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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

PUBLIC HEARING

HUDSON RIVER PCBs SUPERFUND SITE
NEW YORK
PROPOSED PLAN

Queensbury High School
Queensbury, New York

Wednesday, April 4, 2001
7:15 p.m.

PANEL MEMBERS

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

MS. RYCHLENSKI: We would like to call the meeting to order. So would you take your seats so we can get started.

I'm going to bring a gentleman here who will give us some safety recommendations on behalf of the Queensbury High School. (Safety recommendations given.)

Good evening. Welcome to yet one more public meeting on EPA's proposed plan to clean up the PCB contamination in the upper Hudson River. Thank you all for coming out here tonight. My name is Ann Rychlenski. Some of you know me. I'm Public Affairs Specialist, Community Relations Coordinator with the U.S. EPA. We are here tonight to talk to you about a proposal and also to take your comment. The public comment period goes until April 17th, close of business April 17th. Those of you who come up to the microphone here tonight and give your comment, that comment is going into a legal record. EPA will respond to comments and questions in

a Responsiveness Summary that will be published around the time that we put out our Record of Decision.

Tonight I would like to introduce some of the people who are going to be speaking here tonight. Right behind me is Mr. Richard Caspe. Rich is the head of Super Fund at EPA's regional office. Up there are members of the Hudson River team, Doug Tomchuk, Marian Olsen and Doug Fischer. We will be happy to take your comments and questions tonight.

Just a few ground rules. I hope that those of you who come to the mike tonight, the only way you are going to get there is by filling out one of these little index cards. So if you want to ask a question or give a comment make sure you fill one of these out and get it to me out there at the sign-in tables outside the auditorium. Everybody gets two minutes at the microphone. We are going to ask you to please keep your comments and questions to two minutes so that all of

your neighbors can come out and have their say as well.

We will time you. We have Karen and Florence over here, and they will time you. They are very good at this. Those of you who have been in public meetings where they have been present before know that they are good at what they do. Karen will let you know. When it's green, you go. When it's yellow, you've got thirty seconds. When it's red, you stop. That's about it as far as the ground rules go.

Also because we have stenographers here tonight, please, when you come to the microphone, speak clearly and spell your last name so we can have an accurate record of tonight's proceedings.

Again public comment goes until April 17th. We thank you for coming out this evening. Rich.

MR. CASPE: Thank you. Somebody asked me yesterday why are we here? Why are we coming again? And I just would like, you know, we honestly do want your

public comments. We want to speak to people. We want to hear people. I know that there's been some frustration by, you know, people. People want to enter into a conversation with us. It's a large crowd, but we do want to hear your comments, and we will respond to them.

At the last series of meetings, if you remember, they were very crowded. They went very long. There were people who wanted to speak who just couldn't quite get to the microphone. So we are going to try to limit our comments as best we can tonight. And I am asking that everybody who speaks try to limit, that includes the elected officials, try to limit their remarks to the absolute minimum. Try not to go over that two to three minute time frame.

This is the third round of meetings on EPA's proposal to clean up PCBs from the Hudson River. A quick refresher on what the proposal is: This is what we call targeted dredging. It

involves 2.65 million cubic yards of sediment removal over a 40 mile stretch of the river. That would remove over 100,000 pounds of PCBs, which is at least half of what is left in that section of the river. The most intensive of the dredging will be in the upper six miles, which is the Thompson Island Pool between Fort Edward and Thompson Island Dam. Disposal of the material dredged will be at existing commercial facilities that are permitted to accept the dredge materials. So there will be no local landfill. There will be a need for dewatering facilities to be located some place within the area. We are contemplating two. It makes sense to have one on the north end, one on the south end. Exactly where we don't know. We do have some possible sites that we have looked at. However, I'm sure there are other cites that we'll come to. We're not at this stage of the game wedded to any particular site.

We are planning on a three year

design. After we issue a Record of Decision, we go forward with this proposal, and the design would lay out all of these details, and we would then enter a five year construction period.

As Ann said the comment period closes April 17th. It was extended from February 16th. We have had nine meetings so far: Saratoga Springs, Poughkeepsie in December, Poughkeepsie, New York City in January, Albany, Hudson Fall, Haverstraw in February. There's something wrong with this time frame; Saddlebrook in March; Newburgh this past Monday and we are up here today and will be in Troy tomorrow.

I would like to address some of the key issues at this stage that have come up since the December 7th announcement that we made on our proposal.

The first one is the toxicity of PCBs. I would like to reiterate that PCBs are toxic to people and the environment and we are concerned that the public could be in jeopardy if they believe that PCB's

are not harmful. They are known to cause cancer in lab animals and they probably cause cancer in humans. They are know to cause serious non-cancer effects as well which have been measured, actually measured in people exposed to PCBs, and in babies and children whose mothers ate contaminated fish while they were pregnant. One example of this is that researchers have continued to study exposed children as they grew up, and have found that even at the age of 12 years old these children had lower IQs, lower reading comprehension, attention deficits, and memory problems. So EPA strongly advises people to follow the state advisories: eat no fish between Troy and Hudson Falls, and follow the lesser advisories below Troy; and women of child bearing age and children under the age of 15 should eat none for the entire 200 mile stretch of the river.

But simply not eating fish is not an answer to the PCB problem. It's

not in the public interest in that it writes of a national resource and it ignores reality. People continue to eat fish for recreational, cultural and sustenance reasons. The reality is the 1996 Department of Health survey which showed that in the area between Hudson Falls and Troy one in six people had fish in their possession. And below that it's worse. As you move down between Troy and the Tappan Zee Bridge, 68 percent of the people who were interviewed reported eating the fish and sharing the fish with others. And when you look further most of the fish was shared with family members, and most of these were in the groups that were advised to eat no fish from those areas, children under 15, and women of childbearing age.

The next slide is the slide of the river. It's a pretty river. Don't be fooled by it. There have been very visible improvements to the river in the past 20 years, and I and you should be

real proud of it. They are real, but they are due to environmental laws that required sewage treatment and treatment of industrial waste before discharge to the river. The Clean Water Act of 1972 poured hundreds of millions of dollars into the river and required municipalities up and down the river to do the same. The PCBs, I remind you, are not visible in the fish, they are not visible in the water, and they are certainly not visible in the sediment.

I would like to next talk about fish contamination. The last time I was here I showed four different slides, four different examples. I am just showing one here again now just to remind you of what's happening. Has there been a decline? You bet. If you look at that curve, you can see that decline, but look at when the decline occurred and look at the last 10 to 15 years, which is this area here (motions with pointer). There basically has been no decline. We are at

a constant level. This is the black bass at Stillwater. If you look at PCB loads in the river, and you try to look at that, you see the same thing. You see that there has been a 90 percent reduction. That when people say there's been a 90 percent reduction of PCBs in the water column, they are right there has been, but look when it happened. It happened back in the 70s and the early 80s. And it happened for a few good reasons. It happened because there was a dam removed in 1973 which caused a dispersion of PCBs through the river. Up until 1977 PCBs were continuing to be discharged illegally to the river. In 1979 navigational dredging stopped. Navigational dredging, again, at that time was kicking things up. So if you looked since then, nothing has really happened to the river. The river has been, again, the PCB levels have been at level for the last 10 to 15 years.

The next thing you talk about is

the PCB dechlorination. At times there's been talk that PCBs are going to go away. Yes, PCBs will shed a couple of chlorine molecules, but, no, PCBs will not go away and that shedding will occur over a very short period of time when PCBs are first deposited in the sediment. Dechlorination will not make PCBs go away. They don't break down, any considerable amounts, with time.

And the next thing we talk about, I just want to reiterate, is the PCB burial issue. And I just would first say that the EPA's cores show that 60 percent of the cores that we took showed the highest concentrations of PCBs were in the top nine inches. They weren't two feet down, they weren't three feet down. They were in the top nine inches of the sediment, and this is an example of one that was even worse. It's hard to see the purple, but this is one actually taken from a GE core in the Thompson Island Pool, I think in Hot Spot #14 or something

like that. And here if you look -- I'm not talking about 1200 that you find at depth. This is the surface. And you are finding 600 parts per million at the surface. So when we talk about burial and thinking that the PCBs are deep in the sediment, not causing any harm, that's just not true.

Then we talk about overall, we try to draw a picture, some people try to draw a picture of the river as if it were a lake, a distilling basin, water comes in and it sits there a while, like a sedimentation basin, a distilling basin, where everything just kind of settles out evenly and smoothly over time. Well it's not a lake and it's not a basin, it's a river. And as a river you have different things happening. You have sediment occurring some places, some places you have scour occurring, and those of you that boat know that where you have sediment occurring and scour occurring changes from year to year. So you have

that constant movement, dynamic of the river bottoms. The river bottom is very dynamic, and, in fact, sediment and the natural deposition will not solve the problem either. I guess one of the examples of this is that New York State DEC issued an announcement on Monday. Their announcement said that PCBs are getting into mammals and into the soil surrounding the river in the flood plains. Well how is it getting there if it's all lying sequestered on the bottom? Just how is it getting there? You know, it gets there during floods, it gets there at different times, and it's getting there from the fact that those mammals are eating fish, and the fish are picking up the PCBs from the bottom of the river. We think it supports our conclusion that the PCBs from the river are getting into the ecological community in levels which cause concern. And that containment, you know, is not happening. The contamination is available and it's moving.

Next -- so the bottom line of all of this are two points that we don't think, we know. The first thing is that the contamination is not and will not be safely covered on the bottom. Just won't happen. And the next one is that the river is not cleaning itself. Again, just not happening.

I guess I would like to just talk now about source control a little bit at the Hudson Falls facility, and certainly that is -- that's a problem. That's something that should be dealt with, but it isn't the solution. It's part of a solution, and it's not even the larger part of the solution. It's the smaller part of a solution.

What I would like to do is first show you a slide that shows the PCB levels coming in and out of the Thompson Island Pool. The blue is the PCB levels. The reason there are so many different ones is because we measure by different types of PCBs just to make sure that we are very

exact. But the blue is what comes in at Fort Edward, and the, I guess, rose color is what goes out at the Thompson Island Dam. If you look at those two, you see a tremendous increase. This is not where the GE facility is discharging. This material is largely from sediments. GE says that there are three ounces of PCBs discharging from the Hudson Falls facility per day. We think that number is probably around five ounces a day, but that doesn't make much difference. We think that there is a pound to a pound-and-a-half -- well we don't think, we know from that chart and from the fingering that I spoke of the last time we were here. We know that the PCBs coming out of the sediment in the Thompson Island Pool is a pound to a pound-and-a-half. We tried to graphically show you what the difference between the two are. You'll see on the left is the Source, Contribution, and on the right is Thompson Island Pool. That's why we feel so strongly that something has to be done

about the sediment in the Thompson Island Pool.

The next slide that I would like to show is one that, will the fish be safer to eat with time. And I don't have my distance glasses on so I hope you can see it. Again, and we looked at this and this is how we picked the remedy, just as a reminder. The gold is No Action, the red is Monitored Natural Attenuation with Source Control at the GE Facility. The next one down, the greenish chartreuse, it looks like to me without my glasses, is what we believe we can accomplish with both. Those are the differences in the PCB levels in fish. We think that's a very meaningful difference that will allow fish advisories to be relaxed in a matter of years and allow fish to be eaten generations sooner than it would be allowed to be eaten otherwise.

So we get down, I guess again, to that one question: Is the cure worse than the disease? What about

remobilization of PCBs during dredging. That by the way is a picture of a hydraulic dredge. That's the type of dredge we would consider using. I previously told you it was 20 pounds a year in resuspension. We went back as a result of the questions that people asked, and we relooked at that number under worst case circumstances and we looked at it also where we didn't just look at certain types of PCBs, we looked at all PCBs that were involved, and we have revised that number to up to what we believe is an absolute worst case, which is 38 pounds a year of maximum resuspension. The number, just to keep that number in perspective, that's 38 pounds a year. We estimate that 500 pounds a year are going over the Thompson Island Pool now -- excuse me going over the Troy dam now because of the fact that PCBs are available in the sediment. We believe this increases within the year-to-year variability caused by different amounts of rainfall,

etcetera, and the flows of the Hudson River. And even with this number we believe that the PCBs levels in the river will go down every year even during construction because as we remove PCBs there will be that much less PCBs in the sediment to move back up through the water column. So we don't believe that to be a major issue, and we feel very confident that we can do that.

We also -- I want to talk next about environmental dredging, destroying the river. I have heard the river actively dredged being described as a environmental desert, waste land, so on and so forth. We know that's not the case. We showed you a video. It didn't look that good, but it wasn't the greatest visual tool at the time. These are wetlands that actually we dredged on the Hudson River at Marathon Battery down the river a bit in Cold Spring, New York. This is what the wetlands looked like three to four years after the dredging was

complete. Just to show you we know that the river will revegetate, and I would point out that our proposal is something that is supported not just by us. It's supported by the Fish and Wildlife Service, by NOAA and by the Department of Environmental Conservation who are the resource trustees for the river. I'm sure they don't want us to turn the river into an environmental desert. They are supporting this proposal and they are supporting the dredging, and I presume they know what they are talking about as well.

I want to say that we certainly -- we have had these meetings and I guess the last one up in Hudson Falls was an interesting one. We heard your comments. We are trying to deal with them. We heard the issues of noise, we heard the issues of odor, of lights, and of dust. And I don't want you to think for a moment that those issues have gone away, or we have taken them and thrown

them on a back burner. That's not the case. We are certainly looking for solutions to those problems, and we will address those problems in the coming months.

I guess the thing I would like to say is there's been discussion that EPA doesn't care about the community's concerns. And I know that at times the community and EPA are still somewhat apart on some of the issues, but I would point out to all of you to just to think a little bit about a couple of years ago and how big your concern was that we were going to try to site a landfill in this area. We heard those concerns. We removed that. That is no longer an option. It's no longer in there. People say to us, well where is it going to go? It's going to go to a licensed facility outside of the Hudson Valley, you know, a licensed facility that deals with an environmentally acceptable manner. It's not going in the Hudson Valley. We have

assured you of that. We have also talked now about taking rail and barge -- we are going to move material by rail and barge. You raised concerns about trucks and trucks ruining the character of the area. We said we are going to move the material in, move the material out by rail and barge. We mean that. We won't have local trucking. We took navigational dredging into account. The river will be kept open at all times. In fact, we will make improvements to the river as we move forward, and navigation of the river will be better as we dredge, not worse.

So I guess the last point I want to make, I want to talk about, is the report by the National Research Council of the National Academy of Science. I have certainly read the report. It's been out for a couple of weeks now. We are planning on meeting with the National Academy of Science, with the Research Committee, in the near future to try and better understand just what they meant by

some of the things they said, and try to understand it a little bit further. We are also looking at ways to incorporate the report in this action and future actions. The report is available, let me just say, on their website. It's long. It's 268 pages, the main part of the report, but it's actually an easy read. Anybody that wants to read it that's where you can get it. You can get it on their website. You can get the report downloaded, and you can read it, and it makes for some good reading, actually. What the report does, it acknowledges that health and ecological threats are posed by PCBs; it acknowledges that remedial action decisions to sites should continue to be made on a site by site basis. But it does call for stronger emphasis on evaluation of remedies that are in place. It says the EPA has not evaluated whether the remedies that we have put in place have actually accomplished the environmental end point that we said they would

accomplish, and they recommend to us that we incorporate better monitoring in the future. It also recommends greater involvement of the effected community through an iterative framework. I suggest you read the report. I really do believe it's a worthwhile document.

With that that concludes my prepared remarks. I would like now, we do have a few elected officials or their representatives. I would like to call them up first. We only have four. So it won't be long like it was the last time. First one will be Charlene Asplin(sic) representing Congressman John Sweeney.

MS. ASPLIN: Good evening. First of all this is Congressman Sweeney's words:

"First of all I appreciate another opportunity to publicly express my support to the thousands of tax payers and dozens of towns along the upper Hudson River who are concerned for their rights, their property and their futures.

On a lighter note that these hearings are consistently held at times when I'm required to be in Washington continues to make it difficult both literally and figuratively for the EPA and I to get together on the matter at hand.

Nevertheless let me address the issue of the National Academy of Sciences most recent report and repeat statements I recently made during a WMHT television interview and in assorted area newspapers. The National Academy of Sciences report examines national policy regarding contaminated sediments while analyzing specific cases across the country including the Hudson River. Since 1998 I have maintained that the EPA has failed to adequately involve the public and even when it has it often overlooked the opinions of the those most effected by any large scale dredging project. The latest National Academy of Sciences report confirms that. The report states that the residential communities along the Hudson

River are not part of any active decision making process despite an elaborate community involvement structure. The report goes on to say that the EPA process does not appear to allow community involvement in any decision making or even problem solving phases and does not appear to be responsive to community needs and frustration. In short the report says community involvement was unsuccessful. I wish to point out to the EPA that in this instance the term "community" refers to those people who reside in the area in question, pay taxes in the area in question, and, therefore, have the greatest vested interest in what happens to the river and the local environment. Let me add that there are those among you tonight who fit this description and those who do not. I would suggest that the EPA listen closely to those who do.

I would like to point out now that there are now at least 70 communities whose locally elected town boards have

taken up a position in opposition to the EPA's plan. I would add that not all those communities are located in the upper Hudson area. The Town of Hyde Park in Dutchess County comes to mind. Further there are other communities south of Albany that while they have not officially taken a position in opposition to the EPA plan, neither have they supported it, preferring to take a neutral stance and learn more about the (inaudible) option."

Thank you.

MR. CASPE: Thank you. Next speaker is Assemblywoman Betty Little, of the 109th Assembly District. Betty Little, please?

BETTY LITTLE: Thank you. I would first of all like to thank you for your responsiveness in holding additional hearings about this subject.

This is certainly a very controversial subject, and there's been a great deal of information put out to the public here, and a great deal of

misinformation, and I think all of us will agree that our goal, and the goal of everyone concerned with this is to have a cleaner river.

I'm not convinced, and many of us are not convinced that this massive dredging project is going to give us any cleaner river than what we're already doing, or what other projects we may be able to do to get to the same goal.

At the present time you are doing monitoring of the waters and certainly should continue, and to reduce the source of any PCBs.

I have been involved in government for a number of years, six at the State level, nine and a half at the local level, and I'm afraid this reminds me, however rather cynical, something about how waste to energy was the utmost excellent way of getting rid of your garbage, and both Warren and Washington Counties have been saddled with the waste to energy plant that has cost the

taxpayers millions and millions of dollars, so I think we need to look more carefully at this massive dredging project.

Your first instance was not dredge dredge. Now, suddenly, we're into a dredging thing. Even on your screen, we see we end up with the same goal with a cleaner river, which is really what we're all about.

I would also ask you when you are listening to the comments you should weigh those comments of the people who are going to be most affected by this dredging project in the upper Hudson River area. Thank you very much (applause).

MR. CASPE: Next speaker is George Hodson, Councilman for the Town of Northumberland.

GEORGE HODSON: Good evening. My name is George Hodson. I'm a Town Councilman in the Town of Northumberland, and I'm Director of Saratoga County's Environmental Management Council.

The Town of Northumberland and the Saratoga County EMC are happy to see the EPA has for the first time in any of the public meeting notices stated that they will answer questions regarding the proposed plan in addition to taking the comments.

Unfortunately, the realization that public participation should include answering questions comes extremely late in the PCB reassessment process.

Notwithstanding this, I would like to ask the EPA at this time a question.

Why has no PCB resuspension values -- why were they not included in the model they used to forcast the Hudson River rate of recovery after dredging, despite the fact that they had knowledge that PCB resuspension after dredging would occur?

I would ask, maybe you could respond to that at the end of my comments, so I can get the full two minutes, please?

Based upon information and assumptions the EPA makes from the feasibility studies, and the new PCB suspension rate information from the U.S.P.S. relative to the Fox River project, actual PCB resuspension rates resulting from dredging the Hudson River may be as much as 32 times higher than those projected by EPA and FS.

Saratoga County is still quite concerned about the impact this increased PCB resuspension may have upon downstream drinking water supplies.

EPA spokeswoman, Ann Rychlenski stated a 3/3/01 Post Star news release, yesterday's news release, that, "Her agency has completed at least seven reports that have estimated how PCBs may affect water supplies, in Half Moon and Waterford.

At this time Saratoga County requests copies of the Saratoga County water supply PCB impact reports from EPA. Saratoga County is not familiar with these

reports and will follow-up with a written formal request that may be obtained and reviewed.

Why haven't these reports been made available to the public? As you're aware, the National Environmental Policy Act of 1969, known as NEPA requires all federal agencies to integrate the NEPA environmental review process into the early planning stages of actions they may be undertaking which may have a significant effect upon the environment. It should be noted at this time that the use by the Court of functionally equivalent concept for not requiring NEPA environmental review on certain Federal actions was never meant to be universally applicable to all superfund sites.

The concept origin is predicated upon a case by case usage by EPA on those superfund sites which require immediate hazardous materials response removal suited of significance, to human health and environment, and where a lengthy

environmental review process is clearly unacceptable.

One can hardly make this an immediacy case for the Hudson River PCB site because it's been studied for over 25 years and poses no imminent public health environmental threat. Doesn't the largest site in U.S. history, a site whose preferred dredging --

MR. CASPE: Please wrap up.

GEORGE HODSON: -- widespread negative community impacts for many years deserve a comprehensive review?

MR. CASPE: Please wrap up.

TOM GROVER: In summary, Saratoga County asks EPA to respond to its 3/14/01 correspondence, sent to Administrator Whitman, which requests EPA to comply with Federal NEPA environmental review requirements.

MR. CASPE: Thank you.

GEORGE HODSON: And lastly, the U. S. EPA needs to get its head out of the Hudson River and its tunnel vision

approach which the national contingency plans promotes, and approach in a meaningful way the direct impact --

MR. CASPE: Will you please have some respect to somebody else and sit down?

GEORGE HODSON: Thank you. Thanks for the opportunity to come. (Applause.)

MR. CASPE: I would, giving the answer, this is a factoid for everybody. EPA as of today, well as of yesterday actually, had received 24,000 e-mails and over 12 boxes, large cartons of comment. So we certainly have a lot of comments and we have a lot to respond to. We are doing the best we can, but that is a monumental job, as you might imagine. Thank you.

Doug, do you want to -- and as far as your letter goes, we responded to the first Saratoga letter on February 22nd. The trouble is you don't like the response we gave. It was a detailed response that went on for three pages, but

you don't like that response so you wrote another letter. That's very fine. We'll do the best we can. Thank you.

MR. HODSON: Would you respond to my original question?

MR. CASPE: I'm going to right now.

MR. TOMCHUK: Okay. Basically our patent transfer model HUD-TOX did not include a resuspension portion in there because when we looked at the modeling for resuspension there was only about 20 pounds per year. This is clearly within the certainty bounds of the HUD-TOX model and would not make a significant difference in the outcome on the fish data as judged by the 100 year flood analysis which showed that after a one or two year period basically the river returned to normal. So that was why we did not include that in the HUD-TOX model. Thanks.

MR. CASPE: Thank you. The next speaker will be Alfred Solomon.

MR. TOMCHUK: I'm sorry. There was one other point raised about the Environmental Impact Statement and why we are not performing one or whether we intend to perform one.

MR. CASPE: Yes.

MR. TOMCHUK: For the reassessment. It's been EPA's position since the inception of the SEQRA Program essentially --

MR. SOLOMON: Am I on?

MR. CASPE: No, he -- I called this guy.

MR. SOLOMON: Or is somebody else?

MR. CASPE: Okay.

MR. SOLOMON: Thank you. These are the reasons why I am up here. I'm 101 -- what's that? Oh, thank you. Actually 101-and-a-half. I am 101. I have lived on the banks of the Hudson River for 65 years, 63. I have been through dredging, year after year for a few years. I have been swimming in the

Hudson, not the last 10 years but before that, almost every day. I think, I think that first speaker, who by the way was an orator, I think he made a very, very good argument for not dredging.

All I could find out after listening was that the fish are being poisoned, but there has been no really good example of dredging that has been successful and all of these theories by the environmental agency have to be defeated. This is nonsense. Eight years, eight years. Do you know what's happened in the past eight years? And what will happen in the next eight years is horrendous because there is no actual proof that this is going to be successful. None at all.

And in addition to that, in addition to that, another reason why I'm opposed to it is because I love the way of life up here. I learned how to swim in the Hudson River when I was 11, and I think that the EPA, the EPA, should

reconsider because my experience with them, their track record, is terrible. They passed, they allowed a dump to be built on a beautiful farm overlooking the Hudson. So far there's been nothing dumped in there although millions have been spent on it. And this is typical of some of the other things that have passed by the EPA.

I hope that you all, I hope that you all, decide on something sensible. If you want to do something, and I was a business man for 70 years or more, why don't you take one little section and test it. Why don't you try that? Instead of (applause) -- shush, shush, I have to go home. Instead of worrying about where you are going to dump several millions of tons of this dirt because you really don't know. You haven't said anything. All you have said is that there are two or three spots picked out, but you don't really know where it's going to be dumped. I can tell you where it used to be when they

dredged it once before, 40 years ago. They dumped it on the roads. That's where the PCBs were dumped.

Any way, thank you.

MR. CASPE: The next speaker is Max Sanders. Let me call up five at a time. The speakers will be Max Sanders, John Bahr, Dennis Williams. Pete Kidwell and Charles Harrington.

Max Sanders.

MR. SANDERS: Good evening, last name is Sanders - S-A-N-D-E-R-S. I had the opportunity to speak in Hudson Falls a couple of months ago, and if I could just reiterate the two points I made there, then I have a real live question that hopefully we can get an answer to tonight.

I'm a member of CEASE and in opposition to the proposal to dredge. The reason is that I don't think the EPA has proven it's case and I had two proofs that I offered and submitted. Number one, is I have taken the time to go through all 50 or so volumes that the EPA has submitted,

and the first thing that I read was the peer review, and the point I made a couple of month ago was that I think you probably got about a C with regard to the peer review last June. And if I could just read for a second, this is right out of your book, page 4-3. Your report with the recommendations to dredge was acceptable with major revisions, unacceptable, acceptable, acceptable, major revisions, etcetera. I guess the analogy I would draw is that if I was back in the days of college and defending a thesis, I probably would have gotten a failing grade from my review committee with regard to these types of reviews.

The first point that I would ask is that which I made two months ago, I would like to sit down and just understand what the peer review was, and Ms. Hess said two months ago -- she never responded. I would very much like to see that.

Number two, is that I took with

interest the sheet or the graph that Mr. Caspe had before, and I presume that the values are the same, but what I have done is, I took also one of the other reports that you have. This was the summary report, and I took the values of the risk management in terms of the levels of PCB contamination in the fish, and while the values that he had on the graph were whole numbers like .2, .1, etcetera we need to have values which are in the fractions of total numbers like .05 and .2 and as I indicated in the graph that I gave you, you don't reach until the third decade of this century about the year 2030 before you will be able to eat with an acceptable risk the fish from the Thompson Island Pool. And when you look at the function for the GE plant, it's only 15 years longer. So the point is there's only a marginal benefit. It's not generational, it's thirty years from now.

MR. TOMCHUK: Okay. I have a couple of responses there. With respect

to the peer review, obviously, you selected one of the five peer reviews that we held for the ecological risk assessment. All the other ones I would give at least a B or B+ to because they were accepted with minor revisions. So that is the one exception, and it was probably below a grade C in my grade book.

I think that -- there's one really important thing. That was the ecological risk assessment which said that there's a risk to ecology. I think one of the reasons it is not a bad grade is really just because it didn't have a lot of data to support that. Well within the last week you have seen the DEC data that came out and basically it has all the numbers for the mink and the river otter to support the findings that there is ecological risk to the environment.

With respect to the third decade of risk for a response. Well one of the problems with getting a response, especially in the Thompson Island Pool, is

that it's very close to the Hudson Falls plant site, and in our model we brought it down to 2 nanograms per liter, two parts per trillion. That level coming out of the Hudson Falls plant site, that area, is enough to hold that response back from reaching acceptable levels.

MR. CASPE: I would just add that I think General Electric Company has, certainly their hope is that they can get that down to 0, but we wanted to be conservative in our projections so we used the 2 nanograms per liter.

Sir.

MR. BAHR: My name is Jack Bahr. Following Mr. Solomon it's going to be kind of tough.

We live three miles out of Fort Edward on the Hudson. We have been around the Hudson River, I worked for Scott Paper for 38 years. And our concern is about the wells along the Hudson River. Now water seeks it's own level. Our system we have $20,000 in it. These -- everybody

that lives along that river has wells, and everybody is going to be effected by the dredging. Every well there. And if you don't believe it, ask Culligan of Troy because they are elated that you are going to dredge. Their business will be tremendous. We just had them for $6000 worth, and if you dredge, we are going to have them for some more thousands.

They say there's PCBs in otter, muskrat, fox and so forth. How many have you eaten lately?

Remember no one is against cleaning the river, but there is a lot of unanswered questions concerning the program. Why not a pilot program at first? At the Thompson Island Pool.

Thank you.

MR. CASPE: Dennis Williams.

MR. WILLIAMS: My name is Dennis Williams. My father, my father's father before him worked a farm in Fort Edward for well over a 100 years. If the EPA gets it's way and dredges the river in

places the river bottom material on the land, I would like to know if the EPA has given any thought as to how they will make sure that all the people, farms, and businesses located near the sites, should their wells, and I'm echoing this is last gentleman, become contaminated, what, if anything, would EPA do? Will EPA install public water supplies throughout the Hudson River area to towns, villages that do not have them, and/or if so who will pay for them? Will our crops be marketable. Will the farms milking cows in the area lose their markets? You, the EPA, have you addressed these issues? Will our land values be effected? Will we be able to sell if we ever decide later on to sell at a fair price if the dredging starts? Will our taxes be lowered to match our land values, and if so who will pick up the lost taxes to the towns and villages in the Hudson River area? Who will be responsible for maintaining our roads from all the extra truck traffic?

When the school bus stops in front of my home to pick up my children in the morning, or let them off in the afternoon, will the EPA be stopping their traffic during these hours? Will we ever see all the plans that the EPA is not showing?

In closing, my personal opinion is the EPA has put the cart before the horse. They sure haven't done their homework on this project. Two wrongs don't make a right. Don't dredge in this area. It will make the lives of everybody involved a living hell.

Thank you.

MR. CASPE: I would just reiterate that the truck traffic that we are talking about that we would probably have would be during the construction of the dewatering facilities. Beyond that we don't expect any significant truck traffic to be present.

I really don't understand, frankly, why you are concerned that your water supplies will be tainted. But

obviously, if we foul somebody's water supplies, we would be responsible for correcting those supplies, if we cause that problem.

As far as the land values, I say that your land values, to some degree, we don't really think we are going to hurt your land values. We think we are going to improve your land values, frankly.

I would just say those things. As far as our plans, again, we are saying that there is a three year period for design. We will try to get further plans. If we go through with this remedy, we will try to get further plans as we come out with the Record of Decision in August. But beyond that the detailed plans will occur in the detailed design.

If I can, let me just call up the next five people: Ray Saladin, Nancy Crosby, Merrily Pulver, Sharon Ruggi.

The next speaker is Charles Harrington. No? Okay. You are? Go ahead.

MR. KIDWELL: I'm Richard Kidwell, not Pete. Pete is a nickname. K-I-D-W-E-L-L.

I am here once again to say that I do not believe that what you are doing at this time is a good idea. I live on the river. I have lived basically on the river or dealt with the river for the last 30 years. I seem to be pretty healthy. I haven't had a problem, and I don't believe that the collateral damage that I suspect you will cause when you start digging and moving stuff, and piping stuff, and everything else, there's too many possibilities for maneuver damage, and I don't think what you are doing will ecologically help initially or anything else. I do believe that, yes, we need to get rid of the PCBs, but I don't think your plan at the present time, this massive undertaking that you wish to do is a good idea. And I am still of the opinion, even though I appreciate a much more -- I don't know what I would call it,

but I believe that I have listened to you twice, sir, the first two times I was definitely unimpressed with your attitude. At least this time you seem to be at least talking to us in a people-to-people scene. I applaud you for that.

Thank you.

MR. HANEHAN: My name is Charlie Hanehan. I am a dairy farmer from Saratoga County. I am also the president of FAIR, which is Farmers Against Irresponsible Remediation, a group of farmers from Saratoga County and Washington County.

We are not against cleaning the Hudson but we are very concerned about EPA's dredge plans. Two of our main concerns are lack of substantial details to the plan. We are being asked to comment on a project that has more questions than answers. I think you are circumventing the spirit of the super fund law doing that.

Number two, the community

acceptance clause is being ignored by EPA as referenced in the National Academy of Sciences report. Our group FAIR consists of much of the agricultural community near the Hudson River in Saratoga and Washington Counties. Opposition to the dredging is very nearly unanimous. This in our opinion is a bad idea. We are worried about increased sediment from the project, very definitely.

Finally in the last few weeks EPA has admitted that there will be some increase of PCB sedimentation. We feel that there will be a huge increase. EPA really needs to be realistic on this matter.

Thank you.

MR. CASPE: Next speaker is Ray Saladin.

MR. SALADIN: I just want to say I have lived on this river for thirty-two years. I have seen the river get better. I want to know what's going to happen to that eagle that's been flying over the

river that I have been seeing. And I just want to say I'm opposed to the river -- do some more planning. Let's come up with a better plan than what you have got.

MR. CASPE: Nancy Crosby.

MS. CROSBY: Hi, I'm Nancy Crosby. I am a resident of the Fort Miller area, and I have grown up on the Hudson River in Lansingburgh. It's a beautiful river and I'm very concerned about your proposal. I feel that the plans are too sketchy. We don't know where the sludge will go. I'm concerned about the upset to the ecosystem, resuspension of PCBs, and I think the project is too large, and a trial project would be better.

Thank you.

MR. CASPE: Thank you. If I could call the next five speakers: Tim Havens, Jane Havens, Florence Mattison, John Mattison, and Judy Dean.

The next speaker is Merrilyn Pulver.

MS. PULVER: Good evening. I'm Merrilyn Pulver, I am the Fort Edward Town Supervisor. I'm also co-chair of the agricultural liaison committee, and I have been a dairy farmer in Fort Edward for more years than I would like to say, 33, 34. In 1997 Councilwoman Ruggi and myself circulated a resolution that has become a symbol as famous as Uncle Sam is to the upper river communities. The paid environmental groups found this resolution so threatening that they felt a need to create one of their own. The red shirted brigade headed south, way south, as they scrambled for support from municipalities as far away as New Jersey. They have focused their attention on towns and villages more than 100 miles south of this proposed project. Sixty three upper river communities are united in opposition to EPA's proposed plan. I remind you these are the communities that will suffer the greatest impact from this inane proposed project. I call on you tonight to

consider these resolutions based on a weighted vote. Naturally, those nearest the project should receive the most credit. Those outside the project, less credit. And quite frankly those out of the state should hit the circular file.

Thank you.

MR. CASPE: Sharon Ruggi.

MS. RUGGI: Good evening. I am Sharon Ruggi, Councilwoman in the Town of Fort Edward.

I want to point out that EPA has received pro-dredging resolutions from communities which have placed caveats that, in my opinion, should result in being immediately thrown out.

For example, Green Island favors dredging. However, the Mayor of Green Island, Mr. McNulty, with great bravado, assured his constituency that the dewatering facility would not be sited in that community, and that he has taken care of that issue in Washington.

Unfortunately, we don't have the

luxury of having a son in our community who is a congressman. Congressman McNulty signed his name as a pro-dredger, and gets his colleagues to sign while protecting his father in his own community.

The City of Troy seems to be headed toward a pro-dredging resolution tomorrow night, but according to today's Troy Record, I quote: "The only problem the majority has and the minority is likely to agree with them, is making sure a dewatering facility would not end up in Troy."

I say that a resolution from Troy should immediately be dismissed.

What about Bobby Kennedy? A strong dredging opponent(sic) who often speaks on behalf of the downstate environmentalists, who said in October of 1997, and I quote: "I strongly believe that. I think that there is a problem with the cleanup in which to execute that clean up -- wait, I'm sorry. "With the clean up ultimately because you are going

to have to choose a community in which to execute that cleanup. I live in a Hudson Valley community and I would not allow it to happen in my community. I would do everything in my power to stop it."

Again, I call on you to throw out his pro-dredging comments.

Mr. Caspe, tonight I call on you to take all of the comments from the communities supporting dredging, send them a letter asking them to sign an agreement to accept either a dewatering facility or landfill, and unless you receive a signed agreement back, throw out the pro-dredging resolutions.

MR. CASPE: Tim Havens?

TIM HAVENS: Good evening ladies and gentlemen. My name is Tim Havens, Senior, and I'm a businessman in the community and President of CEASE, a group of upper river citizens from all walks of life who have stood united in opposition to PCB dredging of the Hudson Falls since 1970.

I just want to read you a quick excerpt out of CEASE position paper from March 1984, the same year the EPA record of decision was against dredging the Hudson River and as they stated in it, it would be environmentally devastating.

This is an excerpt from our position paper. The reclamation project should have as it's goal the permanent destruction of PCBs or appropriate encapsulations so to prevent downriver migration and dispersal. CEASE will not support dredging of the PCBs spoiled material for indefinite land filling, here or elsewhere, and our position in 1984, 17 years ago to from right now, is still the same today.

The last four months have been quite a learning experience. The EPA's plan calls for the use of four or five clam shell Tonka Toy style dredges and one hydraulic cutterhead dredge.

The pro-dredging environmentalists want us to believe

hydraulic dredges are new technology. We've found that they are not often used in environmental situations as they are not dependable and sometimes dangerous.

The EPA proposes 10 miles of underwater pipe line. I have learned that the abrasion of sediments could wear through the pipe line without anyone knowing immediately, and contaminants could be discharging back into the river, and that breach would not be noticed for hours or days.

If the pipe was to blow, as we've seen previously, the pressure from the 1,000-horsepower booster pumps would spew slurry hundreds of feet into the air and rain contaminants on the river to be resuspended in the water column.

We learned that EPA has recently admitted that they have underestimated the risks of PCB resuspension. Through a FOIL request CEASE learned that EPA studied many private properties along the upper river where dredging is proposed. There

are processing facilities and water treatment plants.

These sites were studied in the fall of 1999 but this information is willfully withheld from your six volume, 4,000 page feasibility study. You have delivered to the citizens a document that does not address the concerns of the people in the area where the proposed work is to be done. The whole community interaction program is flawed. Over a hundred meetings were held as a gigantic whitewashing campaign. I'm wrapping up, Karen. Don't be nervous.

The public comment period has been a scam, and at times it has disrespected speakers that are opposed to your plan. You have failed to provide answers to valid questions posed by many speakers, and have given private audience and preferential treatment to those who agree with and support your ridiculous proposal.

We, the people opposed to

dredging, feel the risks associated with this proposal far outweigh any potential improvement in the river.

Therefore, I respectfully request you withdraw the phony feasibility study, go back to the drawing boards with a legitimate effort to include the concerns of all affected, and deliver to the citizens a plan which does not attempt to pull the wool over the eyes of the people. (Applause).

MR. CASPE: Thank you.

There is one issue I do have to respond to, Tim. We've had a lot of different opinions on a lot of different things, but preferential treatment, giving preferential treatment and private audiences is something that we have not done, and -- you can hold your heart all you want --

AUDIENCE: We'll show you the documents tomorrow evening.

MR. CASPE: You show me the documents tomorrow evening, and if you

don't show me the documents tomorrow evening, then maybe you should realize the weight of what you're saying.

JANE HAVENS: My name is Jane Havens, and I live in Queensbury. Since we last spend the evening together February 7th, I have learned a ton of information on the EPA's misleading proposal to dredge the Hudson River. I'll put as much of it in as I can in two minutes.

The representatives of the EPA stand before us at these dog and pony shows, along with their paid mouthpieces, and try to convince us that they are looking out for us; that they are concerned about our health and the health of the river.

You are not concerned about me, our community, or protecting the Hudson River environment. You are concerned about keeping your jobs. This sham of a proposal is to justify the existence of the EPA because your organization is not

successful.

You speak of GE as if they are the only business on this river, and PCBs are the only contaminants. You say suspected or probable carcinogens when referring to PCBs. Scientist Susan Sieber, from the National Cancer Institute states that they know of no evidence that eating fish from the Hudson poses a human cancer risk.

What you do know, and won't talk about, are the other contaminants in the river, who discharges them, and their effects if dredged up. PCBs have been discharged by New York City and New Jersey through its sewage treatment plants, Metro-North Commuter Railroad of Croton-on-Hudson, Fort Orange Paper Company of Castleton, and more.

There are also heavy metals that have been discharged into the river like arsenic, cadmium, chromium, copper, cyanide, lead and mercury, from 01 kg per day to 304 kg per day by the city and town

of Poughkeepsie, City of Newburgh, Peekskill, Red Hook, Hoboken, Ossining, Town of Cornwall, West Point, just to name a few. It's no wonder these towns support dredging. Someone else is going to clean up their mess.

All of this information was provided to you, the U.S. EPA, Region 2 by Isaac Chen, HydroQual and New York State DEC. The information that we need to fight this proposal is in your own records. You must be hoping that we are just too stupid to find it.

The previous administration saw a fall guy in GE and the chance to save itself. It's time for the new administration to stop the charade. This proposal is not about saving the river. It never has been. It's political and the river will definitely not be better after dredging. (Applause.)

MR. CASPE: I'm sorry, if you felt it necessary to use that rhetoric. To believe that we have -- well, does the

truth hurt? I'm sorry that you believe that's the best your government can give you.

Next speaker is Florence Mattison.

MR. TOMCHUK: Can I make a comment about the other contaminants?

I just think that you have to keep the idea in mind that the fishing advisories up and down the river are for PCBs, except below the area of Cold Spring, New York, where cadmium is also a contaminant, but basically those are the only two contaminants concerned that we have fishing advisories for.

JANE HAVENS: Why isn't it that every organization that has discharged PCBs in the river, why aren't they forced to make a plan?

MR. CASPE: Let me explain one thing. In previous life, when I was Director of the water program at EPA, within New York City, New York harbor, for example, you had sewage treatment

plants discharging PCBs at very very low levels.

If you take standard methods to sample, you come back with non-detect. If you go and you look with very very fine type analytical approaches, you find very very small numbers, parts per trillion, but when you multiply parts per trillion times billions of gallon of sewage being discharged every day into the harbor, all of a sudden you wind up with a pound, and we found that, and we went back to New York City and all the sewage departments in New York City, and they all had active trackdown programs, because they don't come from sewage.

They don't come from your toilet or your sink. They come from spills. They come from old junk yards. They come from coatings on old pipes. They come from a variety of places, and New York City with New York State, the EPA, we provided a lot of money, and they're doing a lot on their own.

They're actually doing a trackdown, New York City and the other side as well, the New Jersey communities.

So, it's not like we're not doing it and this isn't about -- this whole thing is not about making one person pay -- sometimes people take it as it's EPA against GE. This isn't EPA against GE. This is EPA trying to do what is right for the Hudson River in the area we're talking about. You may not believe it. If you don't believe it, it's too bad. I don't know what to tell you.

The next speaker is, I think, John Madison, Florence Madison, Judy Dean?

FLORENCE MATTISON: Florence Mattison.

MR. CASPE: Okay, Florence Mattison, you got it.

FLORENCE MATTISON: I'm Florence Mattison of Hudson Falls. In a land of democracy. Upstate New Yorkers are not ignorant. We will stand shoulder to shoulder to stop EPA dredging the Hudson.

EPA has used the media for scare tactics, precluding information, keeping secrets, untold truths, making one believe the EPA has already made up their minds, disregarding the citizens most affected by this dredging.

EPA says they will resuspend more PCBs than said in the beginning. That means, at least, there will be more traveling downriver, over the Troy dam and endangering not only upstate, but downstate, primary water supplies and the shorelines of them.

EPA, can you guarantee our community won't be totally devastated that dredging will add -- at least that hasn't happened or that every animal or aquatic habitat will not be exterminated.

Where are the filtration plants going to be located? On somebody's land where you can take 2 miles away?

EPA has no positive proof PCBs cause cancer. The National Cancer Institute and the American Council of

Science and Health as of January, 2001, says there is no credible evidence on man, just rats. People aren't rats. At least most.

EPA told the National Council of Science dredging was dangerous, possibly making the river more toxic and dangerous, but totally ignoring the reports and endangering upstate New Yorkers, creating health risks, economic loss and endless destruction.

EPA working with the Sierra Club, other environmental groups tried to stop the appointment of John Ashcroft because of their environmentalism. Politics sure played a big role in this issue.

It's about time the EPA changed lanes, used the scientific data, updated research, allowing General Electric to continue their project. As I said in the beginning, we live in a land of democracy, not dictatorship.

We upstate New Yorkers say no to

dredging. We will make our voices heard, and the EPA will not dictate the way we live.

MR. CASPE: I would like to respond to the issue of risk.

JOHN MATTISON: I'm John Mattison.

MR. CASPE: Would you just hold on a minute to let this lady speak? Marian?

MARIAN OLSEN: I would like to respond to what you just said about the classification of PCBs as a probable human carcinogen.

Throughout the regulatory program within EPA and other federal and international agencies, animals are used as a way of determining the potential health effects for humans.

It's a way of determining whether there will be problems in the future for humans, and EPA evaluated this in 1996. It was peer reviewed. The International Agency for Research on

Cancer, which is part of the World's Health Organization, also agreed with EPA. The National Toxicology Program, as well as the National Institute for Occupational Safety and Health.

Each of these are the agencies responsible for determining whether chemicals are known, probable or possible carcinogens, and all of them agree with the EPA.

FLORENCE MATTISON: You are saying they are.

MARIAN OLSEN: I am saying they are probable, which is a different classification than possible.

MR. CASPE: Okay, thank you.

JOHN MATTISON: I am John E. Mattison of Hudson Falls, New York. I'm a retiree of General Electric company of 35 years. Please correct me if I'm wrong.

Number one, EPA was established December 2, 1970 by Congress.

Number two, the superfund is a group of EPA lawyers and engineers.

Number three, General Electric came to Fort Edward in 1942 to build and operate the Fort Edward plant for the U.S. Government to produce motors, and at the end of World War II they started producing smaller capacitors.

Number four, the Hudson Falls plant was purchased in 1950 from Union Bag and Paper Corporation and production of power capacitors was transferred to Hudson Falls in 1951 from Pittsfield, Massachusetts. Thank you.

MR. CASPE: Let me call the next five speakers. There's Charles Henehan, Dean Summer, Ed Zozick, Tom Misorri and Janice McLaughlin, Tom Grover.

Next speaker is Judy Dean.

JUDY DEAN: My name is Judy Schmidt Dean. My husband and I own the Schuyler Yacht Basin in Schuylerville. I'm also Chair of the Citizen's Liaison Group.

Rich, Monday night Bill McCabe said, and I quote, "It", meaning barges

and dredges, "doesn't jam up the river." Well, Rich, a lock measures 34 and a half feet wide by 300 feet long. The sediment barge measures 40 feet by 275 feet.

The river channel width is between 75 and 200 feet, 75 in the land line sections above lock six, and 200 feet in the river. A sediment barge is a huge unit that commands the channel. A barge alone controls the traffic in a channel. A hydraulic dredge say at Thompson Island is running full tilt at all times to maintain the highest pressures in the ten-mile steel pipe line, but suddenly only 250 feet from the dredge, the line blows, the steel wears out so quickly, and it erupts sediment 300 feet in all directions.

The emergency team is just south of lock six, in another hole, when they are radioed to come quickly. Within ten minutes they approach the lock, but they are told a southbound fully loaded barge has just entered the lock, and they wait

thirty minutes for him to be lowered and exit.

They take 20 minutes to go up and speed to catch up to an empty northbound barge. They radio the Captain and are told that because the water level is low, it's too dangerous to pass, and they follow for 45 minutes until the channel opens up and they can safely pass.

As they speed by the clamshell dredge on the port side, their wake rocks the dredge, but they see dredging is stopped. Now two hours later they arrive at the site, and find emergency personnel is attending, as all the workers on the clamshell dredge rushed north to help as the explosion knocked the six men working on the bridge off into the water, and the three smaller safety boats that were circling were all filled with debris, and overturned, leaving six more men in the water.

Land based emergency crews were called when the debris hit a man sitting

on his patio a hundred feet away, and although their kitchen window was broken as his wife washed the dishes, she was able to call 911 and a local fire truck boat and EMT crew arrived twenty minutes after the blast.

I will tell you now, there's nothing more horrifying to marine contractors than hearing the words "men in the water."

Tell me, at this point, what recreational boats do you think will possibly travel this canal for fun? (Applause).

MR. CASPE: Thank you: I would just say, that's a good piece of fiction you've written. I didn't swim after I saw Jaws, but I would also point out -- I would also point out that just a factual item, that the pipe line -- again, we have not designed it, but the pipe line we would use would likely be plastic, number one, would not be steel because of erosion problems, and the pipe lines don't stay

down there for five years. You don't leave them forever. You pull them every season, and you know, you would be pulling them. You would replace them as necessary. It's not where we would be just putting down and forgetting about it.

MR. CASPE: These are all things that would be worked out in design.

AUDIENCE: What happens to the plant when you're done with it?

MR. CASPE: The plant would be taken away. I shouldn't break here. This is an important question.

After the dewatering is done, after we don't need it any more we would restore that site to a condition, frankly, that would be better than we found it.

That would be some of the issues that people ask. When you talk to people about other sites, you talk about siting facilities, they usually ask questions about, well, what kind of improvement program is involved in this? What do I get out of it? Usually people get

something out of it, quite frankly. They wind up with a better piece of property when they're done, than when they started. They'll demobilize that plant by using trucks, by the way.

Dean Summer?

DEAN SUMMER: My name is Dean Summer. I'm an attorney representing Farmers Against Irresponsible Remediation. FAIR is a citizen group of farmers and landowners who have joined together because of their concern that the proposed remedy may have very significant impact on their properties, farming practices, and their communities.

They have been denied the ability to meaningfully comment on such impacts, because the U.S. EPA feasibility study failed to discuss them. FAIR Members have statutory rights of meaningful participation during the feasibility study stage, and U.S. EPA has a statutory obligation to discuss the impact associated with this proposed

remedy in the feasibility study.

In other words, the risks of the remedy must be disclosed in the feasibility study, and not at the design stage. The feasibility study failed to discuss and disclose the impact of the remedy, including air emissions, noise lighting, impact on traffic and transportation, corridors, irrigation and land consumption associated with the mines, yet also failed to identify the location of the mines and the treatment plant, depriving the public of important project information.

The FS document is simply conceptual with regard to the risks emissions, and impact of the construction project which are most important to the people living in the dredging area.

Here's the reality of the situation. U.S. EPA is a project sponsor of a hugh heavy equipment, hazardous waste removal and treatment industrial construction program which will be

operational for more than five years, and yet, unlike any other project sponsored in this country, the EPA has failed to discuss the risks of the project.

FAIR members seek what every environmental and citizen group asked the project sponsors, to identify the entire project and tell them of the impact and risks associated with the project. The community has a right to know.

By refusing to disclose this information, so that the community can fully review and comment upon the risks and benefits of the program, EPA is depriving the FAIR members their statutory rights to public participation.

It's not the number of meetings that you hold which determines compliance with participation mandates, it is the quality of the disclosure of the information which is mandated by NTP and your own guidance documents. Here the detailed analysis of the FS stage is missing.

EPA has said that they will discuss these matters during the design stage. FAIR members, however, note that public participation is not statutorily required at that stage.

By refusing to discuss the risks of remedies so that the public can comment upon them, you deprive the community of basic information.

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In summary, without completing the FS in a detailed manner, you are depriving the public of their statutory rights. The design stage is too late. The public has a right to know now. You must complete the FS before issuing the rod. Don't destroy the integrity of the public participation process, and don't rush the judgment. Thank you.

(Applause.)

MR. TOMCHUK: I would just like to respond to the point that the FS not adequately addressing the risks, short term risks --

DEAN SUMMER: Can I have a dialogue with you on that?

MR. CASPE: Not here. Maybe afterwards you can come up and we can talk about it.

MR. TOMCHUK: I would just like to say, the feasibility study does address short term risks of the remedy. As we explained in response before, much of that has to be done on a qualitative basis simply because we have not yet designed a remedy. We haven't selected the location, for the transfer facility. We haven't decided on what type of dredging would be used, things of that nature, but the feasibility study does address the short-term risks for the remedy as proposed in the FS and in the proposed plan.

MR. CASPE: Ed Zozick?

ED ZOZICK: Good evening, everyone. My name is Ed Zozick, a lifelong farmer, between Bemis Heights and Saratoga Lake within 2 miles of the Hudson River.

We are strongly opposed to the dredging, because all it's going to do is like after a thunderstorm, you get a mud puddle, it settles, you disturb it and you have all kinds of sediment, so therefore, I cannot see any perfect reason for dredging. Thank you very much.

(Applause.)

MR. CASPE: Let me give the next five, please? Dudley Bailey, Phil Tucker, Jay Whitcomb, Katie DeGroot, Sean Tarantino, and William B. Cook.

The next speaker is Janice McLaughlin? Okay. Tom Grover?

AUDIENCE: Can I ask one question? I spoke, but --

MR. CASPE: I would be happy to talk to you privately. There are 81 people here that want to talk, and I've

got to get through those 81 people.

TOM GROVER: I'm Tom Grover, reside in the Town of Moreau, I'm opposed to dredging. I have been for a long time. You always hear about the probable carcinogens.

To the best of my knowledge, there's still no proof of any cancer in humans at this time. Dredging just does not make sense to me. Thank you. (Applause).

MR. CASPE: Debbie Bailey? Phil Tucker?

PHIL TUCKER: Good evening, and thank you for this opportunity to speak tonight.

My name is Phil Tucker. I address you as the spokesperson for the Glens Falls Building and Construction Trades Council, and also the Greater Glens Falls Central Labor Council, consisting of thousands of working families who live, work and benefit in the quality of life we enjoy in the area.

We're here to announce our support for the EPA clean up plan to the Hudson River. We feel the river in its current state is a deterrent to the economic development of the area to say nothing of the environmental, health and recreational issues.

This project could provide hundreds of jobs for local citizens and create a cleaner environment to attract economic development. We view the GE proposals as self-serving, and actually misinformed the public about environmental dredging and effectively ignore the problem.

We know that over 500 pounds of PCBs are traveling over the Troy dam annually. GE claims the river will clean itself after they stop the release of three ounces per day. Everyone that can do math realizes that 21-ounces are flowing over the Troy dam a day.

If we use GE's numbers, we're left with 18-ounces of PCBs that flow over

the Troy dam daily. These PCBs are coming out of the sediment, and that is the reason we need to clean them up and allow the process of restoration.

Thank you.

POLICE REPRESENTATIVE: Good evening ladies and gentlemen and we apologize for the interruption. We must excuse you at this time in a nice orderly fashion.

We have an unattended package located in the facility, and as a precautionary measure we are attempting to evacuate this area and all individuals in this building. If you would, please, in an orderly fashion, do not go out the entrance in the back end.

If you would, go past this gentleman, out the cafeteria away from the building, or out that way out of the building?

(Recess taken for evacuation of building.)

MR. CASPE: I was handed something, I didn't read it yet, but

somebody told me they had to leave and they asked me if I would read it, so I'm going to do something really foolish, to read it without reading it first, so let's see what it says, by Adam Thorpe.

"I think that we need to look into the future, not just at the present. EPA is doing the right -- glad I'm reading it. EPA is doing the right thing by dredging by protecting the future generation. This procedure may not look pleasant now, but we must sacrifice some inconvenience to make a better environment for our children.

I understand the feelings of those who oppose dredging, but you must not be selfish. It's time to start a cleanup process to stop future mishaps and start the way to a better environment for the future." That was by Adam Thorpe.

Anybody remember who had been called and who hadn't been called? Adam Thorpe was next. I just read his statement.

MR. CASPE: I seem to be up to Phil Tucker. Is Phil Tucker here?

MR. TUCKER: I was the last one to speak.

MR. CASPE: Okay. Good. Then I'm in the right place. Jay Whitcomb, then after that it was Katie DeGroot, William Cooke, John Tarantino, Jason Brichko, Dan Shaw and Patrick Shannon, Baret Pinyoun. Okay. Are any of those people here?

Jay Whitcomb? (No response.)

MS. DE GROOT: My name is Katie DeGroot - D-E G-R-O-O-T. And I am a co-chair of the Citizens Liaison Group. While I am not a rat or a guinea pig I would be willing to be one in pursuit of the truth. I am here to give you my comments on the EPA's Hudson River Project. As co-chair of the Citizen's Liaison Group and granddaughter of the founding member of CEASE, I have been involved in this complicated issue for over 20 years. To me the core issue is

the assumption that PCBs are a serious threat to human health. We as a citizens group have repeatedly asked the EPA to provide us with the evidence that would seem necessary to proceed with this fantastically expensive and disruptive project. Why is the EPA depending on studies of rats and people who live near far away lakes and other rivers to provide the decidedly unclear and unconvincing case to dredge our river? Why have we not been studied? My family has lived on the river for four generations. Why not study me and the other residents along the shores of the upper Hudson River? The EPA must be able to prove to us why this vast project with its huge expenditures and physical destruction of the river should take place before we can be asked to support it.

Although Mr. Caspe has stated that studies prove that PCBs are dangerous the studies he is talking about are known throughout the scientific community to be

at best problematic. Some are considered specifically to be of poor quality because they lack control groups, and fail to take into consideration such obvious life scale problems as alcohol and smoking. EPA science must pass a real peer review panel with open discussion between the scientists on the assumption and the conclusions of this complicated problem. The peer review allowed was a farce. It only dealt with process and method, not actual process and method. Over 20 years has been spent studying the fish, the birds, and even the vultures along the river. What about us, the people?

Again, we as a citizens group are asked to participate in this project. We were told we would have a voice. I'm here to tell you we have not yet been heard. Irregardless of who pays for it there are still too many unanswered questions for the EPA to ask the public to support a project where the cost to all of us will be monumental.

Thank you.

MS. OLSEN: I would like to respond to several of the issues that you raised. First, EPA's evaluation of the carcinogenicity of PCBs was conducted in 1996. This was a re-evaluation. There was an independent -- there was a peer review panel of 15 experts that evaluated EPA's science, and it was submitted to Congress on October 1st of 1996. This, again, was evaluated by the agency and peer review.

I would also like to address your second question about the studies. Several of these studies were conducted in areas where there was large fish consumption. They have been following these children for a number of years, and these studies included controls, and they also addressed confounders such as you have mentioned which was alcohol consumption and other exposures that may lead to these effects. These studies were published in the New England Journal of

Medicine, American Journal of Public Health and internationally. These are well recognized journals that have independent peer review.

And, finally, I would like to address the question about conducting a study in this area. New York State Department of Health is currently in the process of conducting a study, and I have information I can provide later if you are interested. They are looking at specific health end points. There are 200 people involved in this study, a control group of 100 people and exposed group of another 100 people. The first round of sampling was completed last year, and there is a plan to conduct the rest of the sampling this summer, and I can, if you would like, speak to you about the contact at the New York State Department of Health you may speak with. The areas that they are concerned with are Glens Falls as a control population, and Hudson Falls as the area that is being evaluated as the

exposed population. (Speaker asked a question but without a microphone.)

All right. As I said --

MR. CASPE: Could you repeat the question?

MS. OLSEN: The question was why wasn't the public invited to participate in the study. There actually is an announcement of this from the Commissioner of the New York State Department of Health, and they are recruiting individuals from the area. And I, again, would -- we are aware of the study. We are not conducting it for EPA, and I think we should speak to the scientist who is the principal investigator for the study.

MR. CASPE: Thank you. Next speaker is John Tarantino. Is John here? (No response.) Next speaker is William B. Cook.

MR. COOK: Good evening. Thank you for the time to allow me to address this body. My name is William Cook. I am the President of the Saratoga County

Central Labor Council representing over 19,000 union members and their families in the county.

After years of scientific research and debate the EPA is entering into it's final stage for consideration for dredging of the PCB pollution in the upper Hudson River. Labor Council 2 has taken time to consider both sides of the issue and is going on record tonight as taking the position that the river must be dredged. The existence of the PCBs in the river bottom has created a waterway that is an industrial brownfield. Like all brownfields further use and development of that property is not possible without an environmental cleanup.

This issue is not about General Electric and the Environmental Protection Agency. This issue is about economic development along the upper Hudson. The Hudson River has great untapped potential for recreational, commercial, navigational opportunities. Yet the existence of PCBs

in the river sediment prevents individuals, businesses and communities from fully developing and enjoying all the river has to offer.

The river must by law be free for navigation. Yet this brownfield is preventing the dredging of this river that we are legally entitled to use. Without a cleanup PCBs will forever impede economic progress and development along this international waterway. The dredging can be successful both environmentally and economically.

Local 106 of the Operating Engineers has been involved in the cleanup of the Cumberland Bay, a very successful cleanup project. The dredging techniques that are used there protect the environment. The techniques are a far cry from the inflammatory images you see on television. The cleanup will bring an economic boost to our north country by infusing good paying jobs for many years.

Following the cleanup this upper

Hudson region can be used as a premier tourist attraction and navigational route for commerce and recreation.

The Council is not in a position to support or dispute the science. We believe, however, that remediation of the brownfields are and will be politically less than perfect. However, it goes without dispute that the pollution exists, and that until the pollution is abated full development of the river's resources will not proceed. The Council does not believe that it is practical to wait for a perfect political solution. The remediation of the pollution is long past due, the communities and their populations along the Hudson River need and deserve a new future free from the burden of the brownfield.

The Council urges the EPA to proceed for our children, for our communities, for our future.

Thank you very much.

MR. CASPE: Thank you. I will

call the next ten speakers: David Higby, Marion Trieste, David Mathis, Glen Carlson, Craig Williams, Diane Tucker, Paul Lilac, Jan Wolski, Steven Ramsey, Jason Brechko.

The next speaker is Jason Brechko. (No response.) He filled out two cards. Okay, Dan Shaw.

MR. SHAW: My name is Dan Shaw and I would like to thank you all for allowing me to speak tonight.

I'm not a technical expert, but I do like to fool around with a calculator a little bit, and I would like everybody to think when they were kids, and if they stepped in a mud puddle, didn't take any dirt out, didn't put any in, but when they stepped in and they stepped out that disturbance, that silt, that moved. Now if you take your numbers, which are 2.6 million cubic yards, and take your number of 100,000 pounds of PCBs, and then use the number of 38 pounds per year of PCBs that you will lose, you said, through

the sediment of the dredging. Well the 2.65 million yards is a ditch that's, I think. 16 feet wide, 10 feet deep starting in Hudson Falls and going to New York City. It's 175,000 truck loads of dirt. Now if you use your -- that's how much it is. If you use your 38 pounds of lost PCBs and factor in the percentage of the silt, of the pounds of dirt or muck that you are actually moving, that your loss ratio is not 1 percent, not a tenth of 1 percent, not a 100th of 1 percent, but .004 of 1 percent loss. Now that is less than the dust off a cab of a truck that you are loading from a ditch on dry ground. I think that's a bad number. And I think that number could be 10 times or a 100 times more than that. And I'm wondering where that came up with that 38 pounds, and I would really appreciate it if you went back and rechecked those numbers because they are not working for me.

MR. CASPE: Thank you. Actually

we have checked those numbers and rechecked them. And the numbers are based upon historical lost rates at sites that we have looked at, and looked at in great detail.

I think in your calculations the 38 pounds should be being compared to 20,000 pounds a year of PCBs that are roughly being removed from the river. It's not the volume of the total sediment. If we are removing 100,000 pounds of PCBs over five years, then you are removing 20,000 pounds a year. If you look at 20,000 pounds, and then -- or if you take the number you are looking at, which is the 38 pounds, and divide it by 20,000, you wind up with .19 percent --

MR. SHAW: Don't you have to use the 2.6 million cubic yards?

MR. CASPE: No, because the amount of -- a lot of that is clean sediment. A lot of the rest of the material left to be cleaned is clean sediment. We are not talking about clean

sediment, we are talking about just PCBs.

MR. SHAW: Right, but out of that 2.65 million cubic yards you are going to remove with it, a 100 pounds of that is going to be PCBs, is that right?

MR. CASPE: Yes.

MR. SHAW: Well that figures out to a ratio of 8,000:1 poundage wise. If you're using a calculation of 3,000 pounds per yard, which is a standard calculation for dirt.

MR. CASPE: Right.

MR. SHAW: Now is that ratio 8,000:1 -- I don't care if you want to do it over five years or one year, you are using 38 pounds per year so I'm using rations, and it's coming up .004 of 1 percent.

MR. CASPE: We would be glad to sit with you after the meeting if you would like or at a different time, and run the numbers with you and show you how we come up with the numbers we come up with. Thank you.

Patrick Shannon?

MR. SHANNON: Hello, my name is Patrick Shannon. I'm with the Sierra Club. I would like to commend the EPA for their proposed plan to clean up the PCBs from the Hudson River. This river has been studied for over a decade, scientifically, and the PCBs are not going away. As we all see on the graph, they are not going away, and now is the time for action.

Many people are calling on a pilot project to see if this will actually work, but we don't have to look any further than Hudson Falls. General Electric conducted their own dredging project from 97-98. Not too many people know about that. They did a dredging project with the state DEC. Within that project they had two silk curtains around the Hudson Falls plant site where they used a clamshell dredge, a Tonka toy dredge, if you will, just like in the commercials. And GE's own sampling of the

water outside that, they saw that the resuspension, or the stirring up of the PCBs was very low. It was so low to the point that one day it was non-detect, you could not detect PCBs coming downstream from this dredging project.

So I would encourage anyone to think about that and think about the possibilities that GE has the technology. They know how to do this. They have done a pilot project already. Now is the time to have clean up these PCBs forever, and I applaud the EPA and encourage you to go ahead with the full plan.

Thank you.

MR. CASPE: Next speaker is Baret Pinyoun.

MS. PINYOUN: Thank you. My name is Baret Pinyoun, and I work for the Sierra Club. We are one of those environmental groups that everyone has been talking about.

I just feel the need to clear something up. People keep saying that

these downstate environmental groups are coming up here and saying all these things about the river, and that we are just getting paid for our work. I live in Saratoga Springs. The people I work with live in Saratoga Springs. Some of them live in Gansevoort. I've lived in Schuylerville. We are also upriver people, we are upriver residents. This effects us as well.

I think that the EPA proposal is a good start in cleaning up PCBs. I actually think that Alternative #5 in your plan makes more sense. I think that with the latest information from the DEC report that came out that we seriously need to consider the other health problems of PCBs. The PCBs are not staying in the river. They are not being buried.

We applaud the EPA for working diligently on this, and we think that your public process has been incredible, and we commend you for that.

Thank you.

MR. CASPE: David Higby.

After David Higby, the people who I called out, the next 10, you can come down.

MR. HIGBY: I had a prepared statement. I left it up in the box up in the back and it seems to be gone now.

My name is David Higby. I am a 25 year resident of the upper river region, and my wife, Nancy, grew up on a family farm in Easton, a river town just south of Thompson Island Pool. That seems to be important, but just for the record, I'm also a person who thinks that the 10 million people who live in the super fund site south of Troy also matter in this issue.

I'm also the Solid Waste Director for Environmental Advocates of New York State. We are an education and advocacy group in Albany that represents over 7,000 people statewide and 130 grassroots groups and we are the state affiliate for Region 2 of EPA for the

National Wildlife Federation and that group has over 4 million members nationwide.

We are very concerned with some of the recent developments and will be submitting detailed comments about the effect on wildlife as well as the soil testing that's of great interest to us as well as the effect on local economy if there is no remediation.

Tonight I just want to make a brief comment about citizen participation because it's something that's very important to me. Assemblywoman Little, who apparently has left, brought in the Hudson Falls incinerator that was an issue that I also worked on. I was very much opposed to that for financial and environmental reasons. The local political establishment at that time did everything it could to squash public participation. In fact, they sued 328 Washington County residents, my wife and I were two of them. Each of us were sued

for $1.4 million in order to stifle that participation. A federal jury later found that that act violated our U.S. constitutional rights. That's the kind of thing that can happen around here. We want to make sure that does not happen.

I believe that the EPA has tried very hard and I commend you. The public participation part of this has failed, I believe, but I don't believe it's your fault. I understand, in fact, that you are getting an award next week including some for your public participation work, and I applaud you for that and I thank you for it. But we do need to figure out a way to get public participation particularly through the engineering phase of this because I have concerns about the way it will be implemented. I know that many of my neighbors in Washington County and Saratoga County do as well. I hope that together we can all work through this so that the wounds that have been created by the polluter in this case will be

healed along with the river.

Thank you very much.

MS. TRIESTE: I'm Marian Trieste, and I'm a Public Educator for Scenic Hudson. Also co-chair of EPA's environmental liaison group, and I live in Schuylerville.

I was in Hudson Falls at your Hudson Falls meeting, and I addressed the importance of moving forward with your plan. I think it's really important that we eliminate the PCBs as much as we can throughout the hot spots and that we need to go even further. And I was concerned about shore line contamination at that time, which was prior to the release of very important data that I would like to read from directly from DEC's press release because I think it's really critical that the most effected citizens upriver understand the importance of this data.

Primarily Trent(sic) indicated by this study, this is the DEC study, show

the average PCB levels in river otters that live within 10 kilometers of the upper Hudson River is 172 parts per million; the level for minks trapped in areas within one kilometer of the river is 33 parts per million. Otters feed primarily on fish and other aquatic animals. This is really telling us something about what's happening to our ecosystem. The other results are based on scientific research of mink and European otters. The PCBs found in upper Hudson River mink and otter may cause adverse health effects and reproductive problems in these animals.

Another really critical part of this study was involving flood plain soils in the upper Hudson River valley between Stillwater and Saratoga County, Fort Edward, Washington County, the ranging PCB levels were from 0.18 parts per million all the way up to 360 parts per million. And these levels were generally highest in low lying areas adjacent to the river and

areas closest to Fort Edward.

The citizens of this region should really look at this data. It's very telling. It's obvious that the sediment in the Hudson River are causing a major problem that has to be fixed in order to eliminate what's happening on our flood plains.

Our kids are playing along our shorelines. Anyone owning property, anyone visiting the shore lines of the Hudson River has to be concerned about this. And I hope that the EPA will look into this problem because this is an additional health risk I feel aside from eating fish from the Hudson River.

Thank you.

MR. MATHIS: I'm David Mathis - M-A-T-H-I-S. I live on the river just north of Schuylerville on property that my grandparents bought back in the 20s, about 20 years before PCBs started being put into the river.

A little while ago I wrote to

John Sweeney, the Congressman. I said we really should dredge the river, we really should clean it up, so. I gave several reasons. So he wrote back and said he is going to guarantee that PCBs don't go in my back yard. So I wrote back and said, well my back yard is the Hudson River. The PCBs are there and it's getting worse and I thank you very much for becoming pro-dredge.

The river really needs to be dredged. It's getting a lot shallower. The channel was 12 feet at one time. It's supposed to be 12 feet. Some places it's eight feet. So it's thirty percent filled in. It won't be too long and you are not going to be able to get boats on the river, only the little fishing boats. Anything big that brings money into the area won't be able to come up here.

But after reading the data just recently released I found that the river banks are a hazardous waste. Not just the river, but the banks. Anything more than

50 parts per million is a hazardous waste. What vacationer wants to go to a hazardous waste dump and spend his money? You are not going to have that. Now GE says EPA's plan would take up to ten years to clean the river, but GE's plan could take over a thousand. It's time to clean the river now.

MR. CASPE: Anybody else I called? Glen Carlson, Craig Williams, Diane Tucker, Paul Lilac, Jan Wolski, Stephen Ramsey.

MR. CRAIG WILLIAMS: My name is Craig Williams and I don't envy any of you guys.

I have got two questions, one of which was asked about two hours ago, and was never answered, and the second one was asked twice, and as far as I'm concerned still hasn't been answered, and that's the fine young lady up there.

Last week the EPA announced, and you folks reiterated, that the resuspension rates during the dredging are

estimated at something in the order of 30 pounds per year, and the current rates are at the order of 500 pounds per year. The gentleman two hours ago referred to the Fox River in the Wisconsin effort. That study has suggested that those rates could be low by at least an order of magnitude if not perhaps 20 to 25 times more. Thus making dredging versus not dredging resuspension rates comparable. The first question is how then would you rationalize expenditure of $460 million dollars if you are going to have no measurable improvement, question one.

Question two: Has been asked twice. I'm going to try it again. There have been quite a few studies, primarily I'm referring to the National Institute of Occupational Safety and Health and the four that deal with heavily exposed -- people who are heavily exposed to PCBs, job related. And those studies have failed to show any linkage between PCB exposure even at the order of parts per

million, and elevated human cancer rates. And I have read your brochures, and I have seen a lot of the words "probable cause", "may cause", but what evidence do you have that shows unambiguous causality between specific concentration levels. I really don't care how many parts per million are retained in fish. What you have to show is does it cause cancer and can you prove that. And PCB exposure and elevated human cancer rates. And I don't want to hear something about 1996. This has been going on long before that. I don't want to hear anything about TUSCA(sic) and CIRCLA(sic) or rats studied from 15 years ago.

So do you want to take the second one first?

MR. CASPE: That's it, right?

MR. CRAIG WILLIAMS: Yes, the second one is for you.

MR. CASPE: We figured that.

MS. OLSEN: To address your question there have been a number of occupational studies that have evaluated

workers that were exposed to PCBs for varying periods of time. These studies were conducted both nationally and internationally. The summary of those studies is provided by the agency in a toxicological file, a system that we have. It's called Integrated Risk Information System and there were four studies that provided suggestive evidence. These studies showed some elevations, but one of the problems associated with them were the small sample sizes, the brief follow-up periods, and exposures to other chemicals.

I would be more than happy to provide you with a copy of these files and information about the suggestive evidence that the agency used in determining that it is a probable human carcinogen.

MR. CRAIG WILLIAMS: I will take you up on it. And the first question?

MR. TOMCHUK: With respect to the resuspension, the Fox River study, we have taken a look at that, and we have some difficulties with their use of the

mass balance in that study to determine the resuspension rates as it would apply to other projects. Basically the distance down stream, integrating across the river section and a number of other reasons that we don't believe that that is the most appropriate data to use. The data that we have used comes from a number of different studies, and it's based on resuspension of sediment not PCBs. And, basically, what we did was we took the PCBs -- we took the PCBs, figured out the concentration on that sediment, and anything that was in the water past 100 feet, we kept in the water. We didn't say anything would settle out -- we ran a dispersion model first, I should say, and then anything in the water after 100 feet was kept in the water. So it's a fairly conservative assumption, and basically it's also conservative because of a number of the reasons we did that in the rates, the resuspension rates.

MR. CASPE: Thank you, Doug.

MR. CARLSON: My name is Glen Carlson. How ridiculous would it sound if you heard this in a courtroom:

Ladies and Gentlemen of the Jury, we want you to find the defendant guilty because he probably robbed that bank. I don't have proof but he probably did it.

Ladies and Gentlemen of the North Country, we want to turn your lives and your communities upside down because PCBs probably harm humans. No, we can't prove it, but we think they do it.

It used to be in this country you needed proof to take such a drastic action. Apparently not anymore. Everything along the river and in the river is alive, except for the animals that you guys kill to test to see how healthy they are. Thank you.

MR. CASPE: Diane Tucker, Paul Lilac, Jan Wolski, Stephen Ramsey. Any of those people here? Come speak.

MR. RAMSEY: My name is Steve

Ramsey. I'm Vice President of Corporate Environmental Programs for the General Electric Company. That includes responsibility for the Hudson River project, and the work that we have done. I have attended almost all of these public meetings and before I get started I would like to commend everybody who has participated whether you agree with us, agree with EPA or have no opinion. I want to particularly commend the folks from CEASE and the upper river and their officials who had the courage to stand up three times in the last 25 years and now a fourth time to oppose a massive dredging project in their communities.

I think I would just like to summarize what I think we know at this point, and then talk a little bit about what we don't know. First off we know that dredging and source control will achieve all of the targets that EPA it says it will meet in the upper river so they will achieve the same benefit

regardless of whether it's source control or dredging that comes from the EPA report. We know that if you dredge there will be resuspension. With all due respect to Doug, the United States Geological Survey found that resuspension of PCBs can be expected to occur in a range of 2.2 to 10 percent. The National Academy of Sciences report says that you can expect PCB resuspension to occur in dredging projects from .5 to 9 percent. You have assumed zero on this project. It's simply unsupportable. I would point out that your 1999 decision not to take interim action in the Thompson Island Pool you assumed there would be 2 percent resuspension. I think you should explain at some point tonight or on the record about that difference.

The point here is what's right for the river. The river is going achieve cleanup through source control and natural recovery. We know that. The EPA even agrees with that. We know that if source

control is not effective, EPA will never achieve any of the targets it has set in the Thompson Island Pool. We know that the remedy will destroy a hundred acres of subaquatic vegetation, wetland and shoreline. The risks to the community haven't been evaluated, the risk from siting the facilities haven't been evaluated.

The point here is there's a remedy that will work. There is a remedy that's extraordinarily problematic, and with resuspension could even make things worse. There are a lot of open and unanswered questions which after 11 years I have to suggest the agency should reevaluate it's proposal and should not propose dredging.

Thank you.

JOHN THIVIRAGE: My name is John Thivirage. My family has lived here on a farm for about 300 years and I'm on the west bank of the Hudson River. We're identified on the map as having a toxic

site right in front of the farm.

Actually, I just came to get some questions answered tonight. To start out with, I'd like the EPA to define what they term by bank to bank. I heard that numerous times in your literature. Are you talking about going out and looking at the river today, or as you go out and look at it in April, end of month when it's flooded out and a mile wide?

MR. CASPE: We'll answer that. Will you just ask all your questions?

JOHN THIVIRAGE: The flood plane, how is that going to be dealt with? How are you going to deal with on land contaminant sites? I believe Fort Hardy in Schuylerville is a good example of that. I haven't seen anything -- everything that has been proposed and talked about is with regard to what is in the river.

You mentioned 38 pounds as a revised figure. Was that before or after you started running the barges up and down

the river and tearing it up.

I'm in zone three by what you guys talk about, so I'm going to be watching barges going up and down past me for probably five to eight years before you even get to the site I got before me.

Are you going to reassess the sites at periodic times and say, oh, look, we have a hot spot now because of the barges coming down the river on us? I pointed out to the gentleman at the table there that on your map here of the river you neglected to identify, between mile 177 and 178 there was a sediment island not shown on that map, with the west branch of the river now filtered in on the north, I think you are treating a tributary into the river, and it's not. It's part of the river.

I can remember in the '70's going down to the river in that area, and seeing the contaminants in the river, large globs of white stuff floating down the river. I noticed the contamination in

there.

You identified it, and DEC has identified it in a map that was issued yesterday. We're a hot zone, and it addresses not only the river, but most of the land on the sides, and in closing, whether you guys dredge or not, the fish are still going to be contaminated. I ain't going to eat them, but I don't smoke either. People have to use their own common sense what they are going to put in their mouth. (Applause.)

MR. CASPE: Do you want to take a shot at all of them? I guess as to the land contaminants first, we have started it. We have addressed some of them.

Some of you probably know we did a removal act, spent around two million dollars, actually on Rogers Island a year or so ago, where we found contamination on the shoreline, PCB contamination we had to deal with along the shoreline.

We cleaned up some properties there. We built the bulkhead, and we also

stopped construction, we didn't say that actually, but we stopped construction of some of the redevelopment areas along the southeast side of Rogers Island, because the contamination there was high, and there was a proposed redevelopment there, and that redevelopment person, to my knowledge has stopped work. That has not proceeded.

We started to address it, and tried to get to where we found the risks to be the greatest. As far as bank to bank, how do you define it?

MR. TOMCHUK: Basically, from one side of the river to the other, taking up from one bank to the other.

JOHN THIVIRAGE: Yeah, but at what stage?

MR. TOMCHUK: At what stage? Basically, what we have been doing is about 7,000 CFS. I think the average mean flow within the river. It's not the highest --

JOHN THIVIRAGE: No. I'm

talking about when you go out and look at the river, go from bank to bank, okay? Are you talking about today, or when the river is at the highest?

MR. CASPE: No, it's the average mean flow, so it would be basically, what it is, on the average today.

JOHN THIVIRAGE: People want to know what areas you're looking at, what areas are going to be affected by what you do?

MR. CASPE: We can be clearer on that. That's a good point. I think I'm telling you that, but I'm not sure you are getting the answer from me.

JOHN THIVIRAGE: You are asking about a flow. Identify for me as the river sits here, what area are you talking about that will be affected?

MR. CASPE: Bank to bank; I hear you. We'll clarify that. I'm not sure how to clarify it right now. It's based upon a flow, and depending how much flow you have in the river, that's how wide

it's going to be. You're saying what does that look like on a map? Show me what it is. I hear you.

MR. TOMCHUK: We have a map -- you don't have a detailed map, I know that.

JOHN THIVIRAGE: There are times when the river is flooded, Route four on the west, 113 on the east --

MR. CASPE: That's not what we're talking about. That's not what we're talking about.

We're talking about the average. We'll clarify that.

JOHN THIVIRAGE: What about the parts that are going to be affected by the barge traffic?

MR. CASPE: We try to -- we included every factor we could in that. We think that number is actually a conservative number, but I would point out that we don't necessarily agree with what the National Academy of Science is saying, and we don't agree with what USDS is

saying. We think we see flaws in both of those reports. We may be wrong, but in coming weeks I'll meet with the Academy of Science and try to understand.

MR. TOMCHUK: I think that barge traffic wasn't exclusively included in that calculation of 38 towns, but what happens is that the channel will be cleaned up first so that those areas will be removed -- those areas where we need the proper depth to transport the material down the channel, that will be removed first.

MR. CASPE: You have to remember that our proposal includes almost 320,000 feet, or 340,000 cubic yards of navigational dredging to open the channel up.

JOHN THIVIRAGE: There's commercial barge traffic on the river too, so the barges will stir it up more.

MR. CASPE: We're going to dredge the river first.

JOHN THIVIRAGE: What is the

timetable for section three?

MR. CASPE: We're not at the design at this stage of the game. I guess we can talk privately to give you better information. There are other people here too.

The last question you raised was the 177, and 178. Do you know what that is?

MR. TOMCHUK: I'm not aware of the details of that. We'll check the map, and we'll look into that. I'm not sure whether from the average flow conditions whether we can plot much difference on that scale map. We'll look into it. We'll have to send somebody out in the field to look at that, I'm not sure, or aerial photos, but we'll look into that.

MR. CASPE: Other people who I called? Robert Greene?

ROBERT GREENE: I'm Robert Greene. I heard one comment tonight that makes me wonder. They speak of a high concentration in otters. Nobody ever said

they found a cancer in any of them. It makes you wonder.

One other thing, that finally, in the last short time and tonight some numbers have come out. It's been reported that 1,300,000 pounds, or estimated that amount, has been dumped in the river. Yet you're proposing all this dredging for a hundred thousand pounds, half the amount they estimate from Hudson Falls down to the Troy damn.

What about the rest of the river? Where did the other 1.2 million go to? It seems like a horrendous project for such a small percentage of what has happened, and where its all gone to, but let's put it another way. You're only proposing to get half of it out in the upper part of the river.

Let's look at it in a different way, practical way. You have a big mud puddle in your driveway in front of your house. You buy a truckload of sand and dirt, dump it in. It half fills it. What

are you doing? You still got all this PCB in the river that is going to get into everything going and drawn down the river, and you're proposing half the amount?

Well, that's 250,000 pounds a year going over the dam at Troy, into the lower Hudson. It's like the old ostrich sticking his head in the sand, and it will all wind up in the Atlantic ocean, and then what happens to the fish down there when they all get contaminated.

I'm wondering if the EPA has a dictatorship that we've suddenly come in to, rather than the democracy which we're supposed to be living under, and it makes a person wonder where does this all go, in the sense of the health of people?

Well, there's comments now they're going to try to study some of the people who have been eating fish out of it for years. Why didn't they do that a long time ago, those that were fishing in river and using the fish and all that. Thank you.

MR. CASPE: I think it's immportant to understand that of the -- we don't have a good estimate of exactly what was released. You used a number of a million pounds, or 1.3 million pounds.

A lot of that was tied up in the upper river. A good portion of that was dredged out during navigational dredging for the Fort Edward dam.

There's approximately 200,000 pounds of PCBs left in the upper Hudson. We're targeting at least half of those. How you calculate that number, it could be up to 67 percent.

Although the rest of it is in very low concentrations, relatively low concentration.

The area we're targeting are the areas that really are reaching the PCBs from the sediment and contributing to the water and getting into the fish.

We're targeting areas where the fish reside and feed, and areas that should the fish concentration areas the

most. That's why we used the targeting approach. Thank you.

BRAD CUSHING: I'm Brad Cushing. In reviewing the FS and the proposed plan and the documents that let up to it, I reviewed what we call the early action report of March, 1999. This is a report that was prepared by the EPA, looking at a dredging project in the Thompson Island pool, and whether such dredging project should be done on a quick interim basis, and in section five of that report, you did an environmental impact analysis.

What struck me in that is there's a resuspension analysis in that 1999 report where you assumed a loss of 2 percent of the dredged material and then you assigned the PCB value to that dredged material, and if I'm reading it right you came up with a PCB loss, you gave a range, but the mid-point of the range was about one to 1.2 pounds of PCBs a day that would be resuspended and lost by your early action dredging project, and if you did

the math, that would equate to 180 to 200-pound of PCBs a year.

So my question is, what is the difference? Why are we taking 38 per year now, and in 1999 we seemed to be talking 200-pounds per year?

MR. CASPE: Okay, I guess -- do you want to take that, or want me to?

Part of the answer to that is that was just what it sounded like. That was an early action report. We were trying to get ahead of ourselves.

We hadn't finished our analysis yet on the overall, on the Hudson River remediation project, and we were seeing what we could find out. You know, we made certain assumptions, and we decided in that case to be very conservative. We hadn't done our analysis yet.

We tried to -- we were looking at a quick snapshot of what might make sense, and what might not make sense, so we picked a very conservative number, frankly, a number that was much more

conservative, not that any number that we have now is wrong. The number we have now is right. That number was wrong, because we didn't have the facts that we now have in our minds, so that's how we came up with the number, and that's why it's different, and that's why we wound up not doing the early action.

We looked at the early action and we looked at everything else, and we really wanted to do an early action, made sense to do one, but we did feel the PCBs were moving around. We came to the conclusion that we just didn't know enough at that stage to jump ahead of the process and try to do it. We were not going to dredge just for the sake of dredging, and that's why we didn't do it.

BRAD CUSHING: In follow-up, could you --

MR. CASPE: No follow-up, I'm sorry. Your two minutes --

BRAD CUSHING: Then I have another question. Doug, you had indicated

you weren't necessarily in agreement with the Fox River, and that you've looked at other projects that you thought were more appropriate, and maybe that goes to your answer too, that since '99 you looked at some other projects. What projects are those? What have you learned since 1999 that caused you to change your estimate?

MR. CASPE: You can look at projects like Bedford Harbor, certainly, as an example.

BRAD CUSHING: Did you look at that?

MR. CASPE: Yes, that's one example. We looked at the work in the Fox River that's been done since that as well. I mean, there's a variety of different things we looked at.

We also looked at the analyses again, that have been presented to us, and we think there are significant flaws in the analysis that USDS did, and we're going to discuss that with them, you know, to see whether we understand it the right

way, but we think there are significant problems in that report.

BRAD CUSHING: Will you be presenting those results publicly?

MR. CASPE: Those results will certainly be part of the public record on this site, yes.

MICHAEL BURNS: My name is Michael Burns. I live in Saratoga Springs.

Couple of anecdotal things. For a couple years I sold real estate in Saratoga County, and I got used to out of towners saying, please don't show us anything near the Hudson River, we don't want to live there. That's actually some of the folks who were afraid it was going to lower their property values. Forget that. Anything that gets the Hudson cleaned up helps the property values, in my opinion.

Secondly, working with children, which is something I've done for many years, I've seen kids on the bank of the

Hudson, reel in the fish and tell me it's okay if you soak them in salt water, and you can fry them up, and they taste real good, and that makes me feel sad.

You can't stop that kind of folklore. You can't stop that kind of ignorance, especially when there's a huge multicorporation spending millions to feed those kids lies and half-truths and distortions.

I have to say you folks are less than perfect, and so is your plan, but I support it strongly. I would suggest that if you do this in another area, hire a better ad agency, get some really scarey graphics, scarey video footage, and some really annoying sound track to go under your announcer and barrage the people with countless hours of oversimplified takes on your opinions, and maybe you'll have a better time.

This kind of electronic corporate terrorism is accepted by people who think that you, mid-level federal

bureaucrats are in it for the money. God bless America.

Let's look at what GE executives make, and let's look at what they're spending, and let's wake up, people. This is about the health and safety of our kids.

I've heard over and over about maybe not cancer. What about the proven effects of PCBs, that you know they are harmful to the ecology and to us?

We're not just talking cancer here. In summation, I have to say there are a lot of scared people here tonight, and I feel sad for that, but we can't pretend that the train wreck hasn't happened, and accept that the river is cleaning itself.

These people are lying, and you're trying to tell the truth, and as an American I respect that, and I thank you for doing your job. (Applause).

JIM REAGAN: My name is Jim Reagan, R-E-A-G-A-N. I live in Ballston

Spa, New York.

I have to give a disclaimer here. I hope it doesn't take too much of my two minutes.

I work for the Department of Environmental Conservation, and I'm not assigned to this project, nor have I been assigned to this project, but I have been interested in it and have followed it from the first meeting in Saratoga.

I'm not speaking for the Department, or for anybody to the Department. I'm only speaking for myself. I also belong to a number of other organizations, but I'm not speaking for them either.

Like the gentleman before me, I just want to mention a little anecdotal information. I grew up in the early 1950's, in the St. Lawrence valley about the same time they were putting the St. Lawrence Seaway through.

That was a very large construction project, much larger than

this dredging project would be, and it had some significant impact to it, and there were kind of a lot of mixed feelings from the people in the valley before they put the project through.

The initial feeling was euphoria that it finally got passed through Congress, and they had been trying to get it through for thirty, forty years, and then people stopped and started to think a little bit, and said, well, there could be some negative implications to this thing, and there were some, but the freight train was rolling and the project went through, and they had five to seven years of very intense heavy construction, and they really changed the St. Lawrence River forever, dramatically, but looking back on it 45 years later, I think most people would admit the project was beneficial, including the environmentalists. That's one example. That's not saying, certainly, there weren't any impacts.

Somebody else mentioned before

the Cumberland Bay dredging project which happened recently up in Plattsburgh. That's probably a better analogy.

Again, I was not directly involved with that project but talked extensively with the people at work. My understanding is that the impact on that were relatively benign, and there is a lot of scenarios people gave that didn't happen. I suggest that people might want to dialogue with them directly.

Couple other things, quickly. One lady got up earlier and suggested that she agreed with the proposal to dredge, but didn't think it was comprehensive enough, and I want to second her recommendation. I forget which lady it was.

Also, Mr. Ramsey talked a few moments before I did. I don't always agree with everything Mr. Ramsey says, but I do agree with two things he said tonight.

Number one, thank you for all

the people that came here and participated in the process, and in particular the people that were civil about doing it, and the other thing that Mr. Ramsey said, we need to address the source, and I agree with him completely with that, but the source is not only the Hudson Falls and Fort Edward plants. Thank you.

(Applause.)

MR. CASPE: Anybody else who I've called so far? I'll call the next 15. (15 names were called). You can start.

UNKNOWN SPEAKER: I'm reading this on behalf of Doug Bessette this evening.

Good evening. My name is Doug Bessette. I live on the West River Road in Fort Edward, New York. I have lived there the majority of my life along this road.

Recently I had an idea. The recollection of MS infecting my neighbor, I decided to conduct a survey among my

friends and neighbors, their history, family. I traveled approximately seven miles on each side of the river and questioned every resident.

I interviewed 20 households. Many were long time residents. I was given health information on 127 people in these and other households. I knew of 27 people who were dead or cancer victims. Not everyone afflicted with cancer had the same type of cancer. Not everyone who had divers cancers had cancer listed as the cause of death.

Six people had brain cancer. My conclusions, number one, PCBs are known to be harmful.

Two, PCBs flow down the river and get into the fishing.

Three, most people along the river drink (inaudible).

There was an amazingly high rate of cancer, including rare cancers among river residents. Even on my short trail down the river I encountered this tale of

misery, what I ask of my government, how many people have been and are yet to be suffering along the entire length of the populated Hudson River?

What has the EPA or New York State done to monitor the quality of river residents' drinking water? I'm not aware of any comprehensive program by any organization that is designed to protect river residents.

As the river residents die off or move away, their homes are filled with new people. Many of these new people include children. Eventually and sadly, these PCBs will find their way into the food chain. They will be redistributed by unknown and uncounted victims in cemeteries throughout the land.

The Hudson River is not a suitable place to store toxic chemicals. GE says the river is cleaning itself. PCBs do not break down to harmless substances once water is added. This claim is a mistake at best, and a lie at

worst.

You decide which it is. The PCBs will be there doing insidious damage until they are removed. Thank you for your time. Doug Bessette. (Applause).

ROGER GRAY: My name is Roger Gray. I grew up outside of Albany and spent a lot of time on the river, so I'm very concerned about the state of the river as a result of the EPA's plan.

I've attended three hearings, and I want to commend the EPA on your responsiveness to the comments you've heard and changing your proposals as you digested those comments.

I am very concerned that this recreational fishery has not reached its full potential. It is a tragedy that we can't eat fish from the Hudson.

I really think that the Clean Water Act back in the '70's, cleaning the river, you can see the difference. When the Clean Water Act was passed, a few years after that the river began cleaning

itself. We need another government action like the Clean Water Act to finish the job, and I applaud your proposal. I think you should implement option five, which would clean more of the sediments than option four that you've selected.

I would like to respond briefly to a comment. Living down river, I do believe that we share the burden of the cleanup, and I've spoken to government officials down there and I know that they are looking for a suitable site for a dewatering plant. We don't expect to dump the whole burden of the cleanup on the upper river residents. (Applause.)

STEWART BOWEN: My name is Stewart Bowen, Saratoga Springs area. I'm not against cleaning up the river. I'm just against the way it's going to be done.

I think there's a lot of unanswered questions, and EPA needs to go back to the drawing board and square one,

and then come up with a better plan than what they got. Thank you. (Applause).

MAUREEN FERRARO DAVIS: My name is Maureen Ferraro Davis, and I live on the bank of the Hudson River in the Town of Schaghicoke.

Our soil samples taken from mine and my neighbors' both arrived and the both yielded unsafe levels of PCBs. The report that the DEC has just released has confirmed our worst fears.

It seems that every spring when the Hudson overflows its banks, mine and my neighbors' yards become more and more contaminated with the PCBs. Our children literally live outdoors in these yards from early spring to the late fall.

Peter Duncan, the Assistant DEC Commissioner has said that the major source of contamination is in the sediments. He also said if this contamination is eliminated, then the concentrations of PCBs along the shoreline will come down.

I support the EPA's position to remediate the Hudson. However, I would prefer alternative number five, removal of a greater amount of contaminants.

I just wanted to end by saying that I live in the affected area. I pay local, state and federal taxes in the affected area, and I would prefer five to seven years of some disruption, compared to many lifetimes, mine, my children, my grandchildren, etcetera, of continued contamination. Thank you. (Applause).

PETE SHEEHAN: My name is Pete Sheehan. I'm a volunteer with the Sierra Club, and on behalf of the statewide Sierra Club Atlantic Chapter, and approximately 30,000 members, I would like to first commend the EPA to putting forth its proposed action requiring that the Hudson River be dredged of PCBs.

We do support the concept that General Electric, as a responsible party, under federal superfund law, should bear the cost of the preferred remedies, as

detailed by EPA.

Specifically, however, we believe as stated before by some of our members, that while the preferred remedy number four is a good start, we do prefer alternative number five, removal of 155,000 pounds of PCBs.

Also, it was stated before, but it warrants mention again, the data released by the DEC should not be understated regarding PCBs, PCB levels, in terrestrial animals and soils on the banks, and inland clearly demonstrate that PCBs, while they are in the sediment, are being dispersed on shore. They are not being safely buried within the Hudson River.

Furthermore, the particular type of PCB, 1242, has been found on shore and is precisely the type that was used by General Electric in its two plants. If that is conclusive, we should have time for GE to come to the table and remove the PCBs from the Hudson River. This is the

only way in which to remove the constant threat PCBs washing up on shore each time there are floods and high water events.

The insidious nature of PCB contamination gives the casual observer the message that all is right with nature all along the Hudson River, when the reality is that the Hudson River is a toxic dump with water flowing over it, quite frankly.

The cunning and misleading nature of GE's advertising, is to distort the truth, and that the message left for the general public and our children is that pollution need not be cleaned up, that mother nature can always take care of itself.

With some forms of pollution this might be true, however, with PCBs, which were designed not to break down naturally, this is false, which many scientists have proven beyond a shadow of a doubt.

We must push for the remediation

of the PCBs once and for all for our families, and for future generations. Thank you. (Applause).

MR. BROME: Hi, my name is Danny Brome. I'm from Saratoga Springs, New York. That's B-R-O-M-E.

I have just a couple of quick points to make about some things I have heard tonight.

One is that a lot of people have complained about -- they seem to call it an accusation that PCBs are associated with cancer. Well I have heard from the EPA speakers lots of facts that support the clear harm that PCBs can do to humans and other species. And even if there isn't a direct causation established between PCBs and cancer I would rather not take a chance on dealing with them. Also it took many, many years for tobacco companies to admit that cigarettes cause cancer in the face of overwhelming evidence. I wouldn't put that past GE

either.

GE is arguing that their source control plan would be an effective remedy for dealing with the PCB problem. It seems to me if they hadn't put PCBs into the river -- well if they hadn't dumped them in in 25 years and they are still leaking in, that if they are claiming to be standing up for the environment, they would have done something about that source a long time ago. And clearly the amount leaking in has gone down, but there is still some going in, and that's not good.

That's it. Thanks.

MR. CRONKHITE: My name is John Cronkhite C-R-O-N-K-H-I-T-E, and I am up here to dispel a few myths.

I was born on the banks of the Hudson River about the time Mr. Solomon was four-years-old. I swam in that river. I grew up on that river. I've eaten fish out of that river since I was old enough to chew. I still have all my hair. I'm

not covered with boils and sores, and I don't glow in the dark. All of my children are fine. I have a son who has asthma that he inherited from his mother. My grandchildren are fine.

You've had 50 years worth of reports that you could have got from GE (about people) who are directly exposed to these PCBs. I haven't heard anything done about it. Dr. Feingold from back in World War II, 1945, became the mill doctor for General Electric, had all those records. No cases of PCBs poisoning, no cases of PCB deaths. You haven't proved your case. Nobody has ever died from it, including me, but I have seen what the dredging has done.

My family owned the north end of what you call Roger's Island in Fort Edward. I saw the dredging the first time they did it. It was horrendous. They destroyed our property completely. Then they did it again here last time, I guess. Just shaking the dirt up some more. It's

not a very nice sight. I am very glad to see that the river has cleaned itself. Even my father remarked that it had cleaned itself up.

As I say, have been eating fish, and I love bullheads and guess where they hang around, in the mud. Right in the middle of all them PCBs. So I say, go check these records from General Electric, people who worked there, exposed more directly to these PCBs than even I ever would by eating the fish. I think you will find that they are not really that harmful. Especially dispelled in the trillions of sections that they are. Thank you.

MR. DAVIS: My name is Stephen Davis - S-T-E-P-H-E-N D-A-V-I-S. I am from Fort Edward.

I have a couple of questions. A lot of people have been very concerned about kind of like this all or nothing type of do-it-type project. And I was wondering if it would be possible to

design the project or scale it such that it would be, let's say, starting out small and if things don't work out right, to maybe redesign in the middle or even terminate the project? A lot of people have a feeling that you are just going to go ahead and do it from A to Z, with no stopping in between.

Another thing that's along the same line. There's a lot of people who don't understand how an engineering project is carried out. The EPA has a little bit different procedure than what normal engineering is like, and I think people need an explanation for the various phases of how it really goes. And I think that will allay a lot of the fears.

And I also think that it would be good at points in the future to have some more public meetings where the EPA can explain what is going on, what the designs entail, new things that they found out. Sort of like progress reports in the middle.

And GE talks a lot about source control. Well it seems to me the biggest source is right in the Hudson. There needs to be some control there.

Lastly, I would like to know, April 17th is supposed to be, like, the "drop dead" date for public comment. I was wondering if that's also going to be the drop dead date for GE ads? Can you promise on that one?

Thank you.

MR. CASPE: I guess I can respond to a couple of comments. Not the last one.

We certainly plan on doing the job -- it's going to take several years to do. We predict five years, and during those five years it's a constant step of evaluating and reevaluating how we are doing things and making sure we are doing things the right way. And that, in fact, we are doing good, not harm, which we certainly believe we will. But to prove that.

As far as public participation during the design and during the construction, we would expect that during the design we would continue much of the same public participation program that we have had throughout the RIFS for the last nine years. We would plan on continuing that same type of a process. There certainly will be public involvement, we'll have meetings, we will try to address people's concerns, and make sure people's concerns are fed into the design process. So I wanted to respond to that.

I know that, going back to the previously commenter, I think we wanted to say something.

MS. OLSEN: With all due respect to the gentleman who spoke previously. EPA, and I'm stepping out on a limb, but speaking also for the New York State Department of Health, strongly recommend following all of the fish consumption advisories. These have been in place for a number of years, and for the upper

Hudson from the Federal Dam at Troy up to Hudson Falls, the recommendation is to eat none.

For women of childbearing age who are a special sensitive population, children under the age of 15 for the entire 200 miles, again, eat none. And in the mid-Hudson and lower there are specific recommendations on fish species.

Again, these recommendations should be followed to protect public health. Thank you.

MR. CASPE: Okay. Any of the other cards -- anybody else from that group? Okay. Rather than call out the last 15 or so cards, those who filled out cards who have not yet spoken, if they come to the microphone and just speak in the order you get there. Don't run now. Thank you.

DR. VAN DELOO: Hello, my name is John Van Deloo - V-A-N D-E-L-O-O. I'm a family physician in Niskayuna, New York. I was originally born and raised in

Albany. I am an avid fisherman and environmentalist and spend lots of time on the Hudson fishing now that it's been opened up. It's very upsetting the massive amount of misinformation that GE has been spreading, and it's for 20 years almost about dumps, permits, fish levels, and the really important things have been let go. People question PCBs cause cancer. PCBs are outlawed by 122 nations. I think it was this year or the end of last year they signed an agreement that nobody will use them anymore because everybody is in agreement that they are dangerous. They are very toxic in many ways, they are very difficult to break down unless you remove the chloride molecule -- from the molecule. It's still toxic. And it stays throughout the environment. They have found it in the breast milk of Alaskan Eskimo women, and there's not PCBs dumped there. They got in the salmon and the whales and they ate them, and they move around.

People talk about cleaning up the river. Toxic things are invisible most of the time. If we filled this room with carbon monoxide we would all die, you wouldn't see it. You don't see it, you see the sewage and things that people put in, which have toxins in them, but aren't that toxic sometimes.

And the real reason that GE is opposing this is not so much the Hudson River as it is they are responsible for many other sites in the United States, and they don't want to have to pay for those sites. They don't want to get drawn into these other sites. They are putting this fight up here, and I think they have got a lawsuit against the super fund law. And it's going to go on and on, I'm sure, in many other ways for a long, long time.

And being a fisherman I have been out and seen cutter dredging. They do it in the Mohawk River all the time. It's navigational, but we fish next to it the next day, and we are catching small

mouth bass that are three, four pounds.

So I think there is many reasons we should move ahead and dredge as soon as possible. I would encourage your Proposal #5 to remove as much as possible.

Thank you.

MR. EGAN: Hi, I'm Tobias. This issue is pretty bad. We have got the media, local news media, and everything. It sickens me. I have been in Stillwater. I have been in the river. I don't really know what we should do, and that's why I'm not for dredging or against it. So I'm on the fence about this issue. But I do think that as far as economic reviver(sic), recovery in this area, we have an interstate called 87, and I think if we direct our attention to businesses, high tech businesses that the State of New York has talked about, I think that could be our new source of economic income. And as far as the issue with the river, I think we need more studies, and I think General Electric needs to stop dissuading

the public and running a media circus around us and getting the local news involved. This issue sickens me, it make me want to leave this state just because this is just so terrible. What it does to people. It's like an ugly cloud that hangs on our head. I don't want to point fingers at anyone. It's just this is our state, this is the Empire State, and this is an Empire State issue. Just like suburban sprawl meeting that I went to in Glens Falls, I talked to the guy out at Saratoga Springs. He voted against Queensbury sprawl, he voted against Wilton sprawl, and Clifton Park. But boy this issue is horrible. I don't know what the answer is, and that's what's so bad about it. I think the issue may be just to have faith in God, and just let it rest.

MR. ASPERTI: Hi, my name is Andy Asperti. This is probably my fourth or fifth public hearing I have been to. There's been a lot of rhetoric on both sides. I have done a lot of research

lately, and I found out one thing. The question came to mind: Why is GE putting all this money into just this effort here to stop us from cleaning up here?

I have come up with, over the computer, the EPA, the DEC, lists of toxic dumps that GE is responsible for. Take in Georgia, they had one of our senators, Sam Nunn, was on the Board of Directors for GE. There's a gentleman right there. You start getting money, you have got politicians who are beholden to this company. This is ridiculous. We have the same thing in the area here. People who are beholden to GE's money.

The thing is if we don't have this cleaned up now, and we knock this down, we are not going to have GE cleaning up any place. GE owes Fort Edward a million dollars for a water district which they never paid for. They contaminated wells. We cannot get any boats up our river anymore. We need navigational dredging. It's ridiculous. All because

of this money, brainwashing. They overdid it. I mean people know they over did it. So it we don't do something about it -- thank God EPA and this is such a great country, we have a right to speak, both sides. I really applaud the effort that EPA has put into this.

All I have to say GE used to say to us, if you don't lower our assessments, we are going to move. Tell GE, please, one thing, before they move, take their garbage with them.

MR. VALLONE: Richard Vallone. I want to make just three points and I don't have any manner of prepared speech.

I worked on the Love Canal project in western New York. The cast of characters was different. That was an environmental nightmare that was created by the Hooker Chemical Company. The Hooker Chemical Company resisted, fought tooth and nail the EPA's effort and the New York State Attorney general's effort to clean that disaster up.

You can spell the name differently, but essentially you have the same villain here only it's called GE instead of Hooker Chemical.

The fellow who spoke several speakers ago up the aisle here really said it best. If GE spent a tenth of what they have spent on this very slick, Madison Avenue media campaign that is an affront, an affront to the intelligence of a five-year-old, if they spent 10 percent of that money on cleaning up the Hudson River, I personally would be very impressed.

Point number 2: in 1971 I had the pleasure of meeting Ralph Nader. He was giving a public speech in western New York in 1971. GE had been convicted in federal court along with Westinghouse Electric of conspiring to fix prices on retail lighting fixtures sold to the general public. Sadly, nothing has changed. GE is the same unethical, disreputable, dishonest, multinational

corporation in the year 2001 that they were in 1971.

I applaud the EPA for their tenacity, and for their engineering skill, and for their ability to really stick this out. You said earlier this is not a contest between GE and the EPA. I beg to differ with you. If it's not for people like the EPA, multinational corporations like GE are just going to continue to destroy the country.

Third point and I am over my time. I'm not clear on why people insist on shooting the messenger that brings them bad news.

MR. RUSSELL: My name is Dennis Russell. I'm from Lake George. Unfortunately, I'm a college student so this is the first meeting I have been able to attend. But I would just like to say there's this whole issue of the EPA versus GE, you know, it's like there's two separate sides. Environmentalists versus everyone else. I think everyone who has

been in this room tonight is an environmentalist. We all care about the environment. I do. I'm just not convinced that dredging is the way to deal with the PCBs.

I was shocked by one of the examples given on the power point presentation earlier. The question of devegetation of the river and how fast will the river come back. We were told that since the river has constant moving water the sedimentation can't be compared to a lake. Yet you compared the revegetation of the river, of a moving river, to the revegetation of a still water wetland. If sedimentation is different in a moving river, the rate of revegetation in a moving river is going to be different than revegetation in still water. That just only makes sense.

So, you know, that's all I have to say.

MR. TOMCHUK: I would like to explain the graphic of the Marathon

Battery site. It was used as an example where EPA actually had, you know, taken out that material, a dredging project. And we went and reestablished and reseeded that area. And so it was a successful revegetation project. It was not meant to show any comparison to a moving water body. We did have some video footage at a previous meeting which was in a moving water body which showed growth with only, like, two or three years after a project. The comparison wasn't made there of that.

MR. RUSSELL: Oh, okay.

MR. TOMCHUK: Thanks.

MR. GARDNER: My name is Joe Gardner. I'm with the Appalachian Mountain Club and I live in Delmar, in the Town of Bethlehem on the Hudson River. We have the problem of your PCBs down there down river.

I just want to ask Stephen Ramsey and Jack Welch why they have to spend tens of millions of dollars to sell the public on the big lie of leaving the

PCB sediments in the 40 miles between Troy and Fort Edward. It's the big lie, big money. What the hell are you doing? You're doing it to us.

Well, anyway. You don't have to be naive to believe the false and misleading propaganda GE is spending millions of dollars to hoodwink the public for not dredging the Hudson River of PCBs, but it helps.

How else could people who live in the towns of Fort Edward, Kingsbury and Moreau side with GE when they allowed GE to fill 17 toxic waste dumps with PCBs in their own backyard?

Three: How else can GE say leave the PCBs buried in the sediments in the 40 mile stretch of the river between Troy and Fort Edward when a pound to a pound-and-a-half of PCBs from these sediments go over the Troy dam every day?

Four: How else can GE explain why out of 20 to 40 -- why women of 40 to 50 years of age are cheated out of 20 to

40 years of life because they are dying of cancer every day according to obituaries in the Schenectady Gazette, the Albany Times Union and the Troy Record? That obituary says they either died of cancer or contribute to the American Cancer Society. Does PCBs cause cancer? We have got it in the Hudson Valley and we've got it down in Albany.

Just -- last issue, lastly a word to GE and Jack Welch. Do not mock the public with a quote, "The river is cleaning itself". It was our taxes under the Federal Clean Water Act that built the many sewage treatment plants that have cleaned the river, but nothing about the tons of PCBs still in the Hudson River. Thank you.

MR. CASPE: Thank you.

MR. MULVANEY: Good evening my name is George Mulvaney - M-U-L-V-A-N-E-Y. I am former Chairman of the EPA Citizens Committee in 1984 when Sierra Club also voted to oppose the dredging in the Hudson

River, until the next day when they were asked to change their vote.

In any case, one, PCBs, I believe, are dangerous. Two, I am incensed by the GE's advertising campaign that allows video to say that the Hudson River is acceptable for recreation. It allows them to say things that they couldn't do otherwise.

But my concern is, and the only reason I have waited this long, because I hate these meetings, is the Technical Paper #55 which was done in 1979. In that GE showed that aroclors 1016 and 1221, if mixed in water, volatize(sic) off into the air. A 100 percent of them within four days, 60 percent within the first 24 hours.

If this dredging takes place, our area is going to be exposed to such a significant load of PCBs, particularly those people along the Hudson River, that there's no way that I can in good faith or anybody in this area should accept the

dredging project as a viable alternative. We just shouldn't do it.

In 1985 I was quoted for saying that -- I made a statement that people are, or the EPA cares more about the fish in the Hudson River than it does the people. Sixteen years later I'm afraid I have to say the same thing.

Thank you.

MR. TOMCHUK: Do you have a reference to that technical paper?

MR. MULVANEY: Absolutely.

MR. TOMCHUK: Okay. Thank you.

MR. MULVANEY: And here is copies of it for anybody that wants one.

MR. TOMCHUK: In general EPA does not -- we'll have to take a look at this information, but we have never seen any evidence of a 100 percent volatization(sic) of PCBs out of water under undisturbed conditions. I don't know how you would strip it 100 percent off if you were trying in several days. So we will have to look at your

information.

MR. MULVANEY: You go outside, if this was a nice warm day, after it rained out along that field which used to be an air field, you can smell PCBs in the air. You can smell PCBs at Fort Miller. You can smell them as you go over the dam in Stillwater. As you approach any of these places, everybody should be aware it's happening now.

MR. CASPE: We will certainly look at that. Thank you.

MR. MULVANEY: Thank you.

MS. COFFEY: My name is Carol Coffey. I am a nurse.

One of the comments that seems to frequently come up is the argument that PCBs don't cause cancer, and there is no study. So just from a nurse's point of view, in order to prove that something causes cancer you would have to have two groups, one a control group and one you would feed PCBs to. I don't know of any humans that you would be able to do that

to, unless it was prisoners that wanted to volunteer. That's not really reasonable. I think you have to accept that, yes, it is a cancer causing agent. You would also have to have peer population with maybe Mormons or the Amish, and they are not going to be wild about that. So I think we have to go with, yes, it causes cancer and there's many other things that are negatives for the PCBs.

A lot of adversity here, a lot of, you know, distrust of the EPA, distrust of GE, but we have to come to some kind of a solution. I think we have to look at that this is a decision for the greater public good, not for this -- you know, there is going to be a price to pay, either an individual price for those that are living up in this area mostly along the Hudson. But that, you know, is it going to be a price also for not cleaning up.

Questions I had: If there was any method of containment, a lot of the

issue seems to be that the resuspended PCBs are going to be at a 10 to 20 time higher rate than what you guys were anticipating.

So I'm not an expert in engineering, but when they do an oil spill there's a material that they use to contain oil spills. Is there a way to bring that technology to the Hudson to be able to have more containment of the resuspended PCBs?

As far as the cleanup, you talk about commercial facilities. I don't know if you intend to use containment, burial, or if you can incinerate the PCBs. My brother is a chemical engineer. He said that you can incinerate PCBs. You can take all the dirt and incinerate it. It will then be clean dirt and, you know, I'm sure there's scrubbers and all kinds of technology to make sure that the smoke doesn't pollute. But what is the alternative you are looking at there?

I'm wondering, too, if the trash

plant that's useless up here, is that high enough temperatures to be able to use as an incinerative device for the soil? And that also would boost our economy.

Let's see -- I get nervous in front of microphones. The other thing that was just a thought. Again, I'm not an engineer, but resuspended PCBs, is there a way to put a filter system. You talk about the water going over the Troy dam, over various dams, is there a way to filter at the dam sites? So if you reduce this source and if reduced at the dam sites, would there be a way to avoid dredging? And if you do do the dredging, I think it would be a prudent idea to do it on a small scale first. Then you can look at what the results are, analyze it, and if you need to make changes, then make changes. It just seems that that's a scientific method rather than voting on all 40 miles at one time.

Thank you.

MR. CASPE: Thank you. We

wouldn't be dredging all 40 miles at the one time.

You asked a bunch of questions. I'm trying to go back and think: Silk screens which is, I think, the type of technology we're looking at, certainly as something that we plan on using.

Incinerator: Let me just say we are looking at the possibility of reuse of recycling the materials to see whether the material could, in fact, be used for something else in a useful way. As far as a siting of a local incinerator, it's something we have kind of ruled out. We didn't feel that was really a practical solution. It would be very costly. It also might not -- I mean, we ruled out a -- landfill incinerator very often is more difficult to site than a landfill. We ruled that out.

Is there anything else that I missed? I guess not for now.

MR. MARCHALAND: Lou Marchaland, Jr. Town of Easton. This proposed

dredging of yours is pretty inane. Your package that you're trying to force down our throats is half studied. If someone came up, and I wish these environmentalists, so-called environmentalists were still here, if any company came in with that proposal to dredge the river to pull a mineral out that they wanted to get, every environmentalist, I thought they were here in this meeting, and EPA would be so far against it they couldn't even get their heads above water. But you are going to shove it down our throats because that's what you want, and you are a self-procreating bureaucracy. If you don't find problems, they ain't got a use for you. So you make sure to find one.

These kids come in here and think they are saving the world from your garbage. I feel sorry for them.

MR. DI MOLA: Alfred Di Mola, Queensbury, New York. The only thing I can actually say intelligently at this

point in time based on the research, and looking at the web site and coming to the meetings, and listening to what's been said was that I have to go on record at this point to be opposed to dredging at the present time, but not completely opposed to dredging, period. But I feel there is enough questions still open that this project does need more research at this point.

I do live on the Hudson River, and I boat on the Hudson River. I don't eat any fish out of the Hudson River, but I would encourage the EPA at this point in time to at least study the situation a little further, and answer the maybe's, could be's, probably's, might be's and just get a little bit more firm on these questions that we have heard. I don't have to reiterate them all, we have been through them all tonight. Just look at the project just a little deeper before they make their final decision. And that's about as intelligently as I can

talk on the subject.

And I thank you for listening to us. Thank you.

MS. GERHARDT: Hi, I'm Joan Gerhardt - G-E-R-H-A-R-D-T, Saratoga Springs. Many of you know me to work with GE on the Hudson River project. That's work I'm extremely proud of, but tonight I speak as an individual and a resident of Saratoga Springs. I've sat through a lot of your meetings, and yet there is still so much you haven't explained to the public. First, how are PCBs from the hot spots which are buried at depth in the river bottom migrating against gravity toward the water when they are hydrophobic? We have heard your speculation about that, but you have no proof. You haven't proven the mechanism. Why? Because it's PCB in the surface sediments and the water not those in the buried hot spots that are getting into the fish. That's obvious. You fail to identify a group of fishermen that eat

large quantities of fish from the river. I don't doubt that some people eat some fish, but a thousand people eating eight ounces of fish from the upper Hudson, almost 52 weeks a year for 40 years? I don't think so. It's illegal to do that.

EPA has never analyzed what it's massive dredging program is going to do to the agricultural and tourism industries to the upper Hudson. That's my local economy. I don't agree that the PCBs have kept tourists from our area or have kept local farmers from selling their product, but you can bet a 15 year massive dredging program will. You don't know what this project is really going to do to the environment or the river's ecology.

I'm happy to hear Mr. Caspe "knows" the river will revegetate. He said that tonight. Where is the proof? How are you going to do it? How long will it take? I have no idea and neither do you.

Finally it was reported in the

Troy Record today that EPA acknowledged there is more risk associated with living near a 30 acre dewatering treatment facility than by living near the river if it isn't dredged. In a follow-up call I made to the Troy Council I found out you estimated the heightened risk to be 100 fold. If you evaluated this risk, and I hope you have, you certainly haven't made it available to the public. The fact is I don't believe you. You have not proven your case. You don't know what the project is going to do to us, our communities or the river. You missed the mark, and I'm opposed.

MR. CASPE: Again, I would just respond to a couple of items. Again, we don't believe that -- our point is that our cores showed in 60 percent of the cores, the most contaminated portions of the sediment are in the top nine inches.

As far as fishermen, we don't have a population. DOH has a population, New York State DOH, and it was one in six

fishermen had at least one fish in their possession, and that was in the area where there's a ban.

As far as the issue of revegetation, we feel confident that -- I mean, you are going to want proof. We tried to show proof and whenever we try to show proof it isn't good enough. So we'll have to figure out ways of showing it a little bit better.

MS. GERHARDT: Give me an example of where it's been done.

MR. CASPE: Well we showed a video tape the last time we were up. The St. Lawrence River where it showed how it had revegetated in two to three years, I don't remember which one it was, after the dredging. We showed a slide -- excuse me?

MS. GERHARDT: There was one fish in that video.

MR. CASPE: The fish swim away from the divers. That's just the way it is. You know, the plants don't, we were showing plants, we showed some fish. We

think that was demonstrating. We tried to show you a picture of a wetland where we dug the wetland up and how it revegetated. We tried to show that. We feel confident that will work. Maybe we will have to prove it a little bit better.

The last point that you made on the risk of living near a dewatering facility. Do you know where that quote is coming from, Doug?

MR. TOMCHUK: I have not seen the quote from the record, but I did make a statement that living near a dewatering facility would present more risk than living along the river at this point. That makes total sense. But I did also add to that that both levels would be safe. And that's a big difference in what you implied from that. Increased risk, I'm talking in an absolute term. I'm saying it still would be a 100 times less than the level that would present a risk. So basically --

UNKNOWN SPEAKER: It's still 100

times --

MR. CASPE: Anybody else who wanted to speak?

MR. GREEN: I just thought of one other quick detail.

MR. CASPE: Could you just say who you are, please?

MR. GREEN: Robert Green. If General Electric has disposed of waste of a million pounds of this, how much have they used in their products that are now all over the world and going into all the water supplies and everything else in small amounts every where? That's a detail nobody has even brought up in any of these hearings.

MR. CASPE: Okay.

UNKNOWN SPEAKER: (Unknown Speaker)Who is paying for the $460 million?

MR. CASPE: I have a gentlemen up here at the mike. If you want to come on up, we'll hear you.

MR. GUTHIEL: I'm Harry Guthiel,

Town of Moreau Supervisor. I understand, and I didn't speak earlier because I had an opportunity to speak in Hudson Falls, the Town of Moreau will submit written comments by the 17th. I understand earlier within the last week or so, one of the meetings, it was stated that Moreau was still being considered as one of the dewatering facility sites. Is that true? And who is doing the considering?

MR. CASPE: We are not doing any active considering. Nothing has been taken off the table at this stage of the game because there are several sites that are possibles. That doesn't mean -- we are not going to ram anything down anybody's throat as far as a site like that. Is it still being considered? It hasn't been taken off the table at this stage of the game, that's correct.

MR. GUTHIEL: Can you tell us what sites are on the table?

MR. CASPE: We gave a listing, I believe, of 12 sites throughout the area.

Those 12 sites, plus whatever else we might locate, are still on the table.

MR. GUTHIEL: When did you plan on reaching out and communicating with the community?

MR. CASPE: After a Record of Decision is signed and we are, in fact, proceeding in trying to implement this plan. At that stage of the game we will actually try to implement -- we'll start reaching out to communities. So it would be some time next -- if we proceed in August, then it would be some time next fall that we might start the process of contacting communities.

MR. GUTHIEL: But certainly after the comment period and certainly you wouldn't have done an environmental assessment, risk assessment for the communities at that point?

MR. CASPE: No, we wouldn't have.

MR. GUTHIEL: Do you feel any moral obligation to live up to NEPA?

MR. CASPE: Do I feel a moral obligation?

MR. GUTHIEL: Yes.

MR. CASPE: We certainly will make sure that anything that's done is environmentally acceptable. We will follow a process, through our process that will insure us of that, and that will, I think, solve our concerns with regard to the environment.

MR. GUTHIEL: Exactly how do you plan on having the communication and dialogue with the communities where you are going to site a facility?

MR. CASPE: I don't know yet. I presume we will reach out to people and start out informal. How it will move from there, we will see. And if we have a sense the community isn't interested, then we will proceed, and we will proceed to other places.

MR. GUTHIEL: In other words, if a community is not interested then you are going to eliminate that community?

MR. CASPE: If a community -- we are not -- our intent is not to ram anything down anybody's throat. That's right.

MR. GUTHIEL: Thank you.

MR. CASPE: There was a gentleman back there who had --

UNKNOWN SPEAKER: Where is the money coming from? $460 million.

MR. CASPE: God only knows. At this stage of the game we haven't determined that. The way super fund is constructed, we obviously will first look at the responsible party to see if they would be willing to implement a remedy. If they are not willing to implement a remedy, normally we would try to find the money elsewhere.

Well I thank you all for your patience and your energy and your time and it's been great. Thank you.

C E R T I F I C A T I O N

We, **SANDRA L. CAMPOLI** and **HOWARD LEVINE**, 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

HOWARD LEVINE