and staunchly oppose dredging the upper Hudson
18 River. We are for river cleanup, but we have
19 a better project, a better remedial solution.
20 That is what's already worked and is going to
21 continue to work, which is, the clean up of
22 the G.E. Hudson Falls plant site, and
23 continued natural recovery. This has worked,
24 and dredging is not going to help. Dredging

1 will, on the other hand, will increase PCBs in
2 fish and water. It will resuspend PCBs. It
3 will disrupt these communities in the upper
4 Hudson River. It will destroy over 100 acres
5 of subaquatic vegetation. And to what end?
6 What is the benefit? In Thompson Island pool
7 two of the three targets you established, you
8 are not going to meet with your project. The
9 third target, G.E.s project, will achieve
10 essentially the same level, at the same time
11 your project does. So what is the added
12 benefit? The impacts of your project are very
13 real. The benefits are illusory. Dredging
14 just does not make sense.

15 Now I would like to ask a question.
16 You talked about benefits of dredging and
17 success stories. You mentioned Queensbury,
18 which is very interesting. Did you know that
19 the PCB sediment deposits in Queensbury are
20 still in place? That the project that
21 occurred was an upland shore clean up? And
22 that on shore cleanup, that source control
23 project is the perfect model for the Hudson
24 River?

1 Let me ask a question. Can EPA
2 provide documentation to the public where a
3 dredging project has successfully reduced PCB
4 levels in fish?

5 Thank you.

6 RICH CASPE: I would just say
7 that we can, we will provide that
8 documentation, and I also would say that we
9 expect the PCB levels in fish to drop almost
10 immediately after dredging. Thank you.

11 TOLLY GANOTES: Hello, my name is
12 Tolly Ganotes. I was born in Hudson Falls and
13 raised in Hudson Falls. You can not get
14 anymore local than that. I am here to say
15 that I am definitely in favor of your proposal
16 to dredge the Hudson River, especially
17 Proposal #5. It is very important that we get
18 rid of most of the chemicals that we can.

19 Unfortunately my representatives
20 have failed to represent me for I am not just
21 a visiting activist as John Sweeney would like
22 to say I am. However, I am a citizen and I do
23 believe in it. And if I did have a payroll
24 such as John Haggard, maybe I could make it

1 more convincing. However, I don't.
2 Therefore, I have myself and I just have the
3 facts that PCBs are dangerous chemicals, and
4 they have been proven to cause cancers in
5 animals, and very dangerous health risks to
6 humans. Now that is one fact alone that you
7 need to recognize.

8 And I just want to thank the EPA
9 for coming here and allowing us to speak.

10 MR. CASPE: I would like to call
11 the next 10 speakers. Judy Schmidt-Dean,
12 Robert Kafin, Tim Havens, Jane Havens,
13 Florence Mattison, John Mattison, Jay
14 Whitcomb, Richard Kidwell, Elaine Smythe, and
15 Lois Marchaland.

16 MICHAEL LaPAN: Hello, my name is
17 Michael LaPan, and I am also a Hudson Falls
18 native and Tolly is kind of a tough act to
19 follow here, but I strongly would urge the EPA
20 to follow through with the dredging project,
21 Proposal #5. I believe that this river will
22 not clean itself, and it must be cleaned up,
23 and G.E. must pay, and they must not be
24 allowed to continue with this campaign of

1 disinformation and manipulation. And I would
2 urge everybody to boycott G.E. products, cut
3 them out of your lives the best you can.

4 Thank you.

5 MR. CASPE: If I could just ask
6 for a second, is Bob Foster or Larry Bowman --
7 they have been called earlier, are either one
8 of them here?

9 LARRY BOWMAN: I'm Larry Bowman.
10 I spoke earlier.

11 MR. CASPE: Okay. Sorry. And
12 Foster spoke also? Okay. Sorry.

13 JUDY SCHMIDT-DEAN: I'm Judy
14 Schmidt-Dean. I'm Chair of the Citizens
15 Liaison Group in the Community Interaction
16 Program. And getting back to what I was
17 saying last night about myself with the CIP
18 and our little dysfunctional family, I would
19 like the public to realize that after ten
20 years of intense involvement and having gone
21 into this reassessment with no preconceived
22 opinions on whether to dredge or not, three of
23 the four liaison groups have come to the
24 conclusion that dredging is not the

1 appropriate remedy needed to lower the levels
2 of PCBs in the fish. And the fourth group is
3 split down the middle. This is significant
4 and cannot be dismissed. The CIP is still a
5 viable part of this reassessment. So I do
6 have a request. With the change in
7 administration there will come a time in the
8 very near future where you will be briefing
9 Administrator Whitman on the reassessment.
10 The CIP should be part of this reassessment.
11 And we'll go anywhere: New York City,
12 Washington. Administrator Whitman should meet
13 the whole family before the Record of Decision
14 is declared, and, Rich, when you pass along my
15 request to Administrator Whitman, to also
16 continue from last night, please tell her that
17 I'm requesting it warmly.

18 And, lastly, I would like to
19 present this check to Mr. Tim Haven, President
20 of CEASE. I am putting my and my husband,
21 Phil's, full support behind this fine
22 organization. I would encourage anyone who
23 believes that this dredge project is wrong to
24 support CEASE.

1 ROBERT KAFIN: Nice to see you
2 again, Mr. Caspe.

3 My name is Robert Kafin and I'm
4 speaking this evening on behalf of Washington
5 County CEASE, a non-profit organization
6 representing people who live and work in the
7 upper Hudson River area.

8 EPA's proposed dredging plan is
9 based on an old-fashioned, heavy construction,
10 and yesterday's technology of altering the
11 natural environment to suit short-term human
12 desires. Good environmentalists everywhere,
13 the Chris Ballantynes, the David Higbys of
14 this world have fought the Army Corps of
15 Engineers, the Bureau of Reclamation, and
16 countless private developers with respect to
17 projects like this. Unfortunately, here in
18 New York, the desire of downstate
19 environmentalists to strike out at GE has
20 blinded them to the reality, but there are
21 innocent people in the line of fire. And it
22 is on behalf of those innocent people in the
23 quiet, rural environment within which they
24 live that I speak tonight.

1 The feasibility study does not
2 fairly and accurately evaluate the human
3 health, environmental, social and economic
4 impacts of the proposed dredging scheme. As a
5 result, the recommendation of Alternative 4 is
6 based upon a fatally flawed analysis.

7 Let me tell you what CEASE thinks
8 is going to happen. First, no one is going to
9 be in a position to dredge in 2004. The
10 decision-making and the design phases will
11 take far longer than EPA predicts, and the
12 result of that will be continued uncertainty,
13 it will freeze property transactions along the
14 river corridor, it will decrease property
15 values. The mere continued threat of the
16 project degrades the environment. And once
17 the dredging starts, we think it will continue
18 far longer than EPA says, we think maybe 10 to
19 20 years. A placid region will be turned into
20 an around-the-clock industrial nightmare. And
21 at the end of the day, when dredging is
22 completed, there will remain a completed
23 degraded environment. Acres of wetlands will
24 have been destroyed and the idea that they can

1 be synthetically reproduced is just not a
2 serious idea.

3 For dozens of miles in the river
4 the fish, amphibian, and reptilian populations
5 will have been killed and their habitat
6 permanently altered. The Thompson Island Pool
7 will be a Dead Sea.

8 So the feasibility study proposes a
9 environmental nightmare of unprecedented
10 proportions. To me, it calls up the images of
11 the much-maligned Vietnam war officer who said
12 that it was necessary to destroy the village
13 to save it. That was wrong then and it cannot
14 be right now.

15 MR. CASPE: Thank you.

16 DAVE PERHAM: My name's Dave
17 Perham. I'm from Saratoga.

18 You know that saying, "Only in the
19 movies"? It means life really isn't like
20 that. Well, GE made a movie. And I think all
21 of us have seen it. It stretches reality. It
22 is formulated to convince the people, all
23 people that the Hudson is cleaning itself up
24 and that the EPA with its plan intends to

1 poison all organisms in its path?

2 Come on. Just look at what each
3 entity stands for.

4 This is not unlike the freshly
5 arrested individual who banters out of control
6 defending himself, while unknowingly
7 incriminating themselves. I think GE is now
8 spilling the beans on itself.

9 Any business billboard and
10 advertisement is designed to sell you a
11 product or idea without much regard for the
12 individual buying into it. GE is doing the
13 same with this campaign to buy your opinion.
14 It is a true media blitz by a company scared
15 of the truth. We have the technology which GE
16 hides from us in their movie to safely remove
17 the toxic PCBs with negligible resuspension of
18 material into the river.

19 If no action is taken, in my
20 opinion, that over time, when medical research
21 is done, they will have a class-action lawsuit
22 on their hands that is 10 times the amount of
23 this clean up bill.

24 Don't let GE's Hollywood production

1 wash your mind. Every time you lock onto one
2 of their many ads, remember, it's a movie, and
3 do mind the man behind the curtain.

4 Thank you.

5 MR. CASPE: Would you please
6 repeat your name?

7 DAVE PERHAM: Excuse me?

8 MR. CASPE: Could you please
9 repeat your name?

10 DAVE PERHAM: David Perham. I
11 was called earlier and I was just able to
12 arrive now.

13 TIM HAVENS: Good evening. My
14 name is Tim Havens, Senior. I'm a businessman
15 in this community and president of CEASE, a
16 group of volunteer citizens organized in 1980
17 solely to stop the proposed dredging of
18 contaminants in the Hudson River and dumping
19 them on land.

20 I am pleased that EPA has finally
21 coming to this community to face the very
22 people who will suffer the greatest harm from
23 this dynamic and overwhelming project.

24 When we began fighting upper Hudson

1 PCB dredging over 20 years ago, the proposal
2 was to cost \$27 million. Now you're talking
3 \$460 million, and I'm sure that by the time
4 it's complete the price tag will be in the
5 billions. A game of bureaucratic pin the tail
6 on the donkey.

7 This is the fourth EPA public
8 hearing I've attended since December and I've
9 never seen the same show twice.

10 You tailor your information to each
11 location, telling what you think people want
12 to hear. The people of our communities are
13 suspicious due to the shifty actions of EPA
14 and its consultants. Everyone who lives along
15 the 40 miles of the upper Hudson River
16 targeted by this proposal wonders if EPA has
17 studied their backyard through its
18 rose-colored binoculars.

19 Last night, Mr. Caspe, you told us
20 that without dredging, 500 pounds of PCBs go
21 over the Troy Dam each year. After dredging,
22 300 pounds of PCBs will still go over the Troy
23 Dam each year. This remedy does not justify
24 the destruction of the river's constantly

1 improving ecosystem nor the sacrifice of the
2 people's right to quiet enjoyment of their
3 homes, property, and river.

4 In EPA's 4,000-page feasibility
5 study, they envision replacing one million
6 cubic yards of clean material back into the
7 river plus transplanting a million aquatic
8 plants. Now, on top of everything else, the
9 EPA portrays themselves as Mother Nature, too.

10 Last night we were told that you
11 weren't planning on creating much truck
12 traffic, but upon review of Book 6 of the
13 feasibility study, we find that EPA proposes
14 extensive use of trucks in hauling the
15 backfill material from a local source, across
16 local roads and bridges, accelerating the wear
17 on our already over-burdened local
18 infrastructure.

19 Lastly, based on all the mystery
20 that surrounds your proposal, the people of
21 our communities are skeptical when you tell us
22 that no dredged material will be disposed of
23 in the Hudson Valley. What if all the
24 existing toxic waste landfill space is full by

1 the time you begin dredging? Will you once
2 again set your sights on the already
3 identified 260-acre farm in Fort Edward, Site
4 10, threatening agriculture, Washington
5 County's number one industry, destroying
6 adjacent property values in the Town of Fort
7 Edward, whose school taxes support this, the
8 Hudson Falls School District?

9 It is our mission and our duty to
10 stop this atrocity from being committed on our
11 river, our lands, and in our communities now
12 and forever.

13 Thank you.

14 JANE HAVENS: My name is Jane
15 Havens. I live in the Town of Queensbury.
16 I'm married to him and I'm damn proud of it.

17 Ladies and gentlemen of the EPA,
18 members of our communities, the basic reason
19 we are all here tonight is the EPA and others
20 feel the Hudson River should be free of
21 contaminants. I don't have a problem with
22 that basic ideology. What I do have a problem
23 with is the EPA's poor history regarding
24 environmental dredging and their absolute lack

1 of solid information on the Hudson River
2 project.

3 In New York City, at the EPA
4 hearing, I addressed information I found on
5 EPA dredging projects across the country, and
6 I would like to share some of that information
7 with my community as well.

8 I have compiled some information on
9 approximately 12 EPA dredging projects: The
10 St. Lawrence River and Grass River in New
11 York; New Bedford, Harvard, Massachusetts; LTV
12 Steel in Indiana; Manistique Harbor, Michigan;
13 and more. These projects have taken or are
14 taking longer than projected, costing more,
15 and they are not reaching their goals in
16 reducing PCBs in sediment or fish.

17 Isn't that the consolation the
18 pro-dredging environmentalists are telling us,
19 that fish will be better after dredging?
20 Well, they aren't, at least in the projects
21 that I have researched.

22 You have already admitted that you
23 will not get all the PCBs out and plan to
24 backfill the riverbed to bury the remaining.

1 Last night in Albany, you told a
2 lady who inquired about truck traffic,
3 Mr. Caspe said, "rail cars, yes. Barges, yes.
4 Trucks, no." I don't believe rail cars and
5 barges have dump bodies and I don't think
6 you're going to place a group of men on a
7 barge with shovels dumping backfill into the
8 river. Therefore, trucks.

9 How can the EPA meet these goals
10 when they don't even have complete
11 information? For instance, if they are going
12 to be in the design phase for three years and
13 then dredge in the next five, when are they
14 going to build these dewatering plants? You
15 can't build it when we're designing it and it
16 has to be there when you dredge. Your
17 timeframe is a farce, you're not meeting your
18 goals in sediment or fish, and costing us
19 millions. If a football team never wins a
20 game, you don't send them to the Super Bowl.
21 One, they don't deserve to be there and
22 they're probably not going to win.

23 Unless your organization can act
24 efficiently, you will not be allowed to ruin

1 our community.

2 PCB levels have increased during
3 and after dredging on the sites that I found.
4 In the St. Lawrence, sediment goals were not
5 achieved even after the same locations were
6 redredged up to 30 times.

7 Mr. Caspe, in New York City, you
8 responded to me that you would get me
9 information. You haven't, you probably won't,
10 and you aren't going to dredge this river.

11 FLORENCE MATTISON: I'm Florence
12 Mattison, lived here all my life. I'm
13 Florence Mattison, lived here all my life, 53
14 years. I've had four generations that have
15 lived here in all. I am very proud of the man
16 standing behind me that worked 35 years for
17 GE. He is in perfect health.

18 I believe GE can and will go ahead
19 and do the right thing with what they are
20 doing right now, and will go ahead farther, if
21 need be.

22 EPA, can you answer, if a backlash
23 happens on the Champlain Canal, which enters
24 at Lock 7 in Fort Edward, what happens then?

1 Where does that go?

2 Is our well water going to get
3 contaminated?

4 Are we going to be subject to
5 airborne diseases?

6 If you do the dredging, are you
7 going to hit an unknown pipeline that contains
8 some more different type of contaminations?

9 What are you going to say then?
10 Oops, we've got another problem?

11 We're going to have damage done to
12 our major roads.

13 Animals that live at or near the
14 Hudson, are they going to be exterminated?

15 Bridge structures that may shift
16 because the river bottom is disrupted.

17 EPA should look at the enormous
18 preventive alternatives first.

19 GE has a plan in operation right
20 now and intends to extend this also. Why not
21 try some others?

22 The grass that may be put in the
23 bottom is another way.

24 Are EPA officials, state officials,

1 government officials going to live here when
2 and after the dredging is done? No, I don't
3 think so.

4 I feel we, the people of Upstate
5 New York and Fort Edward, need to stand up and
6 say no dredging, remind the EPA and our
7 government officials we live in a land of
8 democracy, not dictatorship.

9 JOHN MATTISON: My name is John
10 Mattison of Hudson Falls, New York. I am a
11 retired employee of the General Electric
12 company. I retired November 1, 1996 with 35
13 years of service.

14 I am deeply concerned about
15 dredging the Hudson River of PCBs. I am
16 totally against it. I cannot understand why
17 General Electric company is being punished
18 after having a legal permit to dump chemicals
19 into the Hudson River.

20 Here are a few topics I would like
21 to mention: I would appreciate a comment to
22 these topics and a response to my letter.
23 This has been sent to Governor Pataki and a
24 lot of other people.

1 Number one: How is the EPA going
2 to control airborne diseases in cold or hot
3 weather?

4 Number two: Strong odors in the
5 air.

6 Number three: The loud noises.

7 Number four: Water from the river
8 traveling through the earth into our wells by
9 gravitational force.

10 Number five: I understand that
11 this dredging could create a few temporary
12 jobs and could possibly cause the loss of
13 thousands of jobs that might interfere with
14 long service employees.

15 Number six: Wild life and aquatic
16 life.

17 Number seven: Discovering
18 artifacts from the French and Indian war.

19 Number eight: PCBs are found in
20 air, water, sediments, and soils around the
21 globe.

22 The General Electric company has
23 great benefits such as health care, disability
24 benefits, along with supporting great military

1 programs, which I have been very deeply
2 involved with. I feel their benefits are hard
3 to beat. General Electric along with the
4 employees donate large sums of money to many
5 charities.

6 I would hope that everyone would
7 take into consideration.

8 One of the laboratory facts from
9 the National Academy of Health Science on
10 blood in fats. How many other PCBs found in
11 the river? Dredging could cause economic
12 hardship. How many types of PCBs have been
13 found in the Hudson River below and above?

14 Thank you.

15 RICHARD KIDWELL: My name is
16 Richard Kidwell. I am a 19 year resident of
17 Washington County. I reside in the Hamlet of
18 Fort Miller. I look out my front door onto
19 the Hudson River. I have seen it in worse
20 times. I have seen it in better times, better
21 times are now. I do not think what is being
22 proposed is the right thing to do at this
23 time, and so I am, therefore, very strongly
24 opposed to what you have in my mind.

1 Thank you.

2 ELAINE SMYTHE: Good evening. My
3 name is Elaine Smythe. I reside in Fort
4 Edward.

5 I have come here to tell you I am
6 very, very, very opposed to dredging. To put
7 quite simply why? I love wildlife. Dredging
8 kills wildlife.

9 Thank you for your time.

10 LOU MARCHALAND: Lou Marchaland,
11 Jr. of the Town of Easton.

12 MR. CASPE: Could you move closer
13 to the mike, please?

14 LOU MARCHALAND: Lou Marchaland,
15 Jr, Town of Easton. I am extremely against
16 your dredging proposal. The main reason is as
17 far as I'm concerned, you can't trust a word
18 the EPA has said in their entire history. I
19 don't care for G.E. too much, but I like them
20 better than the EPA. And I feel sorry for you
21 kids in these red shirts.

22 This country started with a tea
23 party a couple of 100 years ago. Maybe it's
24 time for a PCB party and we sink some barges.

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JAY WHITCOMB: This is set for short people, I guess, I don't know. There must be a lot of farmers here, everybody went home.

MR. CASPE: Could you please introduce yourself?

JAY WHITCOMB: I'm Jay Whitcomb from Gansevoort. By a show of hands who many people are against dredging? I figured as much. Okay. By a show of hands how many people here don't think that G.E. is telling the truth and nothing but the truth? You did a pretty good job.

As far as the EPA is concerned, basically, I would like to see the river cleaned up. I really don't feel you people have come forth and told the whole truth yourself. There is a lot of gaps in this, and you people eluding to what's going to happen in the future, and your track record isn't that good. Myself, I think it's wishful thinking to think that the river is going to clean itself. Thirty to 40 years of toxic

1 waste just isn't going to clean itself up.

2 As I understand it, PCBs are
3 breaking down but they are breaking down into
4 their simplest form, and they are going to be
5 around for a long time. I would like to see
6 this cleaned up, but it's up to you to sell
7 this. G.E. is trying to get out from
8 underneath their liability on this. You don't
9 have to be a rocket scientist to figure out
10 that \$50 million worth of promotion versus
11 \$460 million worth of liability is not a bad
12 wash. So it's up to you folks to step up and
13 tell the whole truth, find out where these
14 things are going to come -- and there's a
15 great irony here. If there is a company in
16 this planet that could actually solve this
17 problem, that is the most equipped to solve
18 this problem, it's G.E. If you guys put your
19 resources toward solving this problem versus
20 trying to weasel out of it, you can solve the
21 problem.

22 Now -- I am down to 30 seconds. As
23 far as the information that G.E. puts out,
24 there is a lot of people that have good

1 credentials and I don't doubt the credentials,
2 but you can go out and find just as many
3 engineers that are going to refute what you
4 say. So my point being is that I would rather
5 see the parties on this, both sides, get
6 together and do the right thing versus sitting
7 here and trying -- G.E. hired a lot of people
8 in this area. A lot of people put their
9 families -- a lot of people supported their
10 families here. A lot of good things happened.
11 We all benefited from it. So you can't take
12 that away from G.E. But I would like to see
13 them step up to the plate and do the right
14 thing.

15 MR. CASPE: Thank you.

16 I'd like to call the next 10
17 speakers, but I'd like to take a 10-minute
18 break at this time.

19 AUDIENCE: Some of us have jobs.
20 Some of us are putting our lives on hold.

21 MR. CASPE: The next 10 speakers
22 will be Peter Graham, Tom Grover, Bill Peck,
23 Dean Sommer, Charles Hanehan, Paulette
24 Pertgen, Gerald Knight, Will Bubar, John

1 DeLisle, and Tom Ellis.

2 And since you all don't want to
3 take a break, we'll just keep on going.

4 Hold it. Excuse me. One second.
5 Do we need a break down here for the --

6 We do need a ten-minute break. We
7 are going to take a ten-minute break at this
8 time. Thank you. We'll be back at five to
9 ten.

10 (Break in proceedings.)

11 MR. CASPE: I said last night
12 that trucks would not be used for backfill.
13 Reality says that trucks will be used for
14 backfill. All statements are correct when the
15 feasibility study was done, but as we have
16 said throughout, we're trying to listen to
17 people and understand the issues. The
18 backfill will come in by either barge or rail,
19 so we stand by that statement. And I guess
20 that's maybe to some degree, if you understand
21 the process, the process is listening to
22 comments and trying to respond to them as
23 we're going forward.

24 Thank you.

1 Okay. Now we'll get started again.
2 If everybody can just give the speakers their
3 attention. Thank you. Okay. You're on.

4 TOM ELLIS: Good. Tom Ellis. I
5 live in Albany. I guess I'm one of those
6 visiting activists that John Sweeney talked
7 about. My question to him was what the hell
8 was he doing when he was in Florida a few
9 months ago? Wasn't he a visiting activist?

10 Just to get into the more serious
11 issues, I'm the treasurer of the Citizens
12 Environmental statewide (inaudible) at 33
13 Central Avenue in Buffalo. Our group favors
14 the dredging. We wish the EPA would be more
15 forthcoming and more honest and not hide
16 anything and telling people about what's going
17 to happen here. You'd have a lot more support
18 I think.

19 I think that dredging will be a
20 temporary disruption for people who live along
21 the river or near it, but I think that once
22 it's done, it will be a great benefit, a great
23 economic benefit. It will be a great public
24 health benefit. I think it's worthwhile to

1 put up with the disruptions so you can have
2 the benefits long term and so that your
3 children and grandchildren can have the
4 benefits. I think it's very good for human
5 and animal health to dredge the river.

6 About one or two or three percent
7 of the PCBs that have been manufactured on the
8 earth have found their way into the oceans, if
9 the river is dredged to the oceans. Even that
10 small percentage has already landed there,
11 it's caused immense amount of damage.

12 PCB studies show concentrations in
13 the food chain, the higher you are on the food
14 chain, the greater the concentration of PCBs.
15 The larger fish eat the smaller fish and
16 creatures that eat large fish tend to
17 accumulate ten parts per million (inaudible)
18 twice of large birds. Large marine mammals,
19 such as seals, sea lions, whales and some
20 dolphins lack enzyme systems to sufficiently
21 detoxify PCBs. As a result, PCBs build up in
22 the bodies of oceanic predators and are
23 (inaudible) through eggs and milk.

24 PCBs limit endocrine --

1 MR. CASPE: Thank you. You're
2 two minutes are up.

3 TOM ELLIS: Okay. Thank you.

4 WILLIAM BUBAR: My name is Wilbur
5 Bubar and I don't represent nobody but me.

6 I wish to hell they never showed
7 up, then maybe we would have had this over
8 with a lot sooner. I have no great love for
9 GE. Yes, I'm retired from GE and they pay me
10 a pittance and a pension, but that's beside
11 the point. It's not American to punish.
12 Let's get past that.

13 You people, you base all damn
14 arguments on same people that gave us
15 thalidomide and all those misborn babies.
16 There's the people that did your tests that
17 told you the PCBs could possibly be dangerous
18 and that PCBs have a precancerous condition.
19 *The New England Journal of Medicine* says that
20 life is a precancerous condition. What the
21 hell do you want? You can't live forever.
22 I'm 73. I'm going to drop dead any time now.

23 But you people, you sit up there,
24 smirks with him, he smirks with him, you

1 whisper with each other. You got these people
2 giving up their time to come down here, you
3 don't even give them the decency to pay
4 attention when they speak?

5 And as far as this business, this
6 doesn't mean anything. You know that and I
7 know that. This is not a proposal, it's an
8 already made decision.

9 This area, we're used to having the
10 government shove things down our throat. How
11 do you think we got the Civic Center in Glens
12 Falls and that damn burn plant down the road?
13 Nobody wanted it, but we got them and we're
14 sure paying for them.

15 Thank you.

16 JOHN DeLISLE: Good evening. My
17 name's John DeLisle. Live on the Mott Road,
18 which is the very southern end of the Town of
19 Moreau and the very northern end of the Town
20 of Northumberland. I live about a mile from
21 the river. I hike, walk, bike, and canoe the
22 river. I've been doing that for most of my
23 life.

24 Like many citizens that live along

1 the upper Hudson River, I'm at this point not
2 unconvinced -- excuse me -- I'm at this point
3 unconvinced that it's both the necessity and
4 effectiveness of the EPA's dredging plan for
5 the upper Hudson River.

6 Do I believe that the Hudson River
7 need to be cleansed of PCBs? Yes, I do.
8 However, not by dredging because it will
9 destroy all aquatic life within the dredging
10 area, which will then, in turn, negatively
11 impact the water fowl that have made the
12 Hudson River their home in recent years.

13 Additionally, dredging will
14 definitely have a negative impact on the
15 river's flora and fauna. The slow natural
16 recovery, it's not cleansing itself of PCBs,
17 but it is recovering, which we have witnessed
18 in the past 20 years will more than likely
19 halt and be reversed.

20 So I ask our EPA administrators
21 what other avenues can we take to cleanse the
22 upper Hudson River?

23 After all, Mrs. Whitman, not too
24 long ago said that the issue has been studied

1 to death and at this particular point we need
2 to act now. However, had there been
3 alternative techniques, non-destructive
4 methods then devised? And I don't think we
5 have the technology to do that to this date.

6 The issue here at the public
7 meeting should not be how can we best devise a
8 plan, pitting one against the other,
9 pro-dredging or anti-dredging. It should be
10 citizen for citizen. It should be citizens
11 for EPA. And at present point, that's not the
12 issue. It's citizen against citizen. It's
13 citizen against communities. It's citizens
14 against the EPA. After all, we're supposed to
15 be in this together.

16 Dredging is not the answer. It's
17 just an easy solution to a complicated problem
18 because others have used it before.

19 MR. CASPE: Please wrap up.

20 JOHN DeLISLE: We New Yorkers are
21 not followers. Our Hudson River is not no
22 ordinary, run-of-the-mill river. So why
23 settle on any run-of-the-mill solution to do a
24 very complicated task?

1 MR. CASPE: Thank you.

2 GERALD KNIGHT: My name is Gerald
3 Knight and I worked for GE for 40 years, and I
4 retired in 1987. And I don't think the river
5 should be dredged.

6 I worked with the PCBs all the
7 time. I was in maintenance. They would drip
8 on me and everything else. I'd go home and
9 take a shower. And I'm in good health today.

10 Thank you.

11 BILL PECK: My name is Bill Peck,
12 and I'm a sixth generation dairy farmer, about
13 six or seven miles south of Fort Edward, along
14 the banks of the Hudson. I'm an environmental
15 attorney in Albany besides and a member of
16 FAIR, Farmers Against Irresponsible
17 Remediation.

18 We, the members, own or farm a
19 substantial portion of the land-based sections
20 along the banks of the Hudson River and
21 throughout the river corridor. As the name of
22 our group implies, we're not opposed to
23 responsible remediation. We are, however,
24 opposed to a project that may, in both the

1 short and long-term, do more harm than good.

2 FAIR's threshold criteria for
3 remediation is that the EPA should follow the
4 advice of the medical profession in this
5 country. First, do no harm.

6 FAIR requests that the EPA, before
7 it makes its final decision, fully and
8 comprehensively assess all impacts associated
9 with the implementation of the remedy, what we
10 call the risks of remedy, which have not been
11 fully addressed or even began to be addressed
12 in the feasibility study. Nor did it fully
13 evaluate the proposed remedial plan in terms
14 of its benefits to our community. The EPA
15 must fully consider the expected impacts which
16 will occur as part of its 2.65 million cubic
17 yard dredging proposal.

18 FAIR members have reviewed the
19 six-volume feasibility study and simply have
20 been left with more questions than answers.
21 EPA has not assessed the transportation and
22 traffic impacts, the noise impacts, odor
23 impacts associated with the release of gases
24 from dredged materials, the risk to

1 agricultural lands, the location of the borrow
2 pit, nor the replacement -- nor the placement
3 of the dewatering and waste water treatment
4 plants.

5 What about New York's Ag Districts
6 Law? Will it be ignored?

7 Environmentalists for many years
8 have demanded that the federal government
9 conduct the environmental assessments mandated
10 by NEPA before undertaking projects of the
11 nature and scope you're proposing. But now I
12 hear downstate environmental groups cheering
13 full speed ahead, as if there's nothing more
14 than a fundraising initiative. This means
15 much more than that to those of us who's
16 worked this land for generations and plan to
17 for many more.

18 Thank you.

19 TOM GROVER: My name is Tom
20 Grover. I live in the Town of Moreau,
21 Saratoga County.

22 United States Environmental
23 Protection Agency, it's my understanding that
24 it's your job to protect the environment. If

1 the river is dredged, a great deal of that
2 environment is going to be destroyed.

3 In 1984 you said that dredging
4 would be ecologically devastating to the
5 river. You seemed to be making sense then.
6 When are you going to come to your senses now?

7 Thank you.

8 CHARLIE HANEHAN: My name is
9 Charlie Hanehan. I am a dairy farmer in the
10 Town of Saratoga. I own and farm two hundred
11 acres on the west bank of the Hudson River in
12 the Town of Saratoga. I spoke at the Saratoga
13 Springs EPA public hearing on this proposed
14 dredging project. Since then Carol Browner is
15 gone from the EPA, Christy Todd Whitman has
16 replaced her. I'm hoping that by now a less
17 arrogant directive has come down to this panel
18 from the top. I felt like I was talking to a
19 brick wall at Saratoga Springs. Newspaper
20 article in Glens Falls' Post Star said that
21 the EPA was holding these hearings, but they
22 are not going to change their decision, later
23 confirmed that suspicion.

24 I voiced my concern of the

1 potential for increased sediment carried onto
2 my land from this dredge project due to annual
3 spring flooding. Since then I have been
4 joined by several other family farmers in the
5 dredge impact zone. We formed a group called
6 FAIR, Farmers Against Irresponsible
7 Remediation. I'm president of that group.
8 Some of these farmers are so concerned about
9 negative public perceptions toward their
10 various commodities that they don't dare speak
11 out or be identified. We are talking about
12 their livelihood and their lives.

13 We are also very concerned about
14 the following: Taking of property rights by
15 the EPA; reduction of property value due to
16 the massive dredging project; failure of EPA
17 to provide details of the dredging plan
18 thereby depriving members of FAIR their right
19 to adequately address the plan; failure of the
20 EPA to follow procedures directed to them by
21 rules directing the Superfund law. They
22 choose to ignore or gloss over the parts of
23 the plan that doesn't fit their agenda.
24 Failure of the EPA to consider community

1 acceptance clause of the Superfund law. This
2 is a very important point. We, the people who
3 live here, are going to be heard. You had
4 better start listening.

5 All of this devastation for only
6 40% of the PCBs in the river. As businessmen
7 we would consider a goal of 40% percent
8 removal to be a failure from the start. We
9 are standing with CEASE, New York Farm Bureau
10 and other parties unified against this dredge.

11 Thank you.

12 MR. CASPE: If I can just call
13 the next 10 speakers. Fred Stein, Kempton
14 Randolph, Robert Hickin, Jeff Duxbury, Bert
15 Hueckeroth, Tom Nichols, Michelle Wendell,
16 Carey Alexander, Adam Smargon, and David
17 Russell.

18 DEAN SOMMER: I'm Dean Sommer.
19 I'm counsel for FAIR, Farmers Against
20 Irresponsible Remediation, a group of farming
21 families from Saratoga, Washington and
22 Rensselaer counties. They are concerned with
23 the substantial adverse community and public
24 health risks which will directly be caused by

1 implementation of the present EPA selected
2 remedy. FAIR will be submitting written
3 comments to you, and they appreciate that your
4 office extended the comment period until
5 April.

6 My clients hope that you do not
7 regard them as adversaries, but rather as
8 interested participants in the process
9 mandated by Congress. They hope you actually
10 listen to their comments and consider their
11 expressions of concern and provide responsive
12 answers to their questions and not stubbornly
13 hold onto your dredging preference.

14 The questions these family farmers
15 have are like those of any community group
16 confronted with a large scale, unwanted
17 industrial project in their neighborhood.
18 Some of these questions, which you must answer
19 are: Where will the land based sediment
20 treatment and storage facilities be located?
21 Just tell us. Will the facilities be placed
22 on, near, or adjacent to any active
23 agriculture land? We note that the recent
24 treatment facility memo that was disclosed

1 earlier this week says that there will be at
2 least two. We need to know whether there are
3 going to be more than two. If so, how many?
4 What access routes, including roadways, will
5 be used to access and exit the treatment and
6 storage facilities? Will any roads be
7 constructed on or bisect any agricultural
8 land? Has a mining location been found from
9 which to excavate the 800,000 cubic yards of
10 fill material? Will the mine be sited on
11 agricultural land? What roads will be used by
12 the trucks in making the tens of thousands of
13 trips from the mining location? Through what
14 local communities will the trucks roll?

15 Other questions involve location of
16 pumps for the hydraulic dredges, the impacts
17 of noise, odors, lighting and the modeling and
18 particulate emissions from the dredges that
19 are operating six days a week?

20 Members of FAIR need the
21 information so they can participate
22 meaningfully in the public participation
23 process. The NCP mandates that EPA and the FS
24 assess the impacts on the construction and

1 implementation phases of a proposed remedial
2 action. It is not at the design phase, Rich,
3 it's at the FS phase. The FS assessment is
4 supposed to address risks associated with the
5 construction, the transportation, the
6 excavation, and the operation of the remedy.
7 The FS document which you have made public
8 wholly fails to assess these issues and to
9 address these risks of remedy. Unless you
10 disclose to the public the specifics of your
11 proposed plan the community acceptance element
12 required under the Superfund law cannot be
13 honestly factored into the decision making
14 process.

15 MR. CASPE: Dean.

16 DEAN SOMMER: The FS isn't
17 complete, Rich.

18 Doug, the next step is not a
19 comprehensive -- it's not a ROD, it's a
20 comprehensive FS.

21 FAIR is going to hold you to the
22 letter of the law. It supports decisions by
23 democracy, and not by an arrogant, secret
24 bureaucracy. The FS needs to be completed.

1 Thank you.

2 PAULETTE PERTGEN: My name is
3 Paulette Pertgen. I have been a resident of
4 the Town of Fort Edward for 28 years, lived
5 about a half mile from the Fort Edward G.E.
6 plant. I am a member of CEASE and was on
7 their Board of Directors during the successful
8 defeat of this project in 1984. I would like
9 to go on record as being against this dredge
10 project. The river is cleaner.

11 To my knowledge, I repeat, to my
12 knowledge, it has not been completely decided
13 who will be paying for this project. Will it
14 be my state, federal tax dollars, or G.E.'s?
15 I would like to suggest the kind of money
16 projected, instead, be spent to continue with
17 the technology that G.E. is using to capture
18 the PCB oil in the bedrock of the Hudson Falls
19 mill, and that this type of technology also be
20 used to treat any other areas on the river
21 where there's leakage of PCBs or other
22 hazardous chemicals into the river bottom.
23 And do not dredge.

24 Thank you.

1 MR. CASPE: Peter Graham should
2 go next. Is Peter Graham up here? Okay.

3 KEMPTON RANDOLPH: I am Kempton
4 Randolph. I'm from Saratoga Springs.

5 I think the question we all need to
6 ask ourselves is after all the trucks are gone
7 and after all the dredges are out of the river
8 will we have a better standard of living?
9 Will we have increased health in our
10 community, which is really the whole reason
11 why the dredging project is being implemented
12 in the first place? And I think the answer to
13 that is yes. Maybe it won't be for us, maybe
14 not for our children, but for our
15 grandchildren and great grandchildren.
16 Wouldn't it be nice for them to live in a
17 community where they won't have to think twice
18 about walking into the river? Where they
19 won't have to think twice about eating the
20 fish? Where they won't have to watch their
21 friends die from cancer? Where they won't
22 suffer reduced fertility and reduced
23 intelligence?

24 All these factors -- these are all

1 reasons why we need to dredge the Hudson
2 because it's not just a matter of convenience
3 for those people who have businesses on the
4 river. It's a matter of public health, and
5 that is the real reason why this project is
6 here in the first place is for our health. So
7 please, please, EPA, dredge this river so we
8 can all -- so our future and our children can
9 be a happy one.

10 Thank you.

11 BERT HEUCKEROTH: Good evening.
12 My name is Bert Heuckeroth and I am a member
13 of the local community.

14 And I would, first of all, like to
15 thank you for taking time to come here and
16 speak with us this evening.

17 I would like to ask you some
18 questions tonight about your proposed plan to
19 dredge the Hudson River and my concerns about
20 the environmental impact of your plan.

21 Our local news media has reported
22 that you plan to build a 15-acre sludge
23 processing plant on a pristine piece of
24 woodland in the Town of Moreau. If a private

1 party were to propose a sludge processing
2 plant that was only a fraction of the size of
3 the plant you are proposing, an environmental
4 impact statement would be required.

5 My first question is: Do you plan
6 on filing an environmental impact statement
7 prior to construction of your sludge
8 processing plant?

9 MR. CASPE: It's not a sludge
10 processing plant. It would be a plant for
11 dealing with dredge material. And I just
12 would clarify, we're not talking about --

13 BERT HEUCKEROTH: Please just
14 answer the question.

15 MR. CASPE: I'm going to answer
16 the question, if you give me a minute.

17 We've done a study, we've looked
18 at -- we have -- we said in the feasibility
19 study that, yes, it is feasible to site
20 facilities, to site a facility in the north
21 end of the site and the sound end that would
22 be able to dewater the dredged material. We
23 didn't say where, because we didn't know
24 where, and we don't know where. What we -- in

1 order to find out whether it's feasible or not
2 common, the same as anybody here, common
3 sense, in order to say that something's
4 feasible, you have to look at it and see
5 whether you have any options. So we looked at
6 options. We asked our consultants to take a
7 look and tell us where could they site
8 facilities. They came up with 12 potential
9 sites just to prove that it could be sited.
10 It didn't mean there were only 12. There
11 might be 20. I don't know how many there are.
12 We don't plan on siting anything or even
13 approaching anybody with a site until after we
14 make a decision on whether we're going to go
15 forward with this facility or not. So --

16 BERT HEUCKEROTH: I don't think
17 you understood the question.

18 MR. CASPE: I am answering the
19 question. So -- if you want to hear the
20 answer, I'll give it to you. If you just want
21 to shout, then we can shout.

22 What I'm saying is that, in August,
23 if and when we make a decision to go forward
24 with this facility, at that stage of the game,

1 you would start opening negotiations.

2 And would we do an environmental
3 impact statement? No, we're not required to
4 do an environmental impact statement. Do we
5 do environmental reviews, that are the same
6 thing as the environmental impact statement,
7 the answer is yes.

8 BERT HEUCKEROTH: Okay. So I've
9 heard that you're not going to comply with --

10 MR. CASPE: You've heard whatever
11 you want to hear.

12 BERT HEUCKEROTH: Thank you.

13 The second question I've got -- the
14 second question I have is: There is a serious
15 risk of greenhouse gas releases into the
16 atmosphere from your sludge processing plant.
17 What measures have you taken to insure that
18 there are no negative impacts to the quality
19 of the air we breathe due to your sludge
20 processing plant?

21 MR. CASPE: We haven't yet
22 designed any facility. As we would design a
23 facility, obviously, we would take into
24 account what the air emissions would be

1 allowable, we would put on the proper
2 controls.

3 BERT HEUCKEROTH: Okay. My final
4 question is: In addition to the risks to the
5 air we breather, there is an equally serious
6 potential for spillage or leakage of waste
7 water containing PCBs, lead, mercury,
8 chromium, and other unknown toxic materials
9 into the ground water from your sludge
10 processing plant. In fact, that is precisely
11 what happened to the Morrison Farm on West
12 River Road the last time the river was
13 dredged. This caused serious health problems
14 to the people living there. Many local
15 residents rely on ground water for their
16 drinking supply. What measures have you taken
17 to guarantee that our water will remain safe?

18 MR. CASPE: We'll design the
19 facility to insure that it would remain safe.
20 I would just point out that you should all
21 remember, that PCBs are spilling every day
22 into the Hudson River and they're moving every
23 day in the Hudson River. So you have to take
24 into account and equate both. We certainly

1 will design something to be safe as could
2 possibly be, and we think we can address your
3 concerns.

4 BERT HEUCKEROTH: Thank you very
5 much.

6 MR. CASPE: You're welcome.

7 CAREY ALEXANDER: Good evening.
8 My name is Carey Alexander. I come from
9 Saratoga Springs.

10 I've sat here for the past hour and
11 I've listened to all the concerns of the
12 community members and I've seen a strong
13 community that's quite adamant against this
14 entire dredging proposal, so adamant that I am
15 disturbed about how selfish you can all be.
16 You are thinking only about the odors that are
17 going to be in your backyard, what you might
18 see when you go out on the front steps in the
19 morning. You are not thinking about the
20 children that you've dragged in here and their
21 futures. Think about it, maybe eight years of
22 your lives that might be affected for
23 generations of success to come. It doesn't
24 make sense.

1 Your own supervisors came up here
2 and stated that before the EPA had even
3 decided what to do, they had passed
4 resolutions against dredging. Preemptive
5 strikes against damaging their lives. It
6 doesn't make sense at all.

7 I'm not sure what the proper
8 way to take care of the PCB problem is. All I
9 know is that there are carcinogens that make
10 people sick in the Hudson and something must
11 be done. I approve the dredging proposal
12 simply because that is the best plan that has
13 been brought forth so far. I entirely support
14 it and I thank the EPA for coming down here.

15 Thank you.

16 DAVID RUSELL: My name's Dave
17 Russell. And I had a letter here so I could
18 speak more easily, but I've taken so many
19 notes it's just a scramble now.

20 You spoke to the other guy about
21 options, you looked at a lot of options.

22 Have you looked at any other
23 options besides dredging?

24 MR. CASPE: Yes. We looked at

1 all other options. We looked at capping, we
2 looked at biological, you know, processes, we
3 looked at a variety of processes over the past
4 10 years and, unfortunately, they have turned
5 out not to be successful.

6 DAVID RUSELL: And we're in such
7 a hurry to do this, push this project through
8 that we're not going to look any further or
9 try or try and develop --

10 MR. CASPE: It's kind of
11 interesting -- I mean, a 10-year study isn't a
12 hurry, not even by government standards.

13 DAVID RUSELL: I'll try and pick
14 some of this up.

15 I'm opposed to the dredging of the
16 Hudson River. I am the president of the
17 Hudson Falls Fish and Game Club, with 350
18 voting members. And as a sportsmen's group,
19 we are opposed to dredging. One of the
20 reasons is the river is able to be used for
21 boating, swimming, skiing, everything that
22 it's used for recreationally.

23 Another reason we're opposed to it
24 is, when you buy a fishing license, the

1 syllabus recommends you eat no more than one
2 meal of fish per month caught anywhere in the
3 New York State waters, even in the pristine
4 Adirondack lakes and ponds. So a half a
5 billion dollars seems excessive to spend to be
6 able to eat a fish a month.

7 Another reason is that GE was
8 permitted to dump the PCBs at the time it was
9 done. I'm not sticking up for GE, because I
10 feel they should shoulder the responsibility
11 of cleaning it up, I just think there might be
12 a better way.

13 Removal of the Fort Edward Dam also
14 plays a part in the spreading of the PCBs. So
15 whoever was responsible for that seems liable
16 also.

17 The environmental studies I have
18 seen show a real decline in the level of PCBs
19 in the river. Whether they are braking down
20 on their own or just getting covered over with
21 sediment, I don't know. Either way, it's
22 getting better.

23 MR. CASPE: Please just wrap up.

24 DAVID RUSELL: All right.

1 I feel bad that this can't be
2 decided on its environmental aspects instead
3 of political ones. Because there is not as
4 many votes north of Albany, we are not
5 listened to. Even though this project has
6 more of an effect on our lives than that of
7 the lives downstate or not even people in our
8 state are going to make that decision.

9 MR. CASPE: Thank you.

10 DAVID RUSELL: Also, let's not
11 forget, two wrongs don't make a right.

12 FRED STEIN: Good evening. I'm
13 Fred Stein from Rensselaer County, and I
14 represent two organizations in the county,
15 Rensselaer County Environmental Action and the
16 Hudson River Action Committee.

17 We've been studying this issue of
18 public health for more than four years, and we
19 believe that PCBs are dangerously undermining
20 human and animal health.

21 In the study of PCB
22 characteristics, it's clear that they persist
23 for a very, very long time in the environment,
24 they are not going away, and they will not

1 stay buried. It's time that we face that. I
2 need to state clearly our analysis of evidence
3 leads us to agree with the EPA that the Hudson
4 River hot spots need to be cleaned up. We
5 believe that the recommendation of Alternative
6 Number 4 is acceptable, but we believe the
7 best alternative, the more comprehensive and
8 the most cost effective bang for the buck
9 would be Alternative Number 5; therefore, we
10 advocate Alternative Number 5.

11 I was going to talk about health
12 effects, but it's been covered already.

13 I do want to say, though, that PCBs
14 can become airborne. I was at the conference
15 today. That's the only way that the PCBs can
16 get into the arctic, into the seals and the
17 Eskimos up there. And it's the General
18 Electric fingerprint that's up there, the
19 Hudson River fingerprint.

20 That's the only reason I think that
21 on WRGB the other day GE said that there's
22 a -- on WRGB they said there's no credible
23 scientific evidence that PCBs have dangerous
24 health effects. And that is a flat lie and I

1 think everybody knows it. What's the --
2 they'll say like what's the meaning of what is
3 is, or some such weasel words, but people can
4 tell a lie when they hear it.

5 MR. CASPE: Please wrap up.

6 FRED STEIN: Ladies and
7 gentlemen, they need to be removed. They're
8 in the arctic, spreading around the world
9 every day, and they're in the seals and
10 Eskimos. Get on with the clean up.

11 ROBERT HICKIN: I'm Robert
12 Hickin, Town of Queensbury.

13 I'm a retired civil engineer,
14 licensed professional engineer State of New
15 York. I'm speaking for myself. Although, on
16 this occasion, I'm going to stick my neck out
17 and throw my wife's name in to speak for her
18 also. I did not get approval from her, so I'm
19 sticking my neck out.

20 We both are against dredging,
21 mainly because the technology is not there
22 that you're going to get the PCBs out. You're
23 going to disturb the sediment, stir it up.
24 More is -- half of it is going to drift

1 downstream and we're going to have continuous,
2 same problem downstream.

3 Also, we're picking on GE. Yeah,
4 okay, they're a big corporation, but they did
5 it legally when they were depositing it.

6 At the same time that they were
7 depositing it in the river, I live in the town
8 of Queensbury, where they were spreading PCBs
9 on the roads as dust control. Nobody got
10 upset over that and suggest they clean up the
11 roads. It's right in my backyard.

12 I have one question to ask the EPA,
13 in hearing that they were going to use trucks
14 to haul the backfill and now I just heard that
15 they're not going to use trucks, you're going
16 to probably use barges.

17 Where are you going to get the
18 barge, or how are you going to get the barge
19 to that excavation pit that's going to haul
20 those many hundred --

21 MR. CASPE: I didn't say -- I
22 said we would use barges or rail cars or
23 combination of the two, that we would not be
24 truck within this area.

1 AUDIENCE: They're going to build
2 a new canal.

3 ROBERT HICKIN: Well, that's the
4 only answer.

5 MR. CASPE: We'll get the Corps
6 of Engineers to help us.

7 TOM NICHOLS: My name is Tom
8 Nichols. I am a resident of the Town of Fort
9 Edward, and I'm opposed to dredging. I
10 haven't heard anything yet tonight that has
11 changed my mind.

12 Thank you.

13 MR. CASPE: Thank you. Okay. If
14 I can, I would like to call the next group.
15 I'm going to call Matt Hancock, Tom
16 Mangiacasale, Ruth Willard, Neal Orsini, James
17 Kudlack, Michael Elder, Bruce and Gail Sears,
18 Andrew Esperti and Jerry Geiling. That's the
19 next group.

20 ADAM SMARGON: Yes. Good
21 evening, ladies and gentlemen, my name is Adam
22 Smargon, and I am Director of Special Projects
23 for Tire Conversion Technologies in Scotia,
24 New York. I am privileged and honored to be a

1 part of this public forum.

2 In 1925 the Scopes Monkey trial
3 brought the world's focus on the small town of
4 Dayton, Tennessee. It was an overnight media
5 sensation and journalists interviewed everyone
6 in the town on what their opinion was on the
7 trial of a local teacher who was teaching
8 evolution in science class. My understanding
9 is that (inaudible) asked the local shop
10 keeper what his opinion was on the trial. He
11 said, I don't have an opinion. They are bad
12 for business.

13 With this in mind, I wish to deal
14 pro-opponent and opponent. We are all here
15 because we care about the Hudson River, and as
16 a businessman I would like to show you this
17 product that my company makes that can help
18 the Hudson and other bodies of water. Please
19 bear with me.

20 Scrap tires are a major problem in
21 New York State, in this country, and around
22 the world. My company Tire Conversion
23 Technology diverts thousands of tires every
24 year from landfills and burn plants, not to

1 mention illegal dumps on the side of the road
2 for processing into a nontoxic, construction
3 material that can be used for bulkheads and
4 retaining walls for the Hudson River. This
5 product is called duraboard is an
6 environmentally sensitive material because it
7 reuses tires. We slice off the sidewalls,
8 grind down the worn tread, cut them open, and
9 bond the tire treads together with heat and
10 pressure. The resulting product is not
11 multiple treads glued together, but a single,
12 thin piece of tough tread rubber reinforced
13 with multiple steel belts.

14 I will be in the lobby for a few
15 minutes, and I am ready, willing, and able to
16 talk to anyone in discussing this product and
17 how it can help the Hudson with anyone who has
18 questions or comments.

19 I thank you for your time. Thank
20 you.

21 MICHELLE WENDELL: Good evening
22 everyone my name is Michelle Wendell, and I
23 don't belong to any organization. I don't
24 support anything except myself, and I am

1 concerned for my property. I am a tax payer
2 in the Village of Hudson Falls and Fort
3 Edward. And I have to say honestly I am
4 confused. I do not take a stand one way or
5 the other. I don't know who to believe, and I
6 don't know what to believe. I have been to --
7 this is the second meeting and I am still not
8 sure which way to go. I really believe that
9 we have a problem, PCBs are there, that's
10 obvious, but I'm not convinced that dredging
11 is the answer. With no disrespect, the EPA
12 has sat up there and taken a lot of grief.
13 However, you are a government agency so,
14 therefore, I do have concerns. And the other
15 aspect is that G.E. has certainly spent lots
16 of money to try and convince us that dredging
17 is not the answer either.

18 So all I can say is that I have
19 concern for future generations. I have
20 concern for our town and for everyone who has
21 been here tonight and said all that they
22 needed to say. But I just don't know what to
23 do. And I need to have more information about
24 this whole project because bottom line for me

1 is that, you know, our planet can't afford to
2 have any more toxins put in it. We live on
3 her. And, you know, you people can laugh at
4 me and say, well, you know, she's just an
5 earthy woman or whatever, but the bottom line
6 is also that they are not giving us enough
7 information, and I just don't know who to
8 believe. And that's where I stand tonight,
9 and I was convinced that I was going to come
10 here and say a whole bunch of stuff. A lot of
11 people have said a lot of good things. All I
12 can say is I need more information, and I
13 think that both sides deserve to give
14 yourselves applause because you are very
15 passionate. The Sierra Club, the people who
16 are for dredging are passionate. They deserve
17 a lot of credit, and the people who are
18 opposed to dredging deserve a lot of credit.

19 Thank you.

20 TOM MANGIOCASALE: Tom
21 Mangiocasale. I just have some questions for
22 you.

23 MR. CASPE: Could you just repeat
24 your name?

1 TOM MANGIOCASALE: Tom
2 Mangiocasale. First, what percentage of the
3 PCBs will be left in the river after your
4 dredging project?

5 MR. CASPE: Within the upper
6 Hudson, roughly 50 percent of it.

7 TOM MANGIOCASALE: Who will do
8 the dredging?

9 MR. CASPE: The dredging would be
10 done by a contractor at that point overseen by
11 EPA and EPA's agents. So that the job would
12 be bid. There would be public bidding the way
13 normal construction would, you know, occurs.

14 TOM MANGIOCASALE: So would that
15 be the Army Corp of Engineers that would be
16 doing that?

17 MR. CASPE: No.

18 TOM MANGIOCASALE: And the cost
19 now? I know the government comes up with
20 great estimates on what things will cost. Now
21 if it goes beyond this \$460 million, number
22 one, who is going to pick up the \$460 million,
23 and if it goes beyond that, where will those
24 funds come from?

1 MR. CASPE: As far as who will
2 pick up -- we are still, at this stage of the
3 game, we put a proposal forward, after the
4 proposal we would go into a design. After the
5 design we go into the actual construction when
6 you actually need the money. It's a lot that
7 has to happen between now and then. At this
8 stage of the game we are making proposals. As
9 far as who will pick up that \$460 million,
10 that's unclear because we have not ordered
11 anybody to do that right now. At this stage
12 of the game it's merely a proposal. As far as
13 who picks up the funds if it comes in more
14 than that?

15 TOM MANGIOCASALE: Mm-mm.

16 MR. CASPE: It would be
17 whoever -- if -- EPA ultimately is the
18 responsible party. At this stage of the game
19 we certainly, I mean, expect that General
20 Electric company is the responsible party on
21 this site. So, I mean, you might assume that
22 they would pick it up.

23 I don't know whether you want to
24 pick up on that, Doug, at all?

1 What was that? (Comment from the
2 audience inaudible.) Well do you want to hear
3 answers or do you just want to speak? If you
4 just want to speak, then we won't give any
5 answers, and we'll just let you talk. Your
6 option.

7 TOM MANGIOCASALE: I just want to
8 hear the answer.

9 MR. CASPE: Do you want to answer
10 that, Doug?

11 DOUG TOMCHUK: No, I have nothing
12 to add. Rich was correct.

13 MR. CASPE: Okay.

14 TOM MANGIOCASALE: Okay. One
15 last thing. Where will they be done? What
16 places do you have in mind, specifically?

17 MR. CASPE: Okay. Well
18 specifically we can talk, but, again, it would
19 be bid, and there are places in the country
20 and people in the country, who, this is the
21 way they make their living, by taking material
22 like this. The way we costed it out, and I
23 just would under -- you had to have some place
24 to cost it out for. We assume that two-thirds

1 of the material, roughly, which is the
2 nonhazardous waste, would go up into the
3 Buffalo area. There are commercial facilities
4 up there that take material like this for a
5 price. The other third, we priced it out as
6 going to a facility in Texas.

7 TOM MANGIOCASALE: Okay, thank
8 you.

9 MR. CASPE: You are welcome.

10 MIKE ELDER: Thank you,
11 Mr. Caspe. My name is Mike Elder. I work for
12 the General Electric company. Mr. Caspe, you
13 have indicated tonight that the proposal set
14 forth in the feasibility study and the
15 preferred remedy document has changed in at
16 least one material respect, and that is the
17 backfilling and the source of the backfilling
18 material, and how that backfilling material
19 will be transported to the site where it would
20 be placed into the river.

21 Will that -- my question is will
22 that change be memorialized in a written
23 document that will be circulated for public
24 comment prior to the issuance of the ROD?

1 MR. CASPE: I don't know the
2 answer to that question. I know that it would
3 be in the Responsiveness Summary, obviously,
4 and in the Record of Decision.

5 DOUG FISCHER: Right. We'll
6 address that at the time of the Record of
7 Decision and in the Responsiveness Summary. I
8 don't believe at this point that we are going
9 to be submitting anything separate for public
10 comment on that particular issue.

11 MIKE ELDER: Did I understand you
12 correctly to say that other matters that are
13 set forth in the preferred remedy and
14 feasibility study may well change before the
15 ROD is issued as a result of the comments that
16 you heard during the course of your hearing?
17 Did I understand you correctly?

18 MR. CASPE: Yes.

19 MIKE ELDER: Will those changes
20 be memorialized in a written document prior to
21 the issuance of the ROD?

22 MR. CASPE: They would be
23 memorialized in a Responsiveness Summary which
24 would be issued with the ROD.

1 MIKE ELDER: Will that
2 Responsiveness Summary and those changes be
3 the subject of additional comment?

4 MR. CASPE: No. It's not
5 envisioned, no.

6 MIKE ELDER: One thing that I
7 think needs to be brought out, Mr. Caspe, is
8 that it is my understanding that once the ROD
9 is issued, there's a very laborious process
10 for changing the Record of Decision. So it
11 seems to me that it holds out an empty promise
12 to say that we will make changes based on your
13 comment. We will not memorialize them before
14 the ROD is issued. Then issue the ROD. Then
15 do the design. Then promise to take comment
16 during the course of the design, and then
17 promise to make changes, if appropriate, based
18 on that comment, if, in fact, it is so
19 difficult to change a Record of Decision once
20 issued. I think that's an issue that folks
21 really don't have a good understanding of.

22 DOUG FISCHER: Well, Michael, I
23 think, I mean, as you know from the Superfund
24 process, what we are doing now is taking

1 comment on the proposed plan. We make changes
2 to the proposed plan as appropriate in
3 response to public comments. The law requires
4 us to identify those changes in the
5 Responsiveness Summary and in the Record of
6 Decision. That's the process that we are
7 following.

8 MIKE ELDER: Well my point
9 remains the same. It's all well and good to
10 say that you're going to receive additional
11 comment during the design period, and I
12 applaud that. But those of us who are
13 familiar with the Superfund process, and,
14 Doug, you probably are more so than I, do know
15 that it is very laborious, to say the least,
16 to change a remedy once the ROD has been
17 issued. So that is little comfort to hear
18 that you will listen when that process stands
19 in the face of any meaningful change.

20 DOUG FISCHER: I would like to
21 clarify one other point. We are not at this
22 point proposing or discussing changing the
23 Record of Decision during the design period.
24 We are talking about providing different --

1 additional information as we flesh out the
2 details of the design. But the Record of
3 Decision, at this point we have no plans to
4 amend it during the design period. The Record
5 of Decision will announce a remedy in August.

6 MR. CASPE: Well -- thanks.

7 MIKE ELDER: Okay. You indicated
8 also, Mr. Caspe, if I under -- (someone in
9 audience making comment) I don't -- okay fine.
10 Then I still have time, is that correct?
11 Right.

12 MR. CASPE: Okay.

13 MIKE ELDER: Mr. Caspe, you
14 indicated earlier that the agency did not
15 intend to follow the requirements of the
16 federal statute that calls for environmental
17 impact statements because it was authorized
18 not to follow that statute by Superfund, and
19 that is the case. The question that I have
20 for you is that a lot of local folks have
21 showed up representing various municipal
22 entities and have raised some very serious
23 questions about the siting of the transfer,
24 treatment, and storage facilities. Is it also

1 the intent of the agency to circumvent local
2 zoning, planning and other requirements as
3 well as the requirements of the New York State
4 Department of Environmental Conservation?

5 MR. CASPE: No, you are throwing
6 a bunch of -- as far as local zoning, no, we
7 would not locate a facility any place where it
8 were not zoned to handle that facility, and I
9 think at that stage, Michael -- I mean, I --

10 MIKE ELDER: Well will you be
11 submitting the site plans to the planning
12 boards of these municipalities to review?

13 MR. CASPE: We are getting pretty
14 far -- I don't know the answer to that
15 question. We may very well. If I can
16 accommodate that, we would.

17 MIKE ELDER: Also --

18 MR. CASPE: Thank you. Michael,
19 I have to -- at this stage of the game, I
20 mean, there are other people. (Audience
21 getting angry at speaker.)

22 MIKE ELDER: I'm going by the
23 signs. I was told to go by the signs, I'm
24 going to go by the signs.

1 MR. CASPE: Well if you ask 20
2 questions, it's going to take me three hours.
3 (More comments from the audience.) Thank you,
4 Michael.

5 MIKE ELDER: I have one final
6 question. Do you also intend to go through
7 the permitting processes required by state
8 statutes with respect to the siting of
9 storage, disposal facilities such as the ones
10 that are set forth in the preferred remedy?

11 MR. CASPE: Storage facilities?
12 Would you define storage facilities?

13 MIKE ELDER: Well I presume the
14 material, it will be stored for a period of
15 time while it's being processed before rail
16 shipment.

17 MR. CASPE: These are facilities
18 for shipment, treatment and shipment?

19 MIKE ELDER: Treatment and
20 shipment -- all right for treatment and
21 shipment.

22 MR. CASPE: And the question is?

23 MIKE ELDER: Is, will you apply
24 to the state authorities and submit plans to

1 the state authorities for their permission to
2 site these facilities?

3 DOUG FISCHER: Michael, any --
4 under the Superfund Law any activity that is
5 performed on site is not required to -- we are
6 not required to get permits for that, although
7 we were required to comply with the substance
8 of requirements of any permits that would
9 otherwise have been required. With respect to
10 any facilities that would be used off site, we
11 would have to get permits and comply with any
12 of the requirements that apply to that.

13 MIKE ELDER: Thank you very much.

14 MATT HANCOCK: My name's Matt
15 Hancock. I'm with the Skidmore College
16 Greens. And promise I won't ask any
17 questions.

18 It's clear to me what's going on
19 here. The EPA has a mandate to protect the
20 environment and to protect human lives. GE's
21 mandate is to create a profit. And their
22 multi-million dollar misinformation campaign,
23 unfortunately, seems to have been very
24 effective. And I regret that you guys don't

1 have the same kind of resources to inform the
2 public. But it's what needs to be done here.

3 PCBs have poisoned this river. And
4 it's GE that's poisoned the river, GE's got to
5 clean it up. And the only way to restore the
6 usage of that river to us, the citizens, is
7 through the active remediation, which means
8 dredging.

9 So I, and the Skidmore College
10 Greens, and a large portion of the campus,
11 supports your dredging plans.

12 Thanks very much.

13 JAMES KUDLACK: I'm James Kudlack
14 from Greenville, New York, and a former
15 agricultural advisor to Congressman Gerald
16 Solomon. I am now a free agent.

17 This is directed to the attention
18 of Alison Hess and to Doug Tomchuk. This is a
19 request to present an alternative means to the
20 proposed transportation and stockpiling PCBs
21 in the landfills, dumps, or placing our
22 problems on someone or on somewhere else.

23 I am publicly requesting to present
24 a public meeting on a new modern means for

1 breaking PCBs down by using concentrated
2 ultraviolet light by its inventor Gerard
3 Beckman.

4 Simply put, this process would mean
5 containing the PCBs in place in the river,
6 stirring the PCBs, PCB-bearing silt into a
7 sewery, then pumping the sewery through the
8 solar crystal refractory tubes, returning the
9 sewery through a closed loop back to the
10 contained area to be recycled again as many
11 times as necessary to lower the PCBs to the
12 desired level. Then you can proceed to
13 another area and continue the process.

14 Thank you.

15 MR. CASPE: I'd like to just call
16 the next group. Paulette Foote, Lee Ann
17 Armitage, William McQueen, Kevin Armitage,
18 Mark Bailey, Bruce Curtis, Rose Henderson,
19 Mac Sanders, and Jennifer Feyerherm.

20 Yes.

21 NEAL ORSINI: My name is Neal
22 Orsini. I run the Anvil Restaurant in Fort
23 Edward. I'm also a Hudson River land owner.
24 I am a recreational boater. I swim and boat

1 the Thompson Island Pool yearly and traverse
2 the Champlain Canal yearly.

3 The proposal to dredge the river
4 scares the heck out of me and other
5 businessmen in our community. For 14 years,
6 we have been striving to build a water-based
7 tourism economy, and we've been very
8 successful in that. So, no matter what you
9 think, there is a lot of tourism on that river
10 and it's going from April until November. It
11 accounts for 30 to 40 percent of my summer
12 business. I employ 26 people.

13 I sincerely feel that your project
14 will severely disrupt that tourism economy if
15 not obliterate it all together. And I speak
16 from experience as a recreational boater that
17 travels to and from all the time. And I feel
18 that I don't know if my business would be able
19 to handle the loss of 40 percent of my summer
20 sales. And, therefore, put 26 jobs in
21 jeopardy. And I just want to make my views
22 known.

23 Thank you very much for your time.

24 JERRY GEILING: My name is Jerry

1 Geiling.

2 We're all here -- from
3 Schuylerville.

4 We're all here because we love the
5 river. Of that I'm pretty certain. I'm
6 uncertain about whether the EPA proposal is a
7 solution to the PCB problem. If, in fact,
8 real science proves that it is a solution,
9 then, for the good of the river and for all
10 who love the river and around the river, it
11 should be done.

12 At that point, another huge problem
13 is created, an economic disaster, if you will.
14 If we alleviate this disaster before it
15 occurs, we can satisfy most, thus eliminating
16 the core opposition to this project, aside
17 from GE, which I trust no more or less than
18 the federal government at this point.

19 An economic impact study needs to
20 be done on both banks of this 40-mile stretch
21 of the Hudson. Anyone experiencing direct
22 negative financial impact from this project
23 needs to be compensated. That responsibility
24 lies with the federal government.

1 I recreate on the river from North
2 Creek to Sandy Hook Bay and keep a boat in
3 Schuylerville. Although I don't welcome a
4 hiatus from my fun, I understand the sacrifice
5 is well worth a cleaner river. That is, if
6 this project is the effective solution to the
7 problem. I think most people with an
8 attachment to the river would agree.

9 On the other hand, those who live
10 along, farm on, operate marinas, or other
11 sources of livelihood directly affected by
12 such a project rightfully oppose this much
13 more vehemently.

14 I represent my own ideas, do not
15 speak on anyone else's behalf. If these
16 people were addressed, dealt with, and
17 compensated fairly, a lot of the current
18 polarization would dissipate. Again, I stress
19 I'm not supporting dredging at this time. If
20 it does turn out to be the solution to the PCB
21 problem, all of these people need to be
22 considered. GE made this mess, they're
23 responsible for cleaning it up. If the
24 federal government mandates this project,

1 they're responsible to their constituents.

2 I understand the federal government
3 has some surpluses stashed away at the moment.
4 It makes sense to me to spend some of that on
5 the banks of the Hudson and return it and its
6 inhabitants to their greatness.

7 Thank you.

8 MAC SANDERS: Good evening. My
9 name is Mac Sanders. I currently live in
10 Saratoga, but I was born along the river,
11 spent the first 18 years of my life there and
12 the next 30 years or so I was in the corporate
13 world and I made a very conscious decision to
14 retire to the area. I support many of the
15 institutions, I'm a volunteer for many of the
16 areas here, and I think I have a strong
17 interest in the issue at hand.

18 I'm a member of CEASE, but,
19 however, I spent quite a few hours in the past
20 several weeks trying to understand the EPA's
21 side of it in terms of its approach, the
22 science, the documentation, the analysis, and
23 I basically have two questions.

24 Number one, in the 15 or so

1 documents that I reviewed -- this is basically
2 your record over the past 10 years -- Miss
3 Hess talked about the peer review. We're
4 talking about the risk assessment, which I
5 think is really the bottom line of what we're
6 talking about here. We don't live in a
7 perfect world. There's a risk to everything
8 that we do. The issue is is the risk
9 reasonable.

10 In looking at the peer review
11 section, which was done last June, and which
12 has a November date, what you failed to tell
13 everyone is that -- I would give you at most a
14 C grade, probably a failing grade with respect
15 to the peer review. Four of the peer
16 reviewers said your report and your approach
17 was acceptable with anywheres from major to
18 minor revisions, two said that your approach
19 was not acceptable, and one went so far as to
20 say that the ecological risk assessment as
21 written should be used to make remedial
22 decisions. He said you should not use that.

23 The question I have is that, this
24 document obviously is close to a year old, did

1 the EPA respond to this? If so, could I have
2 a copy of that? But this, I think, is an
3 indictment with regard to the whole approach
4 that you've issued. That's the first
5 question.

6 Have you responded to the issues
7 raised?

8 ALISON HESS: Thank you. Yes, we
9 have responded to that. We did provide to you
10 all the information repositories, a response
11 to the peer review comments that was issued in
12 November of 2000. We also at the same time
13 issued a revised ecological risk assessment
14 that addressed the comments from the peer
15 reviewers.

16 JERRY GEILING: Okay. Is that
17 part of the record and do I have a copy of
18 that?

19 ALISON HESS: Yes, it is. They
20 are both part of the record and in the
21 information repositories and the
22 administrative record files.

23 JERRY GEILING: Okay. The second
24 point follows from that.

1 I took your chart that you have up
2 here showing the functions that you projected
3 in terms of how the risk is supposed to abate
4 with various programs. I think what you also
5 failed to state, as I heard Mr. Caspe last
6 night, what I thought I heard you say was that
7 we're talking about one to two generations
8 would be the benefit if we did not do the
9 dredging. In other words, you would take 25
10 to perhaps 50 years as the river tried to heal
11 itself. Well, I basically took the EPA range
12 of remediation goals that's in your report,
13 graphed those against the functions that you
14 have here, and unless I've misstated and
15 misread, that is not true. If we do -- if we
16 basically accept the previous GE report, which
17 is called Monitored Natural attenuation, and
18 does not have the latest GE plan in there, it
19 looks like we're 12 to 15 years, not 25 to 50
20 years, before you get down to the .2
21 milligrams per kilogram target that you're
22 trying to get there. In other words, if we
23 wait for another 12 to 15 years, the
24 attenuation will, essentially, get you at the

1 same point in terms of the risk that you have
2 if you're to do the preferred, preferred EPA
3 plan with respect to the dredging.

4 So my question is that, I have a
5 copy of this, it shows you all my notes, my
6 name is on here with my e-mail, my fax number
7 and what have you, but it basically says that
8 we're about 12 to 15 years away from getting
9 the same result. The question I have is that
10 have you folks done a cost benefit analysis,
11 in terms of saying if the benefit is there and
12 we're going to wait another 12 to 15 years,
13 what would be the cost side in terms of
14 disruption, spending half a billion dollars,
15 and the other issues that we've talked about?
16 So I think there's a serious credibility issue
17 in terms of using your numbers and just laying
18 those out against what you've already have
19 shown here.

20 So I'd like to leave this off here
21 and have someone contact me so I can fully
22 understand this.

23 MR. CASPE: Okay. Thank you.
24 You want to respond to that?

1 ALISON HESS: Well, I just want
2 to say that the information that is the basis
3 for the one to two generations earlier is
4 provided on page 19 of the proposed plan.
5 That's the light blue document, and we'd be
6 happy to discuss with you your comments.

7 JERRY GEILING: Right. I have
8 all my sources documented here and, basically,
9 I've taken your numbers and tried to
10 interrelate your numbers on this risk
11 assessment. But the real issue, as I see it
12 here, is that you get basically to the same
13 point as where you were under your dredging
14 alternative, admittedly it's about 10 to 12
15 years later.

16 MR. CASPE: We'd be glad to try
17 to clarify with you that at a future date.

18 JERRY GEILING: I appreciate
19 that.

20 MR. CASPE: I mean, I presume
21 separately.

22 ANDY ESPERTI: Hi, I'm Andy
23 Esperti. I live on Roger's Island in Fort
24 Edward. I have lived there all my life, which

1 has been quite a few years. This is supposed
2 to be a public hearing, but I think it was a
3 political hearing tonight for some of the
4 politicians. You can tell reelection is
5 coming up. I think that should have been kept
6 out of here, keep the politics out of it,
7 maybe people can get together and do something
8 about this.

9 I have seen a lot of things on the
10 river. I have seen the river get dredged
11 before. It wasn't done the right way, but
12 technology has advanced and I believe the EPA
13 can do it.

14 The Academy of Sciences recommend
15 that whatever way is done, that it be done the
16 right way. I have heard a lot of facts here
17 tonight, a lot of misleading facts. I believe
18 the EPA. I don't believe what G.E. has to
19 say. G.E. has held hostage -- Fort Edward
20 hostage for years, cost us hundreds of
21 thousands of dollars, capping off landfill,
22 replacing the water supply. They never admit
23 to anything. If we don't make G.E. pay, no
24 matter what you do, if we don't make G.E. pay,

1 then we are all going to be going down the
2 river completely. G.E. has to pay for this.
3 Plus, the gentleman who said about the
4 boating, that's not true. You get some small
5 boats up there, but there's a boat that
6 carries about 60 or 50 people from
7 Schuylerville, if navigational dredging is
8 done in Fort Edward and the other dredging is
9 done, we could bring that boat up, we can get
10 60 people, or 50 people, 40 people at a crack.
11 Not one or two small boats, like he said.

12 Thank you.

13 MR. CASPE: I called a bunch of
14 people who haven't come to the microphone.
15 Let me just make sure. It was Ruth Willard,
16 Bruce Sears, Jeff Duxbury -- I think I called
17 these people, but I'm not sure any more,
18 Paulette Foote, yeah, I did, Lou Ann Armitage,
19 William McQueen, Kevin Armitage, Mark Bailey,
20 Bruce Curtis, Rose Henderson, Jennifer
21 Feyerherm. Okay. Let me go to the -- ah,
22 yes -- I haven't called it yet, probably.
23 What was your name?

24 JENNIFER FEYERHERM: It was

1 Jennifer Feyerherm.

2 MR. CASPE: Excuse me?

3 JENNIFER FEYERHERM: Jennifer
4 Feyerherm.

5 MR. CASPE: Oh, yes, sure.

6 JENNIFER FEYERHERM: You just
7 called it again. I missed it the first time.
8 Well that's who I am, I'm Jennifer Feyerherm,
9 And I have come to you all the way from my
10 home state of Wisconsin where we have a
11 situation that's pretty similar to yours. We
12 too have a river that is full of PCBs. We too
13 carry those PCBs in our body, the legacy of
14 the years that our corporate neighbors used
15 our river as a sewer. We too continue to be
16 exposed while the polluters use every tactic
17 imaginable to stall, spending millions on
18 misinformation campaigns rather than cleaning
19 up their poisons. We too have had to struggle
20 through all the claims and all the rhetoric
21 to decide what is best for our families and
22 what is best for our river. We too have had
23 to gather our voices together fighting ever
24 harder to be heard above the roar of

1 corporate money and political influence. We
2 too want our river cleaned up once and for all
3 for our families, for our future. Our rivers
4 are tied together by more than just
5 circumstance. The paper mills that dumped
6 PCBs into our Fox River have teamed up with
7 General Electric twisting data to claim that
8 dredging does not work, buying ads to confuse
9 the public, and lobbying public officials.
10 Together they are doing anything they can to
11 be let off the hook.

12 But I came not just to share your
13 troubles. I came to bring a bit of hope.
14 See, our Fox River is home to two dredging
15 projects that removed two of the hottest spots
16 on our river. Both were successful. Both
17 used dredges that were specifically designed
18 to remove contaminated sediments. Both
19 successfully removed PCBs from the river so
20 they could no longer harm our families. Both
21 proved that environmental dredging is a safe,
22 effective way to clean up PCB contaminated
23 sediments. I had an opportunity to tour one
24 of the sites. I saw a hydraulic dredging

1 system set up with many redundancies and many
2 safety measures built in. I saw the silk
3 curtains meticulously placed providing
4 multiple barriers to prevent the transport of
5 PCBs down stream. I could actually see less
6 mud in the water that was leaving the site
7 than the water that was entering the site. I
8 saw the continuous monitoring data that
9 further assured that the project was not
10 losing PCBs downstream. I saw the monitors
11 that were unable to detect any PCBs in any of
12 the 66 million gallons of water that were
13 removed from the sediments and treated before
14 they were put back in the river. I saw air
15 monitors that were also unable to detect any
16 elevated PCB levels in the air outside of the
17 dredging site. I am here to tell you that
18 environmental dredging has begun to make our
19 river a safer place.

20 MR. CASPE: Please wrap up.

21 JENNIFER FEYERHERM: I urge EPA
22 once and for all to clean up both of our
23 rivers. We have the technology. We know how
24 to use it, and we can't afford to wait any

1 longer.

2 Thank you.

3 MR. CASPE: Thank you. The next
4 group of speakers: Heather Aubrey, Joe Dyer,
5 Gretchen McHugh, Ben Tripp, K. John Peterson,
6 Harry Karpiak, Richard Sage, Gerald Froelich,
7 Nancy Urso, Walt Prouty, William Beckman,
8 Stephen Davis, and Scott Varney.

9 RICHARD SAGE: My name is Richard
10 Sage and I live in Queensbury. I would prefer
11 that the PCBs be removed from the Hudson River
12 like a lot of other people, but I have major
13 concerns that it can be done by dredging using
14 existing technologies. If better techniques
15 are devised, it could be reconsidered.

16 I'm a retired chemical engineer,
17 not from G.E, and served on the Queensbury
18 Environmental Advisory Committee. In that
19 capacity I followed closely the remedial
20 actions on the NIMO-Corinth Road project. We
21 examined proposals for removal of both on
22 shore and off shore portions of approximately
23 500 pounds of PCBs used on the site for dust
24 suppression. Roughly four hundred pounds were

1 on shore and a hundred had washed into the off
2 shore sediments. We watched videos of the
3 proposed dredging procedure using sheet piling
4 containment of the area being dredged. The
5 procedures looked quite similar to what G.E.
6 has depicted in their ads. We felt very
7 strongly the techniques were inherently
8 sloppy, and very likely to spread PCBs down
9 stream. Unanimously, our committee
10 recommended to the Queensbury Town Board that
11 they oppose dredging the off shore sediments.
12 We concurred with proposals for removal of the
13 on shore sediments, and the town board agreed
14 with us. The on shore work has been performed
15 successfully. Contrary to what Mr. Richard
16 Caspe said of the Superfund project, and is
17 reported in the **Post Star** and tonight I heard
18 him reaffirm it, no dredging in the sediments
19 has been done on the NIMO project unless they
20 were done since 3:00 o'clock this afternoon.
21 If reported correctly, Mr. Caspe's statement
22 is not true. There seems to be a strong
23 element of punish G.E behind the efforts to
24 proceed with the dredging. More important is

1 let's insure that what is done does not also
2 punish those of us whose main concern is
3 getting the job right. The PCBs have been
4 there for 20 years. I think we can wait until
5 we have a better procedure.

6 Thank you.

7 STEPHEN DAVIS: My name is
8 Stephen Davis. I am from Fort Edward. We get
9 it from both plants of G.E. I would like to
10 thank you for coming here and letting us have
11 the last say. Your presentation is much
12 improved over Saratoga.

13 My main concern is with public
14 health risk during cleanup such as PCB
15 contaminated, airborne particles, fall out
16 from trucking during both the removal and
17 backfill stages, etcetera.

18 I'm also concerned about the
19 previously dredged PCBs back in the 1970's and
20 where they were placed on farm land, some dirt
21 roads, and the possible contamination of the
22 river from those sites.

23 A question I have: Will dredging
24 be stopped if things aren't working? As

1 previously, speakers have asked, and as an
2 engineer, please provide us with more
3 information so we can feel better in making
4 informed decisions. As Robert Fulcum(sic)
5 said in his book, *All I Needed to Know I*
6 *Learned in Kindergarten.*

7 People should clean up their own
8 mess. In this case a public trust has been
9 violated.

10 Thank you.

11 MR. CASPE: I'm going to call the
12 next group of speakers: Jerry Ruffing,
13 Leonard Bush, Dave Adams, Craig Michaels,
14 Scott Smith, Adam Ayers, Henry Everts, Holly
15 Ganotes.

16 LEONARD BUSH: My name is Leonard
17 Bush. I live in Hartford in Washington
18 County. A lot of people have touched on the
19 basis of the health of this, but I hope that
20 the EPA listens to the people that live on the
21 Hudson River.

22 As a Hartford resident, I know, if
23 it's not in your backyard, the EPA or anybody
24 else really don't care what they do. They are

1 just out to worry about who can spend the most
2 money, and whichever side has got the most
3 money will be the side that gets it. The
4 people that live there have spoken. And I
5 hope you do listen to what they say.

6 Thank you.

7 MR. CASPE: Thank you.

8 SCOTT SMITH: Scott Smith,
9 Village of Hudson Falls.

10 I, like many residents of this
11 area, feel a little overwhelmed by the
12 scope -- you propose to remove a huge volume
13 of contaminated material from the base of the
14 Hudson River.

15 The very act of removal increases
16 the likelihood of public exposure to not only
17 PCBs but to any other toxins which may be
18 present in the river bottom sediment. I'm
19 concerned that every scoop that is brought to
20 the surface must be carefully contained,
21 transported, and treated. A project of this
22 magnitude, must, of necessity, utilize some
23 means of intermediate staging of contaminated
24 mud prior to its treatment. Wherever this

1 material is held, there will be the potential
2 for environmental exposure, whether through
3 spillage, leakage, runoffs, or accidents. And
4 that point's been made tonight.

5 This project poses great challenges
6 because it covers such a large territory. And
7 as the clean up moves downstream, so does the
8 potential for contact between the
9 contamination and the public. It's hard to
10 foresee every possible exposure scenario, but
11 logic states that the more material that is
12 removed and the longer it goes on, the greater
13 the chances for contact become.

14 I am concerned about the
15 resuspension of contaminated sediment and
16 about increased pollutant concentrations being
17 picked up by the river current. And also the
18 point was made about the dredging being done
19 in the lake areas of -- the river is a lot
20 different hydrodynamics than the lake, and
21 would appreciate some presentation from you
22 folks about how specifically with the river
23 current you are going to address that
24 resuspension problem. I have similar concerns

1 about the backfilling project and also the
2 sediment burden that that may place upon the
3 river.

4 I won't reiterate some of the other
5 concerns about truck traffic. You addressed
6 that. But will state about noise and
7 disruption to homeowners who live along the
8 river and the concerns over the negative
9 impacts to the local economy which might be
10 caused by this project.

11 Everyone acknowledges that this is
12 a complex and serious problem. My preference,
13 by far, would be to see the EPA consider less
14 intrusive, less disruptive, in situ remedial
15 technologies. Perhaps a combination of
16 enhanced source control coupled with
17 bioremediation might bring about the desired
18 clean up objective, without having to resort
19 to this major sediment removal project and the
20 regional disruption it would cause.

21 Perhaps because of the sheer size
22 of the problem --

23 MR. CASPE: Please wrap up.

24 SCOTT SMITH: Yep.

1 Thank you for letting me speak. I
2 would like to see more research before this
3 decision is reached.

4 Thank you for your time.

5 MR. CASPE: Thank you.

6 The next group, Dan Bianchi, Robert
7 T. Gray, John Stouffer, Kristin Gordon, Alli
8 Liss, Greg Dangelico, Judy Gerardi, Steve
9 Gilman, Edna Woodcock.

10 DAN BIANCHI: Hi. My name is Dan
11 Bianchi, and I've waited here all night to
12 tell you that I support EPA dredging, but I'd
13 also like to say that I'm sympathetic to the,
14 to all of the complaints of the that came out.
15 Let me just say, I live in Saratoga Springs.
16 The people in the immediate community, I feel
17 it's important to address their insecurities
18 about not having everything, all the
19 information concerning the EPA's plans for the
20 dredging be revealed to them, and because it's
21 happening in their community it's of
22 incredible importance that they know
23 everything because, clearly, information is
24 lacking and, clearly, there's a lot of people

1 who feel that this is going to be harmful,
2 which I don't think it is.

3 Secondly, I'd just like to say, I
4 feel it's very important that the EPA enforce
5 the Superfund Law and that GE is held
6 responsible for polluting the Hudson.
7 Because, if it doesn't, I think that it's -- I
8 mean, it's probably illegal if it doesn't.
9 And secondly, I think it would ideologically
10 undermine the Superfund Law as well as a lot
11 of the other environmental laws that we've
12 seen passed in the last 35 years, 30 years,
13 including the creation of the EPA and that
14 Clean Air and Water Acts, because it will send
15 the message on the extremely large scale that
16 corporations can pollute and they won't be
17 held responsible.

18 Thank you very much.

19 ROGER T. GRAY: Hi, I'm Roger
20 Gray from Albany.

21 To those folks who said that they'd
22 like us all to reach out and work
23 cooperatively, I would just like to say that a
24 lot of us down in the Albany area are speaking

1 to our elected officials to ask them to work
2 with the EPA to try to find a down river site
3 for the second dewatering plant.

4 I agree, we should work
5 cooperatively on this and we should share the
6 burden.

7 I also would like to say I think GE
8 is a pretty interesting company. It's had its
9 roots in this area from Schenectady up here to
10 Hudson Falls for generations and generations.
11 Last year's net profits were in the range of
12 \$10 billion. So I'm very concerned that GE
13 isn't acting like a more responsible corporate
14 citizen and stepping up to the plate and
15 taking responsibility for the junk they left
16 in the river. I think it's also irresponsible
17 that they're trying to convince people that
18 the river is cleaning itself. That's
19 incredibly bogus.

20 I've fished on the river since I
21 was a kid. When I was a kid, the river was a
22 flowing cesspool. It became clean in the
23 Nixon administration, when the Clean Water Act
24 was passed. It's not cleaning itself, it's

1 cleaning in response to government action.

2 The second thing that I think is
3 highly irresponsible for GE is to claim that
4 there is no health risk. Mr. Ramsey even was
5 quoted in *The New York Times* as saying there's
6 no health risk because nobody eats fish from
7 the Hudson. We all know that's bogus. We
8 know people who eat fish from the Hudson.
9 Just because you can't (audience interruption)
10 -- yeah. And it's illegal, but that doesn't
11 mean people don't eat fish from the Hudson.
12 And just because the cancer, the thyroid
13 disease, the immunological disorders don't
14 show up for decades, doesn't mean it's any
15 less irresponsible to say there's no health
16 risk.

17 When you folk from GE go back to
18 your corporate offices tomorrow, I hope you'll
19 write a memo to your boss and tell him to stop
20 welching out on environmental clean up.

21 KRISTIN MENKE: Hi. My name is
22 Kristin Menke. I'm standing in for Alli. She
23 had to go.

24 I just wanted to say that I came

1 here to listen, not just to speak, but I do
2 want to say that I support dredging because I
3 think that there's a lot of planning that has
4 gone into this and I encourage the EPA to
5 continue their research.

6 Thank you.

7 JOHN STOUFFER: Hello. My name's
8 John Stouffer. I'm from the Town of New
9 Scotland and I'm here as a father who fishes
10 with his kids in the Hudson River.

11 I'm concerned that EPA is
12 underestimating the risk posed by the
13 contaminated sediments in the river. I've
14 looked at the risk assessment, and I think the
15 reason -- well, the reason, what I'm basing my
16 concern on, is that I think you're
17 underestimating the exposures. Looking, for
18 example, at the assumptions about how often
19 kids are exposed to sediments in the river.
20 The assumption for the maximally exposed
21 individuals six and under was 13 days a year.
22 I think that's a gross underestimation of how
23 often kids, especially kids from the
24 communities along the river, are going to be

1 in the water and in contact with sediments.

2 That leads me to suggest that the
3 preferred alternative is not going to be fully
4 protective. And, for that reason, I would
5 like to urge you to consider Alternative
6 Number 5 and remove a lot more of the
7 contaminated sediments from the river.

8 Thank you.

9 STEVE GILMAN: My name is Steve
10 Gilman. I am from the Town of Saratoga.
11 Thank you very much for this opportunity to
12 testify tonight.

13 I never got to vote on any town or
14 county resolutions that all these supervisors
15 talked about. In fact, not one resolution is
16 backed by any popular vote.

17 G.E. statistics presented on their
18 t.v. show don't add up. They claim that only
19 three ounces a day, or 68 pounds a year of
20 PCBs are leaking into the Hudson from their
21 factory sites near the river, and the rest is
22 safely contained under sediment. Yet studies
23 show that over 500 pounds of PCBs are annually
24 going over the dam down at Troy. This is just

1 the tip of the iceberg. PCBs effect far more
2 than just the people who eat the fish. Not
3 counted also are the PCBs volatilized into the
4 air, settle under the soil, bio-accumulate in
5 living tissue, and move up through the food
6 chain. The river looks better because of the
7 Clean Water Act, but it's poisoned ecology is
8 far from healthy. A 1994 study near the
9 battlefield found concentrations in swallows
10 eggs high enough to qualify them as hazardous
11 waste. This toxic plume covers the greater
12 Hudson Valley down to New York City and out
13 into the ocean putting area residents at risk
14 and subjecting us all to a greater body burden
15 of PCBs than in people living in other areas.

16 Plainly the 1.3 million pounds of
17 PCBs G.E. dumped in the river are not just
18 going to go away. Since PCBs are highly
19 resistant to breaking down biochemically they
20 remain a time bomb ready to go off. G.E.'s
21 protection plan of leaving them in place,
22 buried under a foot of sediment is folly.
23 There are no guarantees they will ever stay
24 put. Storms and even locally

1 probablistic(sic) seismic tremors can easily
2 stir them up again. Meanwhile the silting
3 further restricts river navigation and cuts
4 off commerce. The only good PCB is a removed
5 PCB.

6 The cleanup of the Hudson has been
7 studied for far too long. It's time to do the
8 right thing for now and for our children's
9 children.

10 Thank you.

11 MR. CASPE: Next group of
12 speakers, I'm going to call a few more: David
13 Page, Kristin Menke, George Hodgson, Laura
14 Haight, Jeff Jones, James Moredock, T. Blandy,
15 Michael LaPoint, Ann Herrick, Randy Getty,
16 Sarah Bublanc, Luann Scherring, Karen Odekon,
17 and Maureen Ferraro-Davis. (Someone from the
18 audience asked if that was all of them.)

19 No, but we're getting there.

20 Yes.

21 DAVID PAGE: My name is David
22 Page. I'm from Troy, and I'm in favor of
23 dredging the Hudson River.

24 There's been a lot of talk about

1 PCBs by G.E. and other people. There are
2 still some that are suggesting that PCBs are
3 not that bad, or that we can't do anything
4 about them. There's talk saying that the PCBs
5 are breaking down. A few years ago G.E.s lie
6 about organisms eating PCBs was found to be
7 just what it was. Now they are lying and
8 trying to say that PCBs are being cleaned up
9 naturally by the river. PCBs have an
10 endurance similar to plastic. They never die.
11 Nothing can eat them. They do rest primarily
12 in the sediments, but they are interacting
13 with the water. There are plants and fish
14 that are feeding off the things in the
15 sediments. They are eating the PCBs. That's
16 scientifically proven. G.E. cannot dispute
17 that.

18 And also there's been talk about
19 dredging damaging the life of the river. I
20 would say the video that EPA has for other
21 sites that have been dredged show pretty well
22 that living organisms, plants and fish of
23 different sorts, repopulate quite handily in
24 areas that have been dredged within a short

1 time. I think just a few years.

2 Thank you.

3 MR. CASPE: Thank you.

4 JAMES MOREDOCK: I'm James
5 Moredock from the Town of Schaghticoke. I
6 wish to offer an alternative proposition
7 because it seems that you have got two
8 factions here that -- with no solution, no
9 logical solution. And I too am disturbed when
10 I see G.E.s television commercials because
11 realizing the investment they have made in
12 these commercials, once they are gone, there
13 is still no beauty as far as the Hudson is
14 concerned. But if G.E. would take the same
15 money and invest it in making the Hudson area
16 more beautiful, I think it's a more logical
17 concept. We could plant flowering crab,
18 dogwood, azaleas, rhododendrons, and do the
19 other many things that would -- and even
20 perennial flowers along the Hudson. Also
21 consider a wildlife -- a plan for developing
22 wildlife areas along the Hudson. You are
23 investing a tremendous amount of money to
24 dredge. Well if that money were invested in

1 making the Hudson more beautiful, why then you
2 might get more public support.

3 As far as the fish is concerned, I
4 think that dredging, that's a pretty high
5 price to pay for a fish dinner. If you
6 consider the fact that the colleges have many
7 programs for developing fishery biologists,
8 you have the New York State Wild -- Fish and
9 Wildlife Service; you have also many other
10 people who are well educated in making the
11 fisheries more productive. Why you have all
12 these streams going into the Hudson. If this
13 money were applied to the upper Hudson, if it
14 were applied to the Kaydeross, to the Hoosic
15 River, even the Battenkill, and improve the
16 fishery habitat along there, I think that the
17 public would be more acceptable to your
18 concept of how to spend this money.

19 Now I feel that G.E. needs a public
20 relations program. If they were taking part
21 in making the Hudson more beautiful, I think
22 their public relations would be vastly
23 improved.

24 I think the EPA also has the same

1 public relations problem. You also could
2 benefit from a more beautiful Hudson.

3 Thank you.

4 MR. CASPE: Thank you.

5 GEORGE HODGSON: Yeah, George
6 Hodgson. I'm with the Saratoga County
7 Environmental Council. I would like to take
8 this opportunity to ask EPA to respond to a
9 few questions tonight.

10 On January 10th Saratoga County
11 Board of Supervisors sent correspondence to
12 EPA requesting extension of 60 day feasibility
13 study review period which provided the county
14 of Saratoga with detailed environmental impact
15 information necessary to evaluate and comment
16 on the proposed plan for PCB remediation.

17 The river: I would like to thank
18 EPA for granting the comment period extension
19 but must ask them when they are going to
20 provide Saratoga County with the information
21 they requested. I think that was a four page
22 letter. I have a copy of it with me today.
23 Would you care to comment -- are you going to
24 respond to that letter with some detailed

1 environmental information?

2 DOUG FISCHER: Yes, we will
3 respond to that letter.

4 GEORGE HODGSON: Will you respond
5 before the April 17th comment deadline?

6 DOUG FISCHER: We are working on
7 it now, so.

8 GEORGE HODGSON: Okay. We would
9 appreciate it. Thank you very much.

10 DOUG FISCHER: You are welcome.

11 GEORGE HODGSON: Saratoga County
12 Board of Supervisors maintains that EPA's
13 feasibility study and proposed plan is
14 technically deficient in detail to allow the
15 public adequate review of the important
16 environmental impacts of the study's proposed
17 remediation recommendations.

18 Further the US EPA has not prepared
19 a NEPA required EIS as it did in 1981. I
20 think you spoke to that issue that maybe there
21 was a change in circla(sic). You are not
22 required to do that anymore.

23 As you know the feasibility study
24 is not in the EIS, and as such, there is no

1 requirement for EPA to respond in writing to
2 all substantive public comment before issuing
3 their ROD in August 2001 as NEPA requires. In
4 fact, the way this process is currently set
5 up, only requires EPA to issue a public
6 response of their summary with the release of
7 their ROD. In my opinion, this document
8 should be named a public unresponsiveness
9 summary as it is provided to the public as
10 useless public participation window dressing
11 after the decision is made by EPA, and
12 represents an abhorrent use of the so called
13 public participation process. Let the public
14 get their questions answered before the
15 decision is made, not after. The federal EIS
16 process would provide a suitable forum for
17 this to occur.

18 My second question to EPA is,
19 please explain to the people here tonight why
20 a detailed EIS on a project of this
21 environmental magnitude has not been prepared,
22 and why they don't deserve written responses
23 to their substantive comments and questions
24 before decision making such as a process would

1 require?

2 MR. CASPE: We are going to
3 answer that question, and then we are going to
4 have to move onto the next speaker.

5 Do you want to -- why we don't do
6 an EIS?

7 DOUG FISCHER: We don't prepare
8 an EIS because by law we are not required to
9 do one in the Superfund program because --

10 GEORGE HODGSON: Why is that?

11 DOUG FISCHER: Well because
12 Superfund remedial investigation, feasibility
13 study is the equivalent of an EIS.

14 GEORGE HODGSON: No, it isn't.

15 DOUG FISCHER: Well that's --

16 GEORGE HODGSON: Somebody may
17 think it is, but it doesn't involve --

18 DOUG FISCHER: I mean there are
19 court cases --

20 MR. CASPE: Well you asked a
21 question we are going to give you an answer.

22 GEORGE HODGSON: When was that
23 changed?

24 MR. CASPE: I'm sorry. We are

1 done. Thank you. Next.

2 GEORGE HODGSON: I'm also a --

3 KERIM ODEKON: Hi, my name is
4 Kerim Odekon.

5 GEORGE HODGSON: From
6 Northumberland -- I'm a councilman from the
7 Town of Northumberland.

8 MR. CASPE: If you let us answer
9 the question, we'll answer it, but if you are
10 going to keep on asking the same question over
11 and over again, then we're not going to answer
12 it.

13 GEORGE HODGSON: I asked when did
14 the change was made. In '81 you went through
15 NEPA. I just asked when that change was made.

16 DOUG FISCHER: On this project?

17 GEORGE HODGSON: Right.

18 DOUG FISCHER: Earlier into the
19 project it was being handled under NEPA, but
20 after Superfund was passed the agency
21 determined that it would better be handled
22 under Superfund. It was converted to
23 Superfund process.

24 GEORGE HODGSON: Is there a year

1 date when that change occurred?

2 DOUG FISCHER: Probably, if my
3 memory serves me correctly, in 1982.

4 GEORGE HODGSON: '82. Just after
5 the original assessment you are saying.

6 MR. CASPE: Okay.

7 GEORGE HODGSON: Yeah, I'm a
8 councilman in the Town of Northumberland.

9 MR. CASPE: Good.

10 GEORGE HODGSON: I have one more
11 question to ask you. Do you mind if I pull
12 rank for a second? Thanks.

13 At this time I would like to
14 provide EPA with a copy of a 12-2000 USGS
15 study which came across my desk recently,
16 which cites PCB resuspension rates for
17 hydraulic dredging of the lower Fox River in
18 Wisconsin is thirty-two times higher than the
19 PCB resuspension rate used by EPA in its
20 Hudson River feasibility study. The study
21 also sites the occurrence of extremely high
22 water column PCB spikes related to boat
23 traffic on the river in the vicinity of
24 recently dredged areas. Based on this new

1 information the 70 pounds of tri-plus PCB
2 resuspension loss from hydraulic dredging
3 predicted in EPA's Hudson River feasibility
4 study over the five year project period
5 suddenly becomes over 2200 pounds of PCBs lost
6 down stream to further contaminate fish or
7 sediments of the Hudson. So much for the
8 environmental efficacy of hydraulic dredging.

9 My last question for EPA is this:
10 Provide the audience here tonight with an
11 example of a river PCB Superfund site where 30
12 to 50 percent of it's total PCB mass has been
13 removed by dredging which has been successful
14 in meeting EPA's PCB removal target goals?

15 MR. CASPE: Thank you.

16 GEORGE HODGSON: Anybody want to
17 take a shot at that one?

18 KERIM ODEKON: First of all I was
19 going to address this later on but as a
20 representative of the Board of Supervisors for
21 Saratoga County, I don't think you have any
22 right to talk about a lack of a public process
23 in this by issuing a statement that Saratoga
24 County supports an anti-dredging stance. This

1 has been a rape of democracy in Saratoga
2 and --

3 GEORGE HODGSON: Thanks for the
4 opportunity.

5 KERIM ODEKON: And there has been
6 no public process in this decision. I
7 actually have hundreds of letters for you and
8 thousands more are coming on this decision,
9 and actually our community, Saratoga Springs,
10 was lucky enough to be taken off the list.
11 Okay.

12 First of all I believe that PCBs on
13 the Hudson River are an unacceptable public
14 health concern, and it's our responsibility
15 for future generations to remove them in the
16 quickest, safest way possible.

17 I also believe that this pollution
18 should be considered the takings of our public
19 rights to the river, and not only be mitigated
20 but compensated for our lack of a clean river
21 for the last 30 years.

22 Again, as the co-president of the
23 Skidmore Environmental Action Club and a
24 life-long resident of Saratoga Springs, we

1 have sponsored debates with both General
2 Electric and environmental groups. It is our
3 consensus that the Hudson River should be
4 cleaned as soon as possible. We support your
5 decision to dredge, yet we would appreciate if
6 the cleanup was more extensive.

7 I would also like to add that I
8 don't think the willingness to pay for
9 accepting PCBs is an appropriate method of
10 disposal.

11 That aside, I would also like to
12 propose an educational campaign along the
13 Hudson to counter General Electric's
14 disinformation. Please clean up the Hudson.

15 Thank you for your public service.

16 MR. CASPE: Would you just repeat
17 your name?

18 KERIM ODEKON: My name is Kerim
19 Odekun, Saratoga Springs.

20 MR. CASPE: Thank you. The next
21 group, this is -- let me try: Kim Ganache,
22 John Schnebcy, Jerrod Ogden, Patrick Sorsby,
23 Acey Moffitt, Ken Fish, Christine Huntington,
24 Fred Kennison, Brian Winslow, Monica Webster,

1 Brandon Anibal, Paul Bartlett, Linda Nichols,
2 Clare Beames, Edward Tabor, Jeff Edwards, Pete
3 Sheehan, and Melissa Sorsby, and that is the
4 end. Or that's the end of the people who have
5 listed themselves to speak.

6 Yes.

7 MAUREEN FERRARS-DAVIS: My name
8 is Maureen Ferrars-Davis. I live on the
9 Hudson River in the Town of Schaghticoke, in
10 Rensselaer County. And my home is in River
11 Section 3.

12 I'm here tonight in support of the
13 EPA's decision to remediate the Hudson using
14 environmental dredging. I, however, favor
15 Alternative 5. If the EPA is going to remove
16 PCBs from the river, I would like them to take
17 out as much as possible. I have learned that
18 health risks connected to PCB exposure go well
19 beyond the consumption of contaminated fish.
20 The river regularly floods in my neighborhood,
21 in my yard, where my daughter plays. Soil
22 from our yard and the shoreline have been
23 tested and they contain high levels of PCBs.
24 GE has not come to my community with a \$30,000

1 check to clean it up, so the EPA must order
2 them to do so. It's time to stop making the
3 victims pay and force GE to take responsible
4 for the actions.

5 Thank you.

6 MR. CASPE: Anybody else in the
7 last batch? Or else I'll go to the next
8 batch.

9 Okay. Jack Ewald, Kevin Colton,
10 John Bahr, Thomas Newton, James Nash, Larry
11 Wolfe, Junior, Mike Doclig, Bob Smith, Lou
12 Marchaland, and Glen Carlson)

13 JACK EWALD: Jack Ewald. I am a
14 resident of Saratoga Springs. I go to school
15 there. I've been a resident there for about
16 three years now. I am a taxpayer there and I
17 also do vote there.

18 I enjoy very much living in this
19 area of New York. But, actually, I can't
20 claim to be a life-long resident of this town
21 nor can I claim to have lived here for
22 anywhere close to most of the people in this
23 room. However, most of my life I've lived
24 down on Long Island. It's right on the Long

1 Island Sound. And one thing we all have to
2 keep in mind is we're not just -- you know, as
3 much as the dredging and the noise and the
4 lights affects a lot of people here, the
5 cancer affects people too, and not only here,
6 because downstream, that's a lot of, a whole
7 lot of space. We're not just talking
8 downstream Saratoga, we're not just talking
9 downstream White Plains, you know, we're not
10 even talking about the tens of millions of
11 people who are downstream in New York City.
12 There's also, we're talking Connecticut, we're
13 talking Long Island. My bed is about 42 feet
14 from the water that these PCBs are in. Down
15 the Hudson, make a left, another right, that's
16 about 40 feet from my bed. So we're affecting
17 a lot of people with the decisions that are
18 being made here. And, yes, people are
19 disturbed that, you know, these comment
20 periods were more frequent, they weren't
21 closer to the GE plant. And that is a
22 legitimate concern. But keep in mind that
23 there are tens of millions of people who are
24 being affected by this decision, that don't

1 have the opportunity to comment whatsoever.
2 I guess, just in addition to that,
3 I want to comment that we talk a lot about the
4 environment, about Mother Earth. The fact is
5 Mother Earth is going to be fine. Mother
6 Earth is going to survive. PCBs are not
7 affecting Mother Earth whatsoever. Mother
8 Earth has weathered ice ages, Mother Earth has
9 weathered every sort of travesty imaginable.
10 Asteroids have slammed into Mother Earth.
11 She's going to be fine. We're screwed,
12 however. This is a human problem. You know,
13 Mother Earth, you know, a couple fish could be
14 gone. We could lose the human species, we
15 could lose half of the population, you know,
16 of any given species on the planet, Mother
17 Earth will survive. We've got to look at the
18 affect on human population, the human
19 ecosystem. Because, when it comes down to it,
20 we like to say we're all for the environment,
21 we're all about saving the earth. The fact
22 is, we're trying to save ourselves here and we
23 have to look at the real human health risk and
24 that has to be our top priority.

1 MR. CASPE: Thank you.

2 THOMAS NEWTON: I'm Tom Newton
3 from Hudson Falls.

4 I think there, everybody who was in
5 this room tonight feels the same way. The
6 river should be cleaned. Okay. Clean.
7 Define it. You know, like define is.

8 Are we talking 1600, 400 years ago?
9 Are we talking something more currently?

10 If we're talking currently, both
11 parties have played the game. Figures lie and
12 liars make figures. And GE is just as guilty
13 as the EPA. You've lied from get go. You
14 haven't told the truth. You haven't given
15 people information. You haven't answered
16 people's questions.

17 You come here and in the other
18 places and you sit and you take testimony.
19 Now, you know and I know what you're going to
20 do with that testimony. You're going to go
21 back down to your city office and you're going
22 to look at the pile of paper and then you're
23 going to say to yourselves, "Gee, it's CYA and
24 we can drop it right in the basket," because

1 you don't give one damn for the people up
2 river. All you're concerned about is
3 yourselves and your political jobs. You're
4 just as guilty and just as bad as GE.

5 Dredging came up almost 20 years
6 ago and it was turned down. So you lost once.
7 You're coming right back again with the same
8 damn crap. You lied then and you're lying
9 now. So is GE.

10 Leave the river alone. It was
11 there long before any of you were around.

12 Thank you.

13 MR. CASPE: I'm going to call the
14 next group.

15 Bob and Linda Bergman, Joe Gardner,
16 John Natale, Phil Nicholas, Lisa LaLonde, Al
17 Hayner, Erv Fries, Harry Nelson, Larry
18 Woolbright John Slocum, Patrick Veal, Kathy
19 Betzinger, Suzanne Crump, Stewart Dowman --
20 it's not morning yet -- Greg McDowell, Amy
21 Shaver, James Bryant, and Gary Schultz.

22 Is that it? No, but we're getting
23 there.

24 JOHN NATALE: Yes, my name is

1 John Natale, born and raised in Saratoga, now
2 living in Wilton.

3 I've got a question and I've got a
4 suggestion, too.

5 Question. Big thing stressed here,
6 down in Saratoga and the other places, are the
7 high contamination of PCBs in the fish, such
8 that you're not allowed to take them out of
9 the river. Well, that begs the question, if
10 the fish stay in the river, the fish die in
11 the river, the fish reenter the food chain,
12 the PCBs go back up the food chain and
13 reinfect the next generation of fish. So my
14 question is, when you analyze the
15 contamination of the fish, aren't you just
16 analyzing the recycled PCBs that keep going
17 through again and again and again and don't
18 give a true reflection of what's happening in
19 the river?

20 Now I have a suggestion for that
21 also. If the EPA were to open several fish
22 stations along the river, have the anglers
23 bring their catch to the stations to be
24 disposed of properly, give credits to go and

1 buy safe fish in local markets, you would
2 solve the problem of eating the bad fish,
3 you'd get the bad fish out of the river, you
4 could then analyze what's happening in the
5 river more accurately. And this could be done
6 very quickly, could be ready April 1st trout
7 season. Something like that I think would
8 give everybody pause, give them a chance to
9 look at the numbers, and convince one side or
10 the other that EPA's going on the right track.

11 Thank you very much.

12 MR. CASPE: Thank you. Is that a
13 question?

14 Did you want an answer to that?

15 JOHN NATALE: Sure the question
16 is: Can you separate recycled PCBs from the
17 fish from coming from the river itself?

18 I don't think you can. I don't see
19 how you can.

20 MR. CASPE: We'll look into it.

21 JOHN NATALE: Well, good. Thank
22 you.

23 MR. CASPE: Thank you.

24 GREG McDOWELL: Greg McDowell,

1 from Hudson Falls.

2 This really is addressed to the
3 residents of Hudson Falls and the surrounding
4 community. But they're a working community,
5 so most of them are gone now.

6 I don't represent General Electric.
7 I represent Americans tired of oppressive
8 bureaucracy.

9 About 10 years ago downstate
10 bureaucrats and over self-appointed guardians
11 of our backyards told us that we had to have a
12 monstrous trash plant built in our village. I
13 ask you, my friends and neighbors. Are we
14 better off now?

15 AUDIENCE: No. Now more
16 outsiders are telling us that we have to
17 dredge the Hudson. Do you really believe that
18 what they say this time? These facts sound
19 like, you know, counting chads or something
20 like that. Where are they getting these facts
21 from? To paraphrase Joe Isuzu, some of you
22 might remember him, you have their word on it.
23 Well, we've heard that one before.

24 We know why they really want to

1 dredge the Hudson. They get paid for dreaming
2 up these hair-brain schemes, unless forced.
3 They won't listen to us now either. They
4 didn't listen to us when the trash plant was
5 being built either.

6 And to the few visiting red brigade
7 members that are still around, it sounds to me
8 like you're more interested in destroying a
9 major company and the local jobs than you are
10 in saving the river.

11 I have a couple -- one question,
12 really. Which of Senator Clinton's friends
13 lobbied to get the clean up contract for this?

14 And if PCBs can't r PCBs can't
15 really be that toxic. Downstaters still keep
16 coming up here to tell us what to do.

17 I'm opposed to dredging.

18 MR. CASPE: Thank you.

19 PATRICK VEAL: Hi. My name is
20 Patrick Veal. I'm a citizen of Stillwater. I
21 keep a boat at Dennis's Coval Marina, just
22 south of Schuylerville. I've been boating in
23 the river for years.

24 I've got a couple of questions and

1 then I'd like to read a statement.

2 I read at the GE website that the
3 EPA ignored a study by Dr. Rene Kimbrough in
4 which 7,000 Hudson Falls and GE plant
5 employees were studied and found no
6 association between PCBs and deaths from
7 cancer or, actually, PCBs and any other
8 disease.

9 Is that something that the EPA
10 refutes?

11 MARIAN OLSEN: I'd like to
12 respond. I'm the human health risk assessor
13 for this project.

14 EPA did review Dr. Renada
15 Kimbrough's study. We had a number of
16 scientists with the agency and outside look at
17 the study. It provides another piece of
18 information in EPA's evaluation of the
19 toxicity and carcinogenicity of PCBs, but
20 there are a few things that we need to keep in
21 mind.

22 First, this was a mortality study.
23 Of the 7,000 people that you mentioned, only
24 about 1200 of them had passed away and weren't

1 actually included in the study.

2 Secondly, it only evaluated cancer.
3 It did not look at other health effects which
4 may be of concern related to PCBs.

5 Also, it did not look at the
6 morbidity or current health status of the
7 other individuals, about 5,000 in that study,
8 who had not passed away and, therefore, were
9 not fully evaluated.

10 And also it evaluated risks and
11 cancer risks to individuals who are adults.
12 EPA is concerned about the health of children,
13 elderly people with pre-existing medical
14 conditions.

15 And, therefore, based on this
16 evaluation of the study, EPA concluded that
17 the PCBs are still probable human carcinogens.

18 I should also mention, in EPA's
19 cancer reassessment, EPA evaluated other
20 cancer studies of PC toxicity, and
21 carcinogenicity specifically, and there are
22 suggested evidence from other studies. And I
23 would be happy to give you information about
24 looking at that data, if you'd like to. Thank

1 you.

2 PATRICK VEAL: Yes, I'd
3 appreciate that.

4 Why doesn't the EPA consider GE's
5 proposal for the remediation of the PCBs?

6 Is it a matter of time?

7 MR. CASPE: No, EPA does --
8 you're talking about the proposal as far as
9 source control at the Hudson Falls facility?

10 PATRICK VEAL: Right.

11 MR. CASPE: That is part of the
12 remedy. We believe that that, again, as I
13 mentioned early on, that contributes about
14 three ounces a day of PCBs into the river.
15 The sediments in the Thompson Island Pool, our
16 estimate is that they contribute one to one
17 and a half pounds a day of PCBs into the
18 river. So we think the two are necessary in
19 order for the river to remediate.

20 PATRICK VEAL: Is it true that 20
21 years, for 20 years that EPA's been feeding
22 PCBs to rats and still the results were not
23 conclusive?

24 Are the results of that study

1 conclusive or are they inconclusive?

2 MARIAN OLSEN: Again, as part of
3 the EPA's reassessment in 1996, EPA evaluated
4 a number of rat toxicity studies. These are
5 chronic studies and the rat species were
6 evaluated. There were a number of studies
7 that were conducted, and EPA's conclusions
8 from these studies are that PCBs are a known
9 animal carcinogen. And, again, this study
10 that I mentioned to you, I can give you all
11 the details of it.

12 In the latest study, it was a study
13 of four Aroclors, was conducted by Batell
14 Laboratories for General Electric, was
15 evaluated, and, basically, that study
16 concluded that PCBs caused cancer in female
17 rats at various dose levels across all of the
18 different Aroclors that were evaluated and
19 each of these were statistically significant.

20 PATRICK VEAL: Let's see. Now --

21 MR. CASPE: Last question.

22 PATRICK VEAL: Okay. I would
23 like to make a statement after the last
24 question, if that's possible.

1 Now, are the results of that
2 study -- let's see, the conclusions reached of
3 that study, I read that GE's reason to dredge
4 were based on that study of the rats and he
5 estimates that, if a thousand people ate one
6 half pound of fish per week for 40 years, that
7 one person out of that thousand would get
8 cancer.

9 Is that what the reasons to dredge
10 are based upon?

11 MARIAN OLSEN: As part of our
12 risk assessment, we evaluated ingestion of
13 PCBs over a 40-year period, and we did find
14 that the cancer risks associated with that are
15 one in a thousand. But I would also mention,
16 in addition to that, we also looked at
17 non-cancer health effects, and for children
18 they were a hundred times the safe level.
19 That was for young children. For adolescents,
20 65 times the safe level. I'm sorry, it's 71
21 times the safe level. And for adults, it's 65
22 times the safe level. Again, these are all
23 indicating that they are outside of EPA's
24 acceptable risk range and pose an unacceptable

1 risk.

2 MR. CASPE: Okay. If you can get
3 to -- like a one-minute statement now?

4 PATRICK VEAL: Yeah, real
5 quickly.

6 MR. CASPE: Okay. Go ahead.

7 PATRICK VEAL: Let's see. I'm
8 against the plan to dredge the Hudson River
9 because it seems, from what I've heard
10 tonight, that EPA's -- okay -- that EPA's
11 focused their attention on basically the fish
12 of the upper Hudson River but have ignored the
13 affects of dredging on all the other healthy
14 populations of river specific wildlife.

15 I know that there's a Blue Herron
16 rookery just above the entrance to the
17 Battlefield on Route 4. There's about 26
18 nests there. Besides the Blue Herron, there
19 are hawks, beavers, ducks, swifts, snail
20 darters, bats, turtles. Besides the fish,
21 there are worms, muscles, and snails in the
22 mud. They're all going to be wiped out. And
23 it seems that, if you wipe out all these
24 natural wildlife, we have a lot of boats

1 coming down from Canada, that we're going to
2 have a lot of that zebra muscle coming in. I
3 think the environment is going to be very
4 susceptible to intrusion by that species
5 that's not Hudson River specific, and that
6 could really devastate the wildlife or any
7 kind of introduction of any kind of aquatic or
8 wildlife in the area.

9 MR. CASPE: Thank you.

10 PATRICK VEAL: Thank you.

11 ACEY MOFFITT: My name is a Acey
12 Moffitt. I lived here in the Adirondacks all
13 my life from Warrensburg on down to
14 Gansevoort. I have an eight-month-old son
15 here, and I want to know how safe is he going
16 to be during his growing up during the
17 dredging? And the water supply is going to
18 some of these towns that take it from the
19 Hudson, how safe is that water going to be
20 during the time of dredging?

21 DOUG TOMCHUK: The water supplies
22 we will be working to insure that that would
23 be protected by doing monitoring in the
24 vicinity of the dredging activities, you know,

1 a real time monitoring program for turbidity
2 to see if there's any type of escape. Then
3 you can shut down operations if there is a
4 problem during monitoring at the treatment
5 facilities. Generally PCBs are removed fairly
6 easy from conventional treatment. But we
7 would be working with the water suppliers to
8 insure that they have the monitoring in place
9 to -- and contingency plans in case there are
10 any releases. We don't expect that overall
11 the dredging operation will cause unacceptable
12 levels.

13 MR. CASPE: And I think just to
14 clarify, when Doug said he would shut down the
15 operation, not the operation of a water
16 treatment facility, but the operation of the
17 dredging. Dredging would shut down in the
18 event that we saw excursions in the water
19 column that might ultimately, potentially
20 influence a water supply. So we are going to
21 put multiple -- what we call multiple barriers
22 to make sure that those water supplies are
23 absolutely protected.

24 ACEY MOFFITT: Right, but didn't

1 you say there's basically no definite proof
2 that the water will be completely safe
3 throughout the dredging?

4 MR. CASPE: We have sampled --
5 there's PCBs in the water now. We sample the,
6 you know -- what Doug said is if the sand
7 filtration systems that they have on these
8 facilities right now are very successful in
9 removing any PCBs that might ever be in the
10 water column.

11 ACEY MOFFITT: What about all the
12 plant life and all the animals around the
13 area? How are they going to be effected by
14 this during the dredging?

15 MR. CASPE: As far as -- are you
16 talking about PCB levels?

17 ACEY MOFFITT: PCB levels.

18 MR. CASPE: We expect that PCB
19 levels in fish will be going down, you know,
20 shortly after dredging. We believe that as
21 far as, I mean, other impacts to animals,
22 obviously as you dredge you are going to
23 disrupt the bottom. Fish are going to swim
24 away, but things that can't swim are going to

1 get caught in the dredge, and they'll -- we
2 spoke about this, that they would -- the area
3 would recolonize because we are not talking
4 about dredging where we are taking everything
5 out. We would leave other parts of the river
6 in, and the biota would move from one area
7 back to the other and just recolonize very
8 quickly.

9 ACEY MOFFITT: Well I have seen a
10 lot of animals around the area. Yeah, they
11 are afraid of humans, but at the same time
12 there's some animals here that aren't afraid
13 of humans and they aren't afraid to go to the
14 water supply whether or not we are there.

15 BILL RICHMOND: Jerrod Ogden had
16 to leave this evening, but he asked me to ask
17 this question in his stead. My name is Bill
18 Richmond.

19 The question is: How were the
20 cards for the questioners and speakers tonight
21 compiled and put together in terms of the
22 order of people speaking?

23 MR. CASPE: I can't -- go ahead.

24 BILL RICHMOND: I can. People

1 came in and they filled out their cards, and
2 cards were given to me in the order,
3 hopefully, that the people filled them out.
4 We had a huge amount of people that were here
5 tonight and you can tell.

6 ANN RYCHLENSKI: So the answer is
7 the order of the cards is the order in which
8 they were filled out.

9 BILL RICHMOND: Right. Well I
10 just question that because I know that the
11 first 20 speakers, 15 were clearly well known
12 environmentalists from outside the area who
13 were not among the first to sign the cards,
14 and yet they were given the first opportunity
15 to speak.

16 MR. CASPE: Well I don't know --
17 if you are calling us a liar, I don't know
18 what to tell you.

19 ANN RYCHLENSKI: I just answered
20 that. Those people were here before we got
21 here. They were here very, very early.

22 MR. CASPE: The answer is that
23 the people were here before we got here,
24 actually. So they were here early because

1 they were traveling probably for -- some of
2 them were traveling far distances.

3 So you asked a question, we gave
4 you an answer. If you don't want to believe
5 it, don't believe it.

6 BILL RICHMOND: They were the
7 first to sign the petition --

8 MR. CASPE: Thank you. Next
9 question?

10 Yeah.

11 PATRICK SORSBY: Thank you very
12 much. Good evening my name is Patrick Sorsby
13 and I am with the local Green Party. On
14 behalf of the Green Party I would like to
15 thank the EPA for making the long trip up here
16 to seek public comment on what is without a
17 doubt one of the greatest issues facing New
18 York State today. The Green Party wants the
19 Hudson River to be clean of all dangerous
20 chemicals including the PCBs that G.E.
21 knowingly discharged into the river.

22 Currently we are examining both the
23 EPA's and G.E.'s different proposals for
24 cleaning the river. We are seeking

1 clarification from both the EPA and G.E. about
2 their respective proposals. From the EPA we
3 are looking for more specific details about
4 their plans, specifically what is the risk of
5 potential resuspension. Perhaps some of these
6 questions you already answered within the
7 context of this presentation. Where are the
8 proposed storage sites and how safe are they?
9 Do the transport vehicles you intend to use
10 meet federal standards for hazardous waste
11 transport? In other words, what safety
12 precautions is the EPA going to take to
13 prevent spills, and what are they going to do
14 if a spill happens? I would imagine you would
15 use normal HAZ-MAT standards to clean up any
16 spills that might happen, is that true?

17 MR. CASPE: Yes, they would. The
18 material would all be moved and obviously
19 licensed-type operations with proper
20 contingencies plans behind that for cleanups,
21 yeah.

22 PATRICK SORSBY: Similar to the
23 vehicles that would be used for chemicals of
24 that grade, in other words? In other words,

1 the same type of equipment that would be
2 transporting other chemicals of that nature?

3 MR. CASPE: Yes.

4 PATRICK SORSBY: Okay. Thank
5 you.

6 Another important question that we
7 have --

8 MR. CASPE: You are talking
9 about -- two-thirds of the material we are
10 talking about here is non-hazardous waste.

11 PATRICK SORSBY: Okay. Then the
12 hazardous waste would be transported then?

13 MR. CASPE: Yes.

14 PATRICK SORSBY: Okay. Another
15 important question that we are hoping that
16 either the EPA or DEC or G.E. could answer is
17 this: How much longer can the river go
18 without being navigationally dredged?
19 Considering that the Hudson River has not been
20 navigationally dredged since the PCBs were
21 banned in about the '70s. And at what point
22 will the river be innavigable? Is there any
23 study within the proposed plan?

24 MR. CASPE: I would presume that

1 you should address that -- I know that -- I
2 mentioned the 500,000 cubic yard estimate that
3 we have heard as far as what the need of
4 navigational dredging in the river right now,
5 but I think you ought to ask that question
6 really to barge authority, probably -- canal
7 authorities, they would probably give you a
8 better answer, more accurate answer on what
9 that number really is.

10 PATRICK SORSBY: Okay. They were
11 kind of tight lipped, but I will pose it to
12 them again.

13 MR. CASPE: I would also just
14 point out that of the dredging of the
15 2.65 million cubic yards that we are talking
16 about dredging, over 300,000 of those cubic
17 yards, actually, is dredging the navigational
18 channels, which you will have navigational
19 improvements.

20 PATRICK SORSBY: Okay. Okay.
21 The other question is the more serious
22 question for the party. If the EPA in
23 considering all the opposition does an
24 about-face and actually adopts G.E.'s natural

1 recovery and site control plan, can you
2 guarantee that the PCBs that are being buried,
3 according to G.E. by the sedimentation, will
4 not, in fact, actually leak because they are
5 heavier than water to the water table and
6 aquifers below the Hudson River?

7 DOUG TOMCHUK: At this point we
8 have found that all of the PCBs in the river
9 bottom are not buried safely, the PCBs are
10 still entering the water column from the
11 sediments. That was one of the reasons that
12 we did select an active remedy. The rest is a
13 hypothetical question, and I, you know, can't
14 answer.

15 MR. CASPE: Have we seen any
16 impact of PCBs sinking into the ground water
17 through the sediment? That's what I think his
18 question is.

19 PATRICK SORSBY: Yeah,
20 specifically my question is this --

21 DOUG TOMCHUK: I missed --

22 PATRICK SORSBY: I'll clarify my
23 question. Do the PCBs actually migrate
24 through the sediment to the water table below?

1 Has there been a monitoring of that?

2 DOUG TOMCHUK: We have not done a
3 lot of monitoring of that. I would believe
4 that most of the areas in the river would be
5 discharge areas to the river rather than to
6 the ground water. So there's discharge into
7 the river from ground water overall.

8 MR. CASPE: Plus the fact our
9 cores show, again, that as we you move down --
10 PCBs are rather close to the surface, that the
11 dredging, you know, we are talking about
12 generally is two to three feet, you know, and
13 we found the highest levels of PCBs within the
14 top foot of the surface. So we are not
15 talking about going down very deep where, you
16 know, the PCBs have not dropped, you know,
17 into very deep parts of the river, you know,
18 in the vast majority of locations.

19 PATRICK SORSBY: Okay. I guess
20 our last question is: Did you examine the
21 natural recovery plan that G.E. is proposing?
22 In other words, does the sedimentation
23 actually encapsulate the PCBs effectively?
24 Have you done a geographic study of the river?

1 DOUG TOMCHUK: I think I'll
2 answer that with another question, actually.

3 PATRICK SORSBY: Oh, okay.

4 DOUG TOMCHUK: In the second
5 alternative, monitored natural attenuation
6 evaluates that. That's one of the
7 alternatives that were evaluated in the
8 proposed plan in the feasibility study.

9 MR. CASPE: And we obviously felt
10 that the river is not -- sedimentation is not
11 occurring on a uniform basis where everything
12 is being encapsulated. There may be some
13 encapsulation in certain places at certain
14 times and at other times it's erosion. And
15 that's the concern we have, the PCBs are
16 moving around, they are not being
17 encapsulated.

18 PATRICK SORSBY: Okay. So I'm
19 going to go ahead and close and say that the
20 Green Party, we are examining the issue and we
21 are looking forward to receiving facts from
22 both the EPA and the other side. And we are
23 willing to receive facts from both sides. We
24 really feel that a decision that's based on

1 facts will stand, and both parties, if they do
2 have a decision that is based on facts, they
3 have nothing to fear.

4 MR. CASPE: Thank you.

5 PATRICK SORSBY: So we will be
6 submitting a report soon. Thank you.

7 FRED KENNISON: My name is Fred
8 Kennison. I grew up in Hudson Falls. I live
9 in the Town of Northumberland. Twenty three
10 years ago I would support you in dredging the
11 river. Now I don't. I don't think that's the
12 answer. I feel the EPA, like other government
13 agencies, they only tell you what they want
14 you to know. I would like to take your
15 attention to a few years ago back in the '80s,
16 the South Glens Falls drag strip. Back then
17 you people thought that that was a big project
18 for you people to handle, and that it would
19 drain the Superfund. I believe that then you
20 just put dirt over it and posted the land.
21 What makes you people think now that you can
22 tackle a project like this which is much more
23 significant than maybe the South Glens Falls
24 drag strip?

1 MR. CASPE: I'm not sure that's a
2 question, or a rhetorical question.

3 FRED KENNISON: It's a question.

4 MR. CASPE: We obviously believe
5 we can do it. We have explained why and how
6 we think we can do it.

7 FRED KENNISON: I have been
8 following it, but it was stated in the G.E.
9 ads, that half hour program they had last
10 week, I support that too. That is more of
11 a -- something realistic that I can see. I
12 mean, here you people just talk. I mean, I
13 feel that you people talk around yourselves a
14 little bit. You contradict yourself from back
15 in 1984. Back then you said that bank to bank
16 dredging was not the answer and now it is. I
17 mean, whose pulling the political puppet
18 strings? That's the way I feel.

19 MR. CASPE: Thank you. Okay.

20 MELISSA SORSBY: Hello, I'm
21 Melissa Sorsby, a member of the future
22 generation. And I believe the only way to
23 restore the Hudson is to dredge the Hudson.
24 Some may argue we are merely moving the toxins

1 to another area, and they would be doing the
2 same amount of harm. However, they are
3 constantly moving through the Hudson, and if
4 they were confined in a registered waste site,
5 the PCBs can be monitored and kept in one
6 place. Subsequently, the \$40 million a year
7 fishing industry would return to the state of
8 New York. If PCBs are known animal
9 carcinogen, how long before they effect us?
10 If they already haven't.

11 I'm not here to change anyone's
12 opinion, but simply to voice mine, and ask the
13 EPA to clean the Hudson River for the
14 residents of New York, the economy, and the
15 health of New York, and for my future.

16 Thank you.

17 EDWARD TABER: My name is Edward
18 Tabor. My wife and I are land owners in Fort
19 Miller, New York, along the river. We are
20 avid boaters, members of New York State Canal
21 Improvement Association, and parents who wish
22 to have a clean river to turn over to our
23 children. We believe that with the EPA we
24 have a comprehensive cleanup plan, and a

1 window of opportunity to have the river
2 returned to us. We believe that if this
3 opportunity passes, and that if we don't stand
4 behind this project, that when the smoke
5 clears G.E. will have left town and villages
6 and town boards will be left with a highly
7 contaminated river, lowered property values,
8 and less chance of a future and enjoying the
9 fiscal benefits of business and tourism along
10 the river.

11 We now know that we live in a brown
12 field. We are looked at by our neighbors and
13 communities as a never ending, out-of-control
14 community with contaminated dump sites. We
15 believe -- we have a very narrow minded people
16 if they don't let this opportunity -- if they
17 let this opportunity pass.

18 G.E., as much as they say they have
19 a comprehensive cleanup plan, we know that a
20 plan doesn't exist. Their cleanup is totally
21 non-existent. Case in point, they say that
22 they have done their part voluntarily and have
23 spent millions of dollars in projects on their
24 own, but if the truth be known they haven't

1 spent a penny that they haven't been forced to
2 spend in mandates by the state or federal
3 government.

4 Also when G.E. speaks of the
5 sediments and the PCBs being covered by them,
6 the PCBs downstream are no more than a
7 temporary cap right now with the sediments
8 above them. And they are not contained in any
9 way and under the right condition will go
10 freely down stream in large masses.

11 We know that there are hurdles to
12 cross if the EPA's plan goes into effect. I
13 have spent much time talking to people who are
14 not totally willing to understand or greet the
15 cleanup with open arms.

16 I have explained to my family that
17 I am sure that the cleanup will take more than
18 the projected five years. I live along a hot
19 spot intended to be dredged. I understand
20 that there are claims of noises up till 11:00
21 at night, six days a week, trucks and various
22 other drawbacks, but even with such conditions
23 I do believe that at projects end there will
24 be many people satisfied and very few people

1 dissatisfied except for those who may be
2 responsible for the cleanup costs.

3 Our river can be cleaned, it can
4 flourish again, but we need to start by
5 removing this cloud that hangs over it.

6 I was talking to my wife just
7 before I left this evening, and she asked
8 maybe someone should come from either CEASE or
9 G.E. who wants to come down and talk to our
10 two young daughters and let them know that the
11 cleanup is bad, and the river is clean right
12 now, but that they probably shouldn't swim in
13 it and definitely don't eat the fish.

14 It's also very interesting that the
15 same people that say that the PCBs are not
16 dangerous at all, all want to sit up here and
17 talk about what the residual effects might be
18 if the PCBs were dredged.

19 Thank you very much for your time.

20 MR. CASPE: Thank you. Okay
21 that's all of the speakers who have signed up
22 to speak. No, it's not.

23 Yes.

24 ANDREW WILLIAMSON: Yeah, I was

1 called earlier. Andrew Williamson, Supervisor
2 from the Town of Argyle. I also sit on the
3 Washington County Board of Supervisors. I'm
4 opposed to the remediation plan. I would just
5 like to -- it's pretty much all been said
6 tonight. I would like to echo the concerns of
7 the Farmers Against Irresponsible Remediation,
8 the same concerns from the community, you
9 know, the integrity of our land base.

10 I guess as an elected official I
11 would just like to say that the local people
12 here have had a project shoved down our
13 throats within the last ten years, a bad
14 decision by our elected officials with some
15 arm twisting from a government agency. I know
16 that this whole process leads to a lot of bad
17 speculation because we really don't -- we have
18 to dream up the worst case scenarios of what
19 this project could do. So that leads to a lot
20 of bad thoughts about you folks because, you
21 know, where are all these dewatering
22 facilities going to be exactly, and what are
23 they going to do? So we have to think of the
24 worst case scenarios. Then we are all shut

1 out of the public comment period. We just did
2 a land -- not a landfill, but a jail siting,
3 and we had to go through a secret process and
4 environmental impact statement as a board of
5 supervisors. We are answerable to the --
6 we're elected officials and we are answerable
7 to the citizens. Now you folks are just
8 appointed. You are not answerable to the
9 citizens.

10 So I would ask that you step beyond
11 your minimum legal requirements of the law to
12 keep the citizens involved all the way through
13 this process, is that possible?

14 MR. CASPE: It's something we
15 have heard and it's something that we have to
16 figure -- we have heard your -- the concerns
17 of the citizenry; we understand that there are
18 legal issues involved and just how you do
19 this; and I would like to go back and explore
20 to see whether we could do this. We have
21 heard what people have said, and we will see
22 if there is ways of satisfying those concerns
23 in a legitimate and real manner. We will come
24 back with that answer. You know, hopefully

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the answer will be yes, but we will give the honest answer, what it can be and what it will be.

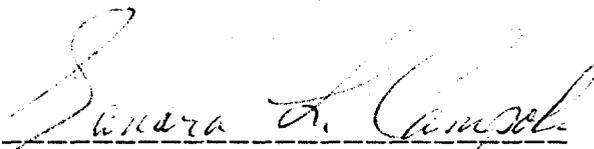
ANDREW WILLIAMSON: Okay. Thank you.

MR. CASPE: Thank you. Okay. For those of you that stayed, we are done. I want to thank you all for your -- for showing up, and for staying to the end, and for your comments and for listening. Thank you all for coming.

(Concluded at 12:05 a.m. on 2/8/01)

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