

ORIGINAL

1 UNITED STATES
2 ENVIRONMENTAL PROTECTION AGENCY

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

7
8 W.K. Doyle Middle School
9 Troy, New York

10 Thursday, April 5, 2001
11 7:00 p.m.

12 PANEL MEMBERS

13 RICH CASPE
14 ANN RYCHLENSKI
15 DOUG TOMCHUK
16 MARIAN OLSEN
17 DOUG FISCHER, ESQ.

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1 MS. RYCHLENSKI: Thank you for
2 coming out tonight for this hearing on the
3 EPA's proposal to clean up the contaminated
4 sediments in the upper Hudson River.

5 Thank you all for showing up
6 tonight.

7 The public comment period on this
8 proposed plan goes until the 17th of this
9 month, April 17th. And you can comment here
10 verbally. That's why we have a stenographer
11 present. I'm going to ask you that, for those
12 of you who will be coming to the microphone to
13 give comments or to ask questions, to make it
14 easy for our stenographer to get a good record
15 of this meeting, please come up, speak
16 clearly, say your name and spell your last
17 name, please. This way we can get a good,
18 good record of the legal preceding that is
19 taking place here tonight.

20 You can also comment through mail.
21 You can send your comments to Doug Tomchuk at
22 the EPA. And I hope that you have taken the
23 proposed plans that are out there because all
24 of the instructions for commenting by mail are

1 in them. That's the blue document that's out
2 on the carousels. In addition, we have a
3 website. I've been made aware by a couple of
4 folks coming in here tonight, we do have a
5 website that's specifically for public
6 comment, but some folks have told me they're
7 having a hard time accessing it. You might
8 want to try going into our website, which is
9 www.epa.gov/HUDSON. Hey, there it is. Okay.
10 The Hudson comment one some people are having
11 some problems with, so if you go to the
12 general Hudson River website and click onto
13 the Hudson comment, you might have easier
14 access. We've gotten about 25,000 e-mail
15 comments, so it might be just a little bit
16 busy.

17 So you've got a couple of different
18 ways you can do this, and we're pleased to
19 hear from you.

20 Tonight, Rich Caspe, standing right
21 here behind me, he's the head of Superfund for
22 Region II, and he's going to be giving you a
23 presentation on our proposal and some issues
24 that we've heard from the public and the

1 things that we want to talk about with you.
2 And our Hudson River team is here tonight,
3 Doug Tomchuk, project manager, and Doug
4 Fischer, he's our counsel, and Marion Olsen,
5 Environmental Scientist. I'm Ann Rychlenski.
6 I handle the community relations on this one.
7 And it's a pleasure to be here tonight.

8 So without any further ado, I want
9 to lay out a few ground rules. When you come
10 up to the microphone, you have two minutes.
11 And we have some ladies here that are going to
12 be timing you. Karen will show you. The
13 green sign means go. The yellow sign means
14 you've got 30 seconds. Red sign means stop.
15 We will count on you to police yourselves and
16 to be polite, but if you don't, Karen will
17 police you.

18 And with that, I'm going to turn it
19 on over to Rich. Again, thanks for coming out
20 tonight.

21 MR. CASPE: Thank you, Ann.
22 Thank you. Welcome. Welcome to the meeting.

23 As Ann said, this is now our
24 eleventh public meeting, our eleventh public

1 meeting on the Hudson River PCB site. This is
2 the last, as far as this round goes, certainly
3 as far as this proposed plan, leading up to a
4 record of decision that we plan on making in
5 August. That doesn't mean it's the last time
6 you're going to see us here, certainly. It
7 doesn't mean it's the last time we're going to
8 be up here. I'm sure we're going to be up
9 here again. But that's not -- as far as this
10 stage of the process, this is the last one.

11 I'd like to start off by giving you
12 a quick refresher as far as what our proposal
13 has been for the clean up of the Hudson River.

14 Our clean up includes 2.65 million
15 cubic yards of dredging from the Hudson River
16 in a targeted manner. We call it targeted
17 dredging. It will remove over a hundred
18 thousand pounds, that's 50 tons, of PCBs,
19 which is at least half of the PCBs that are
20 left in the river, in the upper Hudson. The
21 study area is 40 miles. The most contaminated
22 part of that study area is the Thompson Island
23 Pool, which is the upper six miles. That's
24 where most of the, where a large part of the

1 dredging, roughly one and a half million cubic
2 yards of the dredging, will occur. The
3 Thompson Island Pool goes from Fort Edward to
4 the Thompson Island Dam.

5 The proposal includes disposal of
6 the material after it's dredged at licensed
7 facilities outside of the Hudson Valley. And
8 the material would be moved to that area via
9 rail. It would also include two dewatering
10 sites; one somewhere on the north end of the
11 40 miles and one somewhere on the south end.
12 Those would be sites that would be there
13 temporarily, roughly 15 acres each, and would
14 be used to process the material. That means
15 dewater it, put it in rail cars, and take it
16 out of the Hudson Valley. The material after
17 that would either go to a hazardous waste
18 facility, depending on whether it was
19 hazardous waste, which would be a licensed
20 facility, or a non-hazardous waste facility if
21 the material were not hazardous.

22 At this stage of the game, we have
23 on having, after the record of decision is
24 issued in August, there would then be a

1 three-year design period followed by a
2 five-year construction period.

3 The comment period closes on April
4 17th. That's a week from next Tuesday. It
5 was extended from what was originally February
6 16th. The 10 meetings we've had so far have
7 been in Saratoga Springs and Poughkeepsie in
8 December, Poughkeepsie and New York City in
9 January, Albany, Hudson Falls and Haverstraw
10 in February, Saddlebrook, New Jersey in March,
11 Newburgh this past Monday, Queensbury
12 yesterday, and here we are today.

13 I'd like to, before we open it up
14 for comment, I'd like to address some of the
15 issues that have come up since our
16 announcement on December 7th.

17 The first one I'd like to talk
18 about is PCBs. PCBs are toxic to people in
19 the environment. We're concerned that the
20 public could be in jeopardy if they believe
21 PCBs are not harmful. They are known to cause
22 cancer in lab animals and probably cause
23 cancer in humans. They are known to cause
24 serious non-cancerous effects as well, which

1 have been measured in people exposed to PCBs
2 at work and in babies and children whose
3 mothers ate contaminated fish while they were
4 pregnant. In one example, one case study,
5 exposed children were followed 12 years after
6 they were exposed, until they were 12 years
7 old. They were found to have lower I.Q.s,
8 lower reading comprehension, attention
9 deficits and memory problems. So EPA strongly
10 advises people to follow the State advisories.
11 And the State advisories, as a remainder, are
12 eat none between Troy and Hudson Falls, and
13 there are lesser advisories below Troy, but
14 that women of child-bearing age and children
15 under the age of 15 should eat no fish for the
16 entire 200 miles of the river.

17 But simply not eating the fish is
18 not the answer, it's not in the public
19 interest, and that it writes off a very
20 important natural resource. It also ignores
21 reality. People continue to eat fish. They
22 eat it for -- they fish for recreational
23 reasons, cultural reasons, and they fish for
24 food. New York State 1996 Department of

1 Health survey showed this to be the case.
2 Between Hudson Falls and Troy, they found that
3 one in six people that they interviewed had
4 fish in their possession. When they went
5 below Troy and they went between Troy and the
6 Tappan Zee Bridge, people they interviewed
7 said that 68 percent of them said that they
8 were eating and sharing the fish with others.
9 Most of the fish were shared with family
10 members and most of these were people in
11 groups advised to eat no fish.

12 Next thing I'd like to talk about
13 is what the river looks like today. Don't be
14 fooled by what you can't see. The river looks
15 beautiful and the river is beautiful, but it's
16 not beautiful because it's been doing it
17 itself. The improvements are real. They're
18 substantial. They're due to the environmental
19 laws that were passed in 1972, the Clean Water
20 Act, which required the treatment of municipal
21 and industrial sewage before it was discharged
22 into the river. The federal government, the
23 state, and you all spent hundreds of millions
24 of dollars to makes these improvements real.

1 Sewage treatment plants were built, were put
2 into place, and the river looks like it looks
3 like today because of those efforts. Remember
4 that PCBs are invisible in the environment,
5 they're not visible in the fish, and they're
6 certainly not visible in the water.

7 The next thing I'd like to talk
8 about is the fish and whether the fish are
9 improving. You hear a lot about how the fish
10 have improved, you know, since 1977. Yes, the
11 fish have improved since 1977. You have to
12 understand that you look at this, you see this
13 is just one example, in Stillwater, which is
14 the lower, the third section that we call of
15 our proposal, you look at the Black Bass, the
16 Large Mouth Bass, you see that the levels
17 actually haven't changed at all in the last 15
18 years. So you can see there has been a big
19 decline, but understand when the decline
20 occurred and understand the situation is not
21 getting any better.

22 If you look at the PCBs in the
23 water column, you see much the same. What you
24 see is you see a 90-percent reduction. But if

1 you look to see the years when those
2 reductions occurred, again, you see that it
3 occurred early on. And if you look at the
4 last 15 years, 10 years, whatever it is there,
5 you see there hasn't been any improvement. It
6 bounced around a little bit, but it stayed the
7 same. So that's not getting any better.

8 And if you want to understand why
9 these drops have occurred, the drops occurred
10 early on for a variety of reasons, reasons
11 that are very easy to understand. Because in
12 1973, the dam was, the Fort Edward dam was
13 removed, and that destabilized the bottom of
14 the river. Took some time after that for it
15 restabilize. In 1977, the discharge of PCBs
16 was stopped. Up until that point, PCBs were
17 discharged to the river. And up until 1979,
18 there was navigational dredging of the river
19 going on in an uncontrolled manner, which
20 continued to allow the PCBs to spread.

21 But the PCBs are not going away,
22 you know, through that example.

23 The next thing I'd like to talk
24 about is PCB dechlorination. That means

1 chlorine basically leaving the PCB ring and
2 becoming a little bit different. Some
3 chlorine does leave, PCBs do dechlorinate
4 somewhat; however, the dechlorination happens
5 very quickly in the environment and doesn't
6 occur -- so in the first few years there is
7 some dechlorination. It doesn't make the PCBs
8 go away, it just changes it to a different
9 form of PCBs. And after that you find that
10 the PCBs, in fact, don't dechlorinate at all
11 or very, very slowly. So that's what this
12 shows. But PCBs don't go away because of
13 dechlorination.

14 The next item I'd like to talk
15 about is the burial. Are the PCBs being
16 buried in the sediment? And I'd like to just
17 say what our data shows. We took many cores
18 to try to understand just what was happening.
19 We dug deep into the river to see just where
20 and at what depths the PCBs were occurring.
21 What we found was that the PC -- the highest
22 level of PCBs in 60 percent of the cores,
23 that's six out of every 10 cores we took, we
24 found that the PCBs, the highest levels were

1 in the top nine inches. They weren't two feet
2 down, three feet down. They were in the top
3 nine inches. And in this one core as an
4 example of just how it actually on the surface
5 in some places, this is actually a GE core
6 from 1999 from one of the hot spots, and I'm
7 not talking about what it shows at a depth at
8 two inches, where it's over 1200 parts per
9 million. I'm -- if you just look at the
10 surface, the surface levels actually in the
11 slide are over 600 parts per million. Shows,
12 again, that the PCBs are not being buried, not
13 being uniformly buried, certainly.

14 The river is a dynamic system and
15 that's the reason. You know, we often talk
16 about the river and we talk about it almost as
17 if it was a lake, you know, as a stilling
18 basin, that somehow or other the clean
19 sediment was coming in and then just uniformly
20 being sprinkled over the river and that was
21 solving the problem, making it -- and
22 interrering the PCBs in the sediment. In fact,
23 that's not what happens. That isn't the way
24 the river flows, and most of you know that

1 because you've been on the rivers and you've
2 tried to boat around shoals and you know that
3 shoals move, and that, in fact, the river
4 bottom is a very dynamic situation. Where
5 there's sedimentation one year, there's
6 erosion the next year, and vice versa.

7 So what our analyses have shown is
8 that the PCBs, in fact, is the river net
9 depositional, is there some deposition in the
10 river? Yes, but it erodes in this spot,
11 deposits in this spot, so on and so forth.
12 The PCBs are moving around on a regular basis.
13 And I guess New York State DEC had a public
14 announcement this week that would seem to
15 indicate that was true. In their announcement
16 on Monday, they said the mammals and soil near
17 the river actually are showing elevated levels
18 of PCBs, which supports or conclusion that the
19 PCBs in the river are getting into the
20 ecological community at levels which cause
21 concern, that they're available, and that
22 they're moving.

23 So what do we conclude from all of
24 this? We conclude two big things. The first

1 one is that the contamination is not and will
2 not be safely covered on the bottom. That
3 isn't something that we think. That's
4 something that we know.

5 Second item that we've come up
6 with, it's real clear again, is that the river
7 is not cleaning itself. The improvements --
8 that, again, if you look at that, the river is
9 basically stable as far as the PCB levels in
10 fish, the PCB levels in the water column. The
11 improvements that you see are caused by
12 something else, having nothing to do with PCBs
13 and PCB discharges.

14 What about source control? There's
15 much talk about the GE Hudson Falls plant
16 site. There's a picture of this that we've
17 put up. Source control is important. We
18 certainly think that it should be done. In
19 fact, we require that it be done, the State
20 requires that it be done, and it will be done.
21 It is part of a solution. It is not the
22 solution. And I'd like to explain a little
23 bit of just why it's part of the problem and
24 not the solution.

1 The next graph, if you look at it,
2 shows what the PCBs -- we've broken it down by
3 different types of PCBs, but if you look
4 generally, the blue is the levels of PCBs that
5 are coming into the Thompson Island Pool at
6 Fort Edward. The -- I'm not sure what color
7 that is, magenta, rose color, call it what you
8 want. The other one shows what's going out
9 over the Thompson Island Dam. You can see
10 that there is a very, very significant
11 increase as the water flows over the Thompson
12 Island Pool. We estimate that to be one and a
13 half pounds a day, one to one and a half
14 pounds a day. One and a half is actually what
15 we think. On the other hand, GE estimates
16 that the source from the Hudson Falls
17 facility's around three ounces a day, I
18 believe. We think it's maybe as much as five
19 ounces a day. Regardless, five ounces a day
20 versus 24 ounces a day, if you look at the
21 next graph it shows just what those relative
22 contributions are in terms of -- I guess those
23 are oil drops, water drop, call them what you
24 want, but what we're showing there is the

1 Hudson Falls contribution to the PCB levels
2 that go over the Thompson Island Dam and the
3 sediment, and the sediment contribution. You
4 can see from that just relatively how
5 different the two are and why we believe that
6 sediment control is an absolute must.

7 The next think I'd like to talk
8 about for a minute is the fish concentrations.
9 What are we going to accomplish? Obviously,
10 what we're trying to do through all of this is
11 we're not just trying to remove PCBs for the
12 sake of removing PCBs. What we're trying to
13 do is improve the quality of the fish, trying
14 to make the fish safer to eat for those who
15 eat the fish now, even though they shouldn't
16 be eating the fish now, and we're trying to
17 make -- we're trying to also allow that State
18 advisories can be moderated at the earliest
19 time, from the earliest timeframes possible so
20 that people can start eating the fish and can
21 start eating the fish more frequently and that
22 it will be safe to do that.

23 So what we did is, this graph shows
24 the various different alternatives that we

1 looked at to try to understand just what
2 improvement we would get. And what we had
3 here is the gold line was no action. That
4 means nothing happens, no source control,
5 nothing. The orange line was source control.
6 What you get, what you get with just source
7 control. And the yellow line, the bottom
8 lower one, or chartreuse is what you would get
9 with source control and as well as sediment
10 remediation. And I would point out that this
11 model and this model run is something that we
12 consider to be extremely conservative. We
13 believe that actually the differences are
14 considerably greater than this even to
15 indicate.

16 So, you get to the bottom line and
17 you come to the question: Is the cure worse
18 than the disease? What do you do? We know
19 that we have a problem. We know that there's
20 sediment, that there's contaminated sediment,
21 there's contaminated fish, there's
22 contaminated wildlife, and there may very well
23 be contaminated people. We know that.

24 What we don't -- what the tough

1 issue is is how do you get rid of those PCBs?
2 How do you solve that problem? So a bunch of
3 issues have come up. We've come up with
4 dredging. So one of the issues is what about
5 remobilization of the PCBs during the
6 dredging? What's going to happen? Are we
7 going to stir up the bottom so much that the
8 PCBs are going to repoluate everything? We've
9 re-run our numbers recently to be absolutely
10 certain that we were on the outside of what we
11 believe is a very conservative number. We
12 believe that the maximum contamination that we
13 would release is 38 pounds a year while we
14 were dredging. And that would be, that is the
15 maximum number we came up with. I would point
16 out that every -- that this year, 500 pounds
17 of PCBs from the sediment are flowing over the
18 Troy Dam. So the 38 pounds, actually, is
19 almost within the background noise, as far as
20 what actually happens, as far as what happens
21 in a rainy year, you know, the variability
22 that you get within the system. So we don't
23 really believe that the recontamination issue
24 or the resuspension issue is really one to be

1 concerned about. We feel comfortable that we
2 can do that.

3 The next thing I want to talk about
4 is are we going to destroy the river, as we
5 dig it up, are we going to turn it into an
6 environmental wasteland. Is it bottom of the
7 river going to look like a desert? I think
8 somebody characterized it as. Again, it's not
9 a matter of us feeling confident. It's more
10 than confident. We know that the river will
11 restore itself. We know it, the National Fish
12 -- the U.S. Fish and Wildlife Service knows
13 it, the New York State Department of
14 Environmental Conservation knows it, and the
15 National Oceanographic and Atmospheric
16 Administration knows it, because they've all,
17 they're the resource trustees and they've all
18 actually supported this. And we know it
19 because we've seen what happened on other
20 sites. We showed a video the last time we
21 were up in the area, you know, we showed a
22 video of the site on the St. Lawrence River,
23 which -- and it was three years after the
24 dredging and we had really not taken any steps

1 there for the river to recover, but yet we
2 showed that the river had recovered, that
3 there was, that there was plant life, you
4 know, and actually some fish as well on the
5 bottom.

6 This is an example of a marsh in
7 Cold Spring, New York, where we dredged, it's
8 part of a Marathon Battery site, and this is
9 what it looked like four to five years after
10 we did the work. As you can see, we feel
11 quite confident that the environment will
12 restore itself.

13 I'd like -- as far as design
14 considerations, we've heard, you know, we've
15 heard concerns. We've heard concerns about
16 noise, you know, as far as how is this
17 operation going to occur. We've heard
18 concerns about odor, lights, and dust. We're
19 certainly going to -- we're certainly at this
20 stage of the game trying to address those
21 issues and believe we will. I would say that
22 we've already modified our proposal from what
23 came out on December 7th based upon public
24 comments. Where we've taken the concept of

1 moving the material in and out of the site by
2 truck, we've taken that off the table. That's
3 not going to be the case anymore. We've
4 committed instead that we will move the
5 material into the area and out of the area,
6 into the area, being the backfill that we need
7 in certain areas for bank stabilization, we'll
8 move the material in and out by rail. There
9 won't be, you know, dump trucks moving up and
10 down your roads the way it's been described.
11 So we've already started to take that, take
12 things into account and make certain
13 modifications. And we certainly are looking
14 at all the other items as well.

15 We believe, you know -- and I guess
16 the last point I would make is we've tried to
17 also build community concerns into the
18 preferred remedy. If you go back a year or
19 two ago, I believe there were certainly many
20 public concerns, but I think the greatest
21 voiced public concern was that we were going
22 to site a landfill in the Hudson Valley and
23 put this material in the Hudson Valley. Well,
24 the December 7th proposal took that off the

1 table. We said that no, we would not site a
2 landfill, we would take all the material out,
3 out of the Hudson Valley and take it to
4 licensed facilities capable of dealing with
5 that. We also modified our dredging concept
6 somewhat in the proposal, where we made sure
7 there was a concern that we would close the
8 river down to navigation. I would point out
9 of the 2.65 million cubic yards, around
10 340,000, around 340,000 cubic yards actually
11 is navigational improvements, because we have
12 to use the river also so we so want to make
13 sure we can move our material up and down the
14 river. We also want to make sure, while we're
15 in the river, that we don't close navigational
16 traffic at anyplace, that there's enough room
17 in the channel that people can get around us,
18 that we would not be closing the river. So we
19 also dealt with that, we've also dealt with
20 that.

21 The last point I would make is the
22 recent report by the National Research
23 Council, the National Academy of Sciences. We
24 certainly have read the report. We've had it

1 for around two weeks now. We're looking at
2 it. We're trying to understand exactly what
3 it says. We're trying to fit what we can into
4 national policy as well as, you know, as well
5 as try to apply it to this site as it makes
6 sense.

7 The report acknowledges the health
8 and ecological threats posed by PCBs, it
9 acknowledges that remedial action decisions
10 for sites should continue to be made on a
11 site-by-site basis, which is what we've done.
12 On the other hand, it calls for stronger
13 emphasis on evaluation of remedies that are in
14 place. In other words, one of the things it
15 says is that EPA really hasn't measured how
16 fish have improved at sites where we've
17 already done dredging. And it recommends
18 greater involvement to the affected community
19 through a iterative process of community
20 comments. And, actually, I think we've done
21 that on this site, although the committee
22 didn't necessarily agree.

23 We're continuing to look at that
24 report. I would recommend to all of you that

1 that report, if you're really interested and
2 want to see what they said, it's 268 pages, I
3 believe, of text, before the appendices, but
4 it actually is an easy read. If you want to
5 read it, that is the website, that is their
6 website that you can get the report on. I
7 would actually recommend that you do read it
8 so that you don't listen to what I say about
9 the report or what anybody else says about the
10 report, you see for yourself what the report
11 says.

12 With that, I'd like to conclude my
13 remarks, thank you for coming, and open it up
14 for public comment.

15 I'm going to first call our first
16 two speakers, our elected officials. First
17 one is Judith Enck, representing State
18 Attorney General Eliot Spitzer.

19 JUDITH ENCK: Pardon my back. I
20 want to speak to people directly.

21 Hi, my name is Judith Enck, and I
22 live here in Rensselaer County. I'm speaking
23 tonight on behalf of New York State Attorney
24 General Elliot Spitzer, who strongly supports

1 the EPA proposal to dredge sections of the
2 Hudson River. And we commend the EPA for
3 their proposed strategy and the extraordinary
4 effort they have made to involve the public in
5 this process.

6 We have had a team of lawyers and
7 scientists look at this issue for well over a
8 decade, and we have concluded that PCBs do, in
9 fact, cause harm to humans and wildlife
10 including the immune system, the reproductive
11 system, the nervous system and the endocrine
12 system. PCBs are probably human carcinogens.

13 Secondly, we know that PCBs in the
14 Hudson River sediments are available to fish
15 and other animals and from there can be
16 ingested by humans. People still eat
17 contaminated fish from the Hudson River,
18 particularly people who rely on that as a
19 source of food.

20 And finally, we know that the
21 Hudson River is not cleaning itself of PCBs.
22 While the river is certainly cleaner today
23 than it was 30 years ago that's largely due to
24 other companies including GE that have reduced

1 their discharge of toxins into the river, and
2 extraordinary tax payer commitment to building
3 sewage treatment plants.

4 However, the PCB levels in the fish
5 have decreased only marginally in the past 20
6 years since GE stopped using PCBs at it's
7 Hudson Falls and Fort Edward Plant. Over the
8 last seven years PCB levels have remained
9 essentially stable, and unless the PCBs are
10 removed from the river, sadly, the fish will
11 remain contaminated.

12 In addition to the scientific
13 findings by the EPA, a well established body
14 of law supports requiring GE to clean up it's
15 PCBs from the Hudson River.

16 For 20 years companies big and
17 small have cleaned up their toxic discharges
18 under the Federal Super Fund program. There
19 is no reason to treat GE differently.
20 Moreover, contrary to the common
21 misperception, GE's discharges were not always
22 permitted or legal.

23 To taxpayers who will have to pay
24 for the cleanup if GE does not, to those towns

1 and industries who have done their share to
2 clean the river, and to New Yorkers who long
3 for a cleaner Hudson River, fairness demands
4 that GE removes it's toxins from the Hudson.
5 We save the river by cleaning it, not by
6 leaving it polluted.

7 We've said for several years that
8 this process has taken too long. There can be
9 no real dispute that PCBs pose significant
10 risk to human health, wildlife, and natural
11 resources. Attorney General Spitzer is
12 particularly concerned about the children of
13 the state and the effects of PCB exposure on
14 their development. Studies indicate that PCB
15 has the potential to effect the way a child's
16 body and brain develop, and the PCBs are
17 passed from mother to infant in the womb and
18 by ingestion of breast milk. These are
19 serious health concerns which should trouble
20 us all.

21 The only study that has really
22 disputed the cancer risks of PCBs is one that
23 was funded by GE. But the weight of
24 scientific evidence has shown considerable

1 health concern. And once in the environment
2 PCBs remain there because they do not
3 biodegrade into harmless products. Indeed
4 studies have shown that PCBs are so persistent
5 that they can be carried all around the globe
6 by water, or wind current, and biota. PCBs
7 also become airborne or volatilized from water
8 and sediment containing PCBs. The airborne
9 PCBs can then land elsewhere and contaminate
10 other areas.

11 We have an extensive statement but
12 I think I'll end up there and hear from other
13 people.

14 Thank you.

15 MR. CASPE: Thank you. The next
16 speaker is Ernest Martin, Mayor of the Village
17 of Stillwater.

18 ERNEST MARTIN: Thank you very
19 much. As Mayor of the Village of Stillwater I
20 am here to give my opinions on the EPA's
21 assessment. I am definitely against dredging
22 in the Hudson River. It will take too many
23 years to clean it under the dredging proposal
24 by EPA. The Hudson River valley north of

1 Waterford in it's present and future
2 redevelopment it's communities will go under
3 for good. Our future for tourism, employment,
4 new business will be lost forever. We could
5 lose good jobs in our upper valley. The great
6 majority of PCBs will still be there, and this
7 will only upset the river flow of the PCBs
8 worse in my opinion.

9 The National Academy of Science's
10 report say that the agency does not appear to
11 be responsive to the community needs and
12 frustrations. Our communities along the
13 Hudson Valley north of Troy dam have not been
14 a part of any of the active decision making
15 process. And this has to change, and I hope
16 it does.

17 Remarks by environmental consultant
18 Marian Trieste that people weren't interested
19 in getting involved with dredging is a lie.
20 Our communities and mayors and so forth have
21 been screaming for years, 10 plus, against
22 dredging. Of course, being paid to say things
23 is a different story.

24 It's awful to see upstate against

1 downstate. It shouldn't be, but it has to be.
2 So be it. Assemblymen, mayors all from
3 downstate or south of the Troy dam call for
4 dredging, and have GE pay for all of it. What
5 happened to all the pollutions that took place
6 over the last 60 years from the businesses
7 south of the Troy dam? I can name many
8 outfits that dumped into the Hudson, but their
9 communities looked the other way. Employment
10 meant everything to them, not the environment
11 around them or the EPA. Now EPA wants to
12 dredge the Hudson, only what GE did upstate at
13 Hudson Falls in Fort Edward. Even our own
14 governor takes sides against upstate in the
15 dredging dispute.

16 EPA should also make Niagara Mohawk
17 Power Corporation pay as much as GE if it's
18 going to take place. Dumping at other areas
19 along the river area and most of all the
20 removal of the Fort Edward dam in 1973. An
21 act that sent tons of PCB sediments
22 downstream. You don't hear anybody screaming
23 at them to help pay or to help clean up the
24 river.

1 Leaders of the Citizen's Advisory
2 Group that participated in the U.S. EPA
3 analysis of PCBs in the Hudson River came out
4 against the agency's dredging proposal. Also
5 chastised the agency officials for not taking
6 their concerns about the project seriously.
7 The EPA has never gave this group a chance to
8 participate in the decision making process.

9 Again, EPA does what is right for
10 the Hudson River, and too bad we don't like
11 it. Boy, this shows the EPA's real attitude
12 towards us people in the upper Hudson. In
13 other words these meetings for last year and
14 this year mean nothing, just going through the
15 motions because it's law.

16 If you want to do what's right,
17 don't dredge the Hudson. If you don't like
18 our valley, then stay in Washington, D.C.

19 Again, the National Cancer
20 Institute says no evidence of PCBs causing
21 cancer in humans.

22 Why haven't you told our
23 communities (where) your disposal sites are
24 going to be for all the sediment you are going

1 to dig up, if you do? Also where are you
2 going to build a waste sludge processing water
3 plant? Whose area, if you do? I understand
4 two billion pounds of sand and gravel -- where
5 does this come from? Us. If taken from our
6 areas Waterford to Fort Edward there won't be
7 anything left for our local towns and villages
8 for our own use, highways and so forth. Our
9 property values will go so low real estate
10 business will be lost forever in our valley.
11 Also our highways will be ruined.

12 In closing it is only right that
13 the EPA work with General Electric to find a
14 better way to help clean the river of PCBs
15 than dredging. With today's technology and
16 bright scientists out there, there must be a
17 way to clean it without dredging. I know it,
18 and you people know it.

19 This power and money struggle
20 between our federal government and the GE
21 Corporation is uncalled for, and should stop.

22 Once again I ask Mrs. Whitman, come
23 visit me and let me see her our great area and
24 river from Stillwater north to Fort Edward.

1 God's country. Only then she'll realize that
2 this is not the way to go. I ask you people
3 to save our future and our communities of the
4 upper Hudson. No dredging. Please find
5 another way.

6 Thank you very much.

7 MR. CASPE: I'm going to call
8 people up five at a time. As I call you up,
9 you can -- you don't have to worry about the
10 order, as long as you're one of those five
11 people.

12 James Kudlack, Dr. Gerard Beckmann,
13 Tom Kryzak, Joe Gardner, and Candace Lider.

14 While they're coming up, let me
15 give you the next five so you'll be ready for
16 it. John Tobin, David Hunt, Judith Makowiec,
17 Marion Trieste. And I think I missed
18 somebody. Fred Stein.

19 Yes.

20 JAMES KUDLAK: Okay. James
21 Kudlak, former agriculture advisor to
22 Congressman Solomon.

23 I became involved with the PCB
24 problem in 1991, for a little bit before. The

1 objective in this time period was to prevent
2 the dredging of PCBs on 39,000 acres of
3 agricultural land.

4 What I did in between was to canvas
5 the countryside for alternatives to dredging
6 and to see if we could remove the PCBs from
7 the sediment within the river. We have done
8 this. There are alternative means to the
9 dredging, and tonight I brought along two
10 fellows that I had canvassed to present a
11 program briefly or brief speech to see how
12 this problem can be resolved without all the
13 trucking, without making dump piles around the
14 countryside and resolve the problem once and
15 for all, to get rid of the PCBs virtually by
16 burning them up.

17 At this time, I'd like to introduce
18 who would be the next speaker Mr. Tom Kryzak.
19 He's with the Air and Earth Works.

20 GERARD BECKMANN: Actually, we're
21 out of order. My name is Dr. Gerard Beckmann.
22 And Tom Kryzak is walking up there. Basically
23 what we'd like to do is to thank Mr. Kudlak
24 for the introduction.

1 Basically, we recognize that PCBs
2 are contained and heavy metals are contained
3 in the sedimentary soils in the Hudson River
4 and the system that has been conceived by
5 myself to contain the volume of soils that are
6 to be processed to allow for PCB remediation
7 and heavy metal removal is called a confined
8 volume remediation system, or really the lunch
9 box process, is to a large extent visualized
10 by what you see here.

11 As was mentioned on the overhead
12 presentation by the previous introduction by
13 the --

14 MR. CASPE: Could you --

15 GERARD BECKMANN: Sorry,
16 unaccustomed to public speaking as I am, so
17 I'm trying to look down here. So I apologize.

18 Notionally, the concept can be
19 thought of as a lunch box process. What you
20 do is you contain a certain volume of the
21 river bed in the sedimentary rock that
22 contains the PCBs and, in particular, the very
23 high concentration levels. And then by
24 effectively placing this box, that's

1 visualized in the front, as you see it down
2 onto the river bed, what you're able to do is
3 agitate her to bring into a slurry condition
4 the sedimentary soils, particulates that
5 contain the PCBs and heavy metal laden
6 products. They can then be handled through
7 PCB processing or separation. But it's not
8 dredging in the sense that one of the things
9 that we have to look at is that, in any type
10 of dredging operation, where spills or any
11 overflows are really the sources of lost
12 material. This system will also interface
13 extremely well with GE's source control
14 process that we have seen, in the sense that
15 GE's efforts to bring PCBs out of the bedrock
16 is essentially removing the material that
17 would be coming into the river by capturing
18 the soils at the top of the sedimentary, not
19 allowing them to go down and be processed
20 within a contained volume. It interfaces very
21 well, but does not have the aspects of
22 dredging that would allow the materials to
23 flow downstream and could be redistributed.

24 So, therefore, in closing, although

1 we'll be here if you'd like to discuss it
2 further, a method that has been developed and
3 reduced to prototype practice here would like
4 to be taken further, which allows PCB
5 contaminated sedimentary materials in the
6 river, containing both PCBs and heavy metals,
7 to be contained, processed, removed, and
8 selectively monitored during the process. So
9 that by checker boarding down the river in
10 these conservation areas, the total PCB and
11 heavy metal concentrations can be reduced.

12 I thank you.

13 MR. CASPE: Thank you.

14 JOE GARDNER: Joe Gardner with
15 the Appalachian Mountain Club.

16 I live in Delmar, in the Town of
17 Bethlehem, on the Hudson River, just below
18 Albany.

19 You don't have to be naive to
20 believe the false and misleading propaganda GE
21 is spending millions of dollars to hoodwink
22 the public in not dredging the Hudson River
23 PCBs, but it helps.

24 How else could people who live in

1 the towns of Fort Edward, Kingsbury and Moreau
2 side with GE, when they allowed GE to fill 17
3 toxic waste dumps with PCBs in their own
4 backyard?

5 How else could GE say the PCBs
6 buried in the sediments in the 40-mile stretch
7 of the river between Troy and Fort Edward,
8 when a pound to a pound and a half of PCBs
9 from these sediments go over the Troy Dam
10 every day?

11 How else can GE explain why women
12 of 40 to 50 years of age are cheated out of 20
13 to 40 years of life because they are dying of
14 cancer every day, according to the obituaries
15 in *The Schenectady Gazette*, *The Albany Times*
16 *Union*, and *The Troy Record*?

17 It actually says -- a lot of people
18 die of cancer, doesn't mention it, but these
19 are obituaries that say the person died of
20 cancer or else at the bottom contribute to the
21 American Cancer Society.

22 And lastly, a word to GE and Jack
23 Welch. Do not mock the public with a quote
24 "the river is cleaning itself." It was our

1 taxes under the Federal Clean Water Act that
2 built the many sewage treatment plants that
3 have cleaned the river but did nothing about
4 the tons of PCBs still in the river.

5 Thank you.

6 CANDACE LIDER: My name is
7 Candace Lider and I'm speaking on behalf of
8 the Troy Area Labor Council, which represents
9 over 10,000 unionized employees here in
10 Rensselaer County.

11 The dredging issue is really not
12 that complicated. People would rather have
13 the Hudson River free of PCBs. No one wants
14 contaminated water. The only party here with
15 an ax to grind is GE. Their fear of having to
16 pay for the dredging as well as setting a
17 precedent has compelled them to launch a huge
18 advertising campaign that would have made Big
19 Brother proud. In these ads GE continuously
20 promulgates the big lie, the river is cleaning
21 itself.

22 How can the river possibly be
23 cleaning itself?

24 If there was a toxic substance in

1 your drinking water, would you advocate
2 leaving it there so the water could just clean
3 itself?

4 You can't see, smell, or taste
5 PCBs, but nonetheless they are dangerous. The
6 scientific community agrees. Findings in a
7 1996 study conducted by GE itself found PCBs
8 cause cancer in rats. Other studies that have
9 been conducted on workers exposed to PCBs show
10 they probably cause cancer in people.

11 PCBs have other serious health
12 effects on our neurological, reproductive, and
13 endocrine systems. Like silent killers, PCBs
14 accumulate in our fat, in our organs, and even
15 in breast milk.

16 It's sad to say that the world's
17 largest accumulation of PCBs is right here in
18 the Hudson River.

19 For over 30 years, General Electric
20 dumped 1.3 million pounds of PCBs from its
21 factors in Fort Edward and Hudson Falls into
22 the historic Hudson. That is, until it was
23 ordered to stop, and I say ordered to stop, in
24 1977. Evidence of PCBs were harmful existed

1 long before they banned them, but GE chose to
2 ignore this information.

3 Is this a company we can trust?

4 GE claims PCBs are disappearing.
5 PCBs do undergo dechlorination by bacteria in
6 the sedatives, but that just changes one PCB
7 into another.

8 Currently, there are one to three
9 pounds of PCBs that are pouring over the
10 Federal dam in Troy every day. Hudson River
11 residents can't eat the fish, you can't drink
12 the water, you can't swim in the air -- I mean
13 swim in the river and you can't breath the air
14 without doing harm to yourself. The river is
15 not cleaning itself.

16 GE commercials have inaccurately
17 portrayed the dredging --

18 MR. CASPE: Please wrap up.

19 CANDACE LIDER: -- construction
20 type steam shovel, but that image raises a
21 doubt about the efficacy of dredging.

22 MR. CASPE: Thank you.

23 CANDACE LIDER: Can I just
24 finish?

1 Just because GE doesn't follow
2 that, we do not have to obey the law, they
3 dumped the PCBs in the river and they're the
4 ones responsible.

5 MR. CASPE: Thank you. Folks.

6 (Applause.)

7 MR. CASPE: I would just like to
8 say, we have 95 people signed up to speak, so
9 please keep it to two minutes. And if we
10 don't have a lot of applauding, we can move
11 one right after the other, we can listen and
12 hopefully, we can give everybody a chance to
13 give their view. Thank you.

14 JUDITH MAKOWIEC: And I think we
15 should treat everybody, each other with
16 civility, too. I think we can all do that.

17 My name is Judith Makowiec,
18 M-A-K-O-W-I-E-C. I'm here, like we all are,
19 because I care about the river, my family,
20 including my two young children, my health, my
21 community, and our future.

22 Confronted by the media assault
23 resembling a presidential election campaign
24 from GE about what needs to be done and a

1 don't-worry-about-it attitude they project, I
2 looked into sources of expertise not connected
3 with GE or the EPA.

4 The public has longstanding and
5 often well-deserved trust issues the
6 government will have to work on long and hard
7 due to concerns about secrecy, political
8 connections and agenda.

9 I've been a family nurse
10 practitioner for 21 years. My first love in
11 my work is health promotion and prevention.
12 The river is sick. It's not cleaning itself
13 and we can't count on the fox to guard the hen
14 house. The PCBs are contaminants that are
15 neurotoxins, chemicals that affect the nervous
16 system, banned in '77 because of toxic
17 effects. They're capable of damaging the
18 brain development of children. In pregnant
19 women, PCBs pass through the placenta into an
20 unborn child whose immature system can't
21 eliminate them, even as well as you or I.
22 Studies show that exposure to PCBs, primarily
23 done through contaminated fish and other
24 foods, can adversely affect intellectual

1 function, short-term memory, and behavior.

2 Their presence where they are is
3 bad enough, but the periodic flooding and the
4 tides of the Hudson, which, of course, are
5 lower, but as it moves south it will be
6 affecting it, will increase the spread to
7 greater areas as they pass out of the
8 sediments and into the river and the air.

9 Further evidence of the
10 contamination spread into mammals and other
11 wildlife, clearly indicates that this danger
12 is not contained.

13 Objective evidence and reports by
14 medical specialists, like Albany Med's
15 toxicology department, Dr. Philip Lenigan
16 (phonetically), director of environment and
17 occupational medicine at Mount Sinai, an
18 international medical group, Physicians for
19 Social Responsibility, point to the current
20 dredging plan to be most effective in reducing
21 the danger and restoring the river.

22 We have a responsibility to our
23 children, our future, and we must put into
24 practice with we learned before kindergarten.

1 If you make a mess, clean it up.

2 (Applause.)

3 FRED STEIN: I'm Fred Stein of
4 the Hudson River Action Committee. We have
5 been studying PCBs and the health effects,
6 particularly, for over five years. We support
7 Alternative #5. In your proposal you state
8 that Alternative #5 is not so cost effective
9 as #4. We respectfully ask that you take
10 another look at that assessment. We believe
11 that the health benefits from removing 77.7
12 tons of PCBs rather than 50.3 tons is an
13 important one. An additional 27.2 tons of
14 PCBs removed is well worth the extra \$110
15 million. By the time GE's political
16 camp-style propaganda blitz is over they will
17 have spent at least \$110 million, and not PCB
18 #1 has been removed from the river yet.

19 We know that your agency has been
20 entrusted by the federal law to protect the
21 environment and public health. Generally you
22 deserve a lot of respect for that, and you
23 haven't been getting it.

24 We know that over the last ten

1 years you have studied the science waiting for
2 the technology to mature, such as the suction
3 dredging process, and then you made your best
4 recommendation based on the best science.

5 We also know that you aren't
6 getting the respect you deserve. We want to
7 thank you for your patience and commitment
8 under extraordinary circumstances.

9 A fakulously rich, arrogant,
10 multinational corporation has decided to raise
11 doubts, fears and confusion every step of the
12 way.

13 Even though GE, every question they
14 have raised has been answered, most people
15 know that the buildup of doubts and they can't
16 decide. Spreading fear has not succeeded.

17 The Troy City Council hearing
18 someone even suggested don't listen to public
19 opinion, listen to public sentiment. What
20 does that mean? That means don't listen to
21 thoughtful opinion based on best facts.
22 Listen to fear and doubt which GE has sown.

23 So thank you for your efforts.
24 Stay the course and follow your mandate.

1 DAVID HUNT: Hi, David Hunt. I'm
2 from Grafton. I have become very saddened at
3 the state of the Hudson River from our decades
4 of abuse to it with PCBs and numerous other
5 disturbances. And also the state of our
6 community with our increased polarization and
7 anger over this dredging issue.

8 As an ecologist who studies the
9 river and recognizes that as New York and
10 perhaps the east coast, the best example of a
11 Virginian province tidal river, I'm deeply
12 bothered by the vast number of bottom feeding
13 fish and invertebrates saturated with PCBs,
14 and the effects they have on the health of
15 individuals and the entire population of the
16 animal species. And I have to believe that
17 simply getting much of the PCBs out of the
18 bottom sediment will help them in the overall
19 ecological health of the river.

20 But at the same time I'm listening
21 to the concerns of the people who live along
22 the river at the site of the proposed dredging
23 and all downstream and trying to understand
24 how that process might lead to disruptions in

1 their surroundings and well being.

2 Upon deeper analysis of these
3 complex issues and the resources we consume in
4 our efforts to research, argue, buy and
5 implement a solution, I'm convinced that the
6 best thing I can personally do is change my
7 approach. I am wondering where all the
8 resources have come and will come from to
9 allow the EPA to do years of research, hold
10 public comment meetings, implement a cleanup,
11 and what parts of nature and society are
12 directly and indirectly harmed from their
13 extraction, production, transport, and
14 disposal.

15 Similarly I'm wondering the same
16 thing with the research and litigation done by
17 GE, and all the millions of dollars they spend
18 on advertising that we see every where.

19 So my small contribution for
20 cleaning up the river is these five steps:

21 One, to grieve for the damage we
22 have done to the fish, the loss of two clam
23 species from the river and our hostility to
24 each other.

1 Two, acknowledge that my use of
2 consumer goods and energy as a child can
3 probably be linked to GE and has indirectly
4 lead to the discharge of PCBs that caused our
5 problem.

6 Three, become motivated to learn
7 from this mistake and avoid repeating it in
8 the future by talking to people who care about
9 the river.

10 Sharing my knowledge of the river
11 ecology and current impacts from actions such
12 as navigational dredging and other pollutants.

13 And learn more about the social
14 problems associated with the river and how I
15 might be indirectly contributing to them.

16 MR. CASPE: Please wrap up.

17 DAVID HUNT: Sadly, I'm ending my
18 job of 15 years as Environmental Conservation
19 Ecologist where I protect communities all over
20 New York including the Hudson River so I can
21 lessen my impacts --

22 MR. CASPE: Thank you.

23 DAVID HUNT: -- on people and
24 nature near and far and work with my local

1 community to achieve sustainability.

2 JOHN C. TOBIN, ESQ.: John C.
3 Tobin, counsel for the New York Water Ways
4 Association.

5 My approach and my questions and my
6 statement are on the navigation problems, some
7 economic problems that have resulted because
8 of the PCBs in the Hudson River.

9 Our companies operate barges and
10 tugs. I will specify and try to limit myself
11 to the problems of our movement of bulk cargo
12 on the canal. More details on that will be
13 given by a later speaker who is one of the few
14 companies left that operates on the canal.
15 Tourism boat operators will also cover their
16 problems that they are having.

17 Our problem is this, that we cannot
18 look for any business in that section of the
19 canal because of the shrinking of the channel,
20 which we need at least a 10 foot depth in the
21 channel and we are only five or six foot.
22 What's happening too is that all the
23 communities from Plattsburgh down to the
24 Tappan Zee Bridge, many have had to put their

1 plans where they may get a grant from the
2 state or federal agencies for improvement of
3 their water fronts, have had to be put on hold
4 or in some cases abandoned or the money lost.
5 We get into the question of what we are
6 looking for.

7 We feel that there are two points
8 on the dredging, the river dredging and the
9 dredging of the channel in the canal. The
10 canal channel is now -- or the control of the
11 canal is now with the Canal Corporation. To
12 date the Canal Corporation has been very
13 silent on what they intend to do, and maybe
14 they are waiting for a lawsuit by an
15 individual.

16 Let's get into GE. GE has no
17 formal commitment to continue with their
18 program. They can walk out tonight, tomorrow
19 or any time, and leave the situation at Hudson
20 Falls or Fort Edward exactly as it is. They
21 have spent millions of dollars. Has their
22 program been accepted? Has it been
23 successful? I question that.

24 In conclusion I say the only way

1 that this problem of PCBs can be resolved is
2 by dredging. Thank you very much.

3 MR. CASPE: I call Tom Kryzak and
4 Marion Trieste, neither of them have shown.
5 The next ten speakers are Jane Havens, Tim
6 Havens, Brian Bush, Baret Pinyoun, Rob
7 Goldman, Patrick Shannon, Chris White, Chris
8 Ballantyne, David Mathis and Beth Scuimeca.

9 BRIAN BUSH: I'm Brian Bush. I'm
10 speaking as a private citizen, although I have
11 lived in Albany for the last 10 years downtown
12 within breathing distance of the Hudson River.
13 I have spent 28 years researching PCBs for the
14 State of New York, and every single creature
15 that we tried it on was, in fact, badly
16 effected by the PCBs by some subtle way or
17 another. PCBs are, in fact, toxic and should
18 be considered poison.

19 I also extensively researched the
20 migration of PCBs into the environment. They
21 evaporate and are transported world wide. We
22 have recently looked at the New York City
23 drinking water supplies to the east of the
24 river. They are, in fact, landing in those

1 water supplies. So places like Troy which
2 have a reservoir to the east of the river are
3 at risk of evaporation of PCBs and fall out
4 from the Hudson River. It is absolutely
5 mandatory that the poison be removed from the
6 river to try to prevent this.

7 With regard to the fish, there is
8 the Hudson River signature of PCBs visible in
9 fish as far away as Montauk Point. This
10 poison has got to be removed by the most
11 up-to-date dredging system possible as soon as
12 possible. We have known that since 1984.

13 Thank you.

14 MR. CASPE: Thank you.

15 MARION TRIESTE: My name is
16 Marian Trieste, and I'm here representing
17 Scenic Hudson. I'm a public educator. And,
18 the Mayor of Stillwater, the name is Trieste,
19 and I'm not a liar. I don't like being
20 accused of being a liar. (Comment was made by
21 the Mayor without benefit of microphone.)

22 Excuse me. There are many truths
23 that are not being told, and my job is to
24 attempt to tell the truth in a very limited

1 manner, in very limited resources, and I'm
2 sorry you disagree.

3 I'm here to discuss just a couple
4 of basic truths about the Hudson River. We
5 have over 200,000 pounds of PCBs that remain
6 in forty hot spots located in a very limited
7 (area) above the Troy dam. We have about 500
8 pounds of those PCBs flowing over the Troy dam
9 annually to this day, and we urgently need
10 this plan to move forward.

11 As a public educator I hope that
12 people will stop and listen to the other side,
13 and there's a lot of information that people
14 could obtain if you go to the website,
15 www.cleanhudson.org. That might help people
16 understand the other side of the issue that
17 they are not getting.

18 I want to just read from the
19 National Academy of Science's because that
20 report was made mention of earlier, and this
21 is an important comment that I think everybody
22 should hear. The committee's review of recent
23 scientific information supports the conclusion
24 that exposure to PCBs may result in chronic

1 effects, e.g. cancer, immunologicals,
2 developmental, reproductive, neurological in
3 humans and/or wildlife.

4 Therefore, the committee considers
5 the presence of PCBs in sediments may pose
6 long term public health and ecosystem risks.

7 So I highly recommend that you all
8 look at that report.

9 Thank you.

10 TIM HAVENS: Good evening, ladies
11 and gentlemen. My name is Tim Havens, Senior.
12 I'm a father, a businessman, and a respected
13 member of my community.

14 Since I was 18 years old, I have
15 been the president of CEASE, a volunteer group
16 of citizens of upper Hudson communities whose
17 sole interest is stopping the dredging of PCBs
18 from the Hudson River. We have successfully
19 halted PCB dredging several times in the 1980s
20 and we intend to stop the EPA's proposed
21 dredging project.

22 We know that PCBs aren't desirable
23 in the river or its surroundings, and we want
24 EPA, General Electric, and any other

1 responsible or interested organizations to
2 divert their interests to finding a viable way
3 to detoxify or encapsulate in place the PCB
4 contaminants. We feel that it is ethically
5 wrong to remove a portion of the PCBs from the
6 river and deliver them to another community
7 for indefinite storage. We have addressed our
8 concerns to you through the public hearing
9 process, so to revisit our concerns would be
10 redundant. However, as this hearing process
11 comes to a close, we have need to clear up a
12 couple of details.

13 Last night, Mr. Caspe, I mentioned
14 how EPA has given private audience to the pro
15 dredging environmental groups, and you
16 insisted that that was not the case. I have
17 with me minutes of several meetings that your
18 agency has had with the pro dredging folks,
19 and according to the minutes, it appears that
20 the EPA and these groups' representatives are
21 very buddy-buddy. References are made in some
22 cases as to EPA's strategy and how to proceed
23 the best way for your arguments to hold up in
24 a court, if necessary. For agency personnel

1 to have this dialogue in the presence of any
2 private group is unprofessional. These
3 minutes are from the EPA, obtained through the
4 Freedom of Information Law.

5 Secondly, Mr. Tomchuk, I want to
6 thank you for acknowledging on two occasions
7 that it would be more dangerous to live by one
8 of the proposed sludge processing facilities
9 than to live alongside the Hudson River
10 undredged. This agrees with CEASE's position.

11 In closing, Mr. Caspe, let me say
12 that at times last night in Queensbury your
13 demeanor became, let me say, quite spirited,
14 and one of the most significant health
15 concerns about Hudson River PCBs is what this
16 hearing process has done to your blood
17 pressure. You and I can probably agree on one
18 thing, we're relieved that the public hearings
19 have come to an end.

20 Please, EPA, don't dredge the
21 Hudson for our community's sake. Please
22 concentrate your efforts on in-place
23 detoxification source control and insitu
24 burial.

1 (Audience noise.)

2 Good night.

3 TIM HAVENS: Are you ready for me
4 or are you going to respond to that?

5 MR. TOMCHUK: Wait, wait, wait.
6 Is this on? I can't tell.

7 MR. CASPE: No. Now it's on.

8 MR. TOMCHUK: Okay. I just
9 wanted to clarify that my statement last
10 night, as it was that the Troy City Council,
11 was saying that in either condition it would
12 still be safe to live in either near the river
13 or near one of the dewatering facilities. In
14 an absolute sense, yes, there would be some
15 amount of increased risk, but that would
16 probably be insignificant, and both levels
17 would be safe.

18 Thank you.

19 MR. FISCHER: Hi. I'd also like
20 to address another point about those meetings.

21 We've had a number of meetings --
22 we've had meetings, yes, with environmental
23 groups, we've had meetings with General
24 Electric Company. I don't think the fact that

1 we've had meetings with one group or another
2 should be taken in any way, shape, or form to
3 imply that we're giving preferential treatment
4 to one group or another. We were listening to
5 party's concerns on the environmental side.
6 Again, we've done that with General Electric
7 and others. But there is no preference given
8 to any group whatsoever in the proposal of
9 this remedy.

10 JANE HAVENS: We have a letter
11 from Croscower (phonetic) and Rose. We have a
12 letter from the EPA refusing to meet with
13 CEASE dated February or March. Tim has it
14 with him.

15 Would you like to see it?

16 MR. FISCHER: We've decline other
17 meetings as well, but, sure, let's see the
18 letter.

19 MR. CASPE: Sure, but you can --
20 Jane, at this stage, why don't you --

21 TIM HAVENS: Can I start?

22 MR. CASPE: Yeah, please.

23 JANE HAVENS: Okay. My name is
24 Jane Havens.

1 Last night, as the Queensbury
2 school was being evacuated, four gentlemen in
3 favor of dredging bombarded me. I must have
4 struck a cord with them. Among the comments
5 they made, one stuck in my mind. I was called
6 unpatriotic. We fly an American flag at our
7 business and our home, we participate in
8 Memorial Day and July 4th parades, we attend
9 memorial services for veterans, my children's
10 grandfathers are both Marines, and between our
11 family all branches of the armed service have
12 been served, and our vacation in February we
13 paid our respects at Pearl Harper. I don't
14 hate government and I don't hate the people
15 standing in front of us.

16 Do I stand behind my comments last
17 night and all that I have said at previous
18 hearings? Absolutely.

19 Do I feel that this proposal is
20 about something other than cleaning the river
21 or for our health? Absolutely.

22 Do I think we should -- that you,
23 the EPA, should be taken to task for this lame
24 proposal? Absolutely.

1 I am a bookkeeper by trade and I
2 have an attention to detail. I look for a
3 penny. For me the hunt is as good as the
4 kill. When things don't add up, you lay it
5 all on the table and start hunting. The EPA's
6 proposal to dredge doesn't add up. It can't.
7 They don't know important information, they
8 withhold some that they do know, and they have
9 made miscalculations.

10 The hunt -- the hunt. We have
11 found they have meetings with other allies,
12 but refuse to meet with CEASE on the same
13 level. Our voices may only be heard in
14 two-minute increments. We have found the EPA
15 is not successful in environmental dredging.
16 They show a nice picture of a cutter head
17 dredge all clean and polished in still waters.
18 Show me a video of that dredge and the entire
19 project in action. And don't think I'm not
20 interested. I live with an equipment salesman
21 and I vacationed at Con Expo, where the
22 latest, greatest earth moving equipment is
23 showcased, and the largest.

24 Mr. Caspe, last night you told

1 Mr. Guthiel that nothing has been taken off
2 the table at this time. Already tonight the
3 trucks did. Must be after 12:30 and before
4 seven.

5 What exactly is on your table?

6 We are not going to allow you to
7 ruin our community. Mr. Caspe,
8 representatives of the EPA, we're hunting and
9 we're going to find your penny.

10 I'd just like to make one
11 statement. You talk about the children of the
12 river. My husband is a child of the river --

13 MR. CASPE: Thank you.

14 JANE HAVENS: -- his mother was
15 pregnant on the river -- I've been very
16 respectful -- he was --

17 MR. CASPE: Your time is up.

18 JANE HAVENS: -- he lived on the
19 river. You should know firsthand he has no
20 lapse of memory.

21 MR. CASPE: Your time is up.

22 Thank you very much.

23 JANE HAVENS: Thank you.

24 PATRICK SHANNON: Hello. My name

1 is Patrick Shannon. I'm from Saratoga Springs
2 and I work with the Sierra Club.

3 I support Alternative Number 5. I
4 applaud the EPA for their long, signed study
5 plan, and I think you should go ahead with
6 Alternative 5.

7 I see this as a very simply problem
8 here. There are pollutants in the water that
9 have been outlawed by the United Nations.
10 PCBs are among the 12 most toxic chemicals in
11 the world and they are now outlawed. They're
12 in the river and they've been there for way
13 too long. They've been there over 24 years,
14 since they were stopped being dumped, stopped
15 being dumped. This has been studied for over
16 a decade, so the time is now.

17 As far as the actual dredging goes,
18 we don't need to look any further than Hudson
19 Falls for a pilot dredging project. General
20 Electric constructed their own dredging
21 project. They used two silk curtains, they
22 used a clamshell dredge, just like they use-
23 in their own commercials, and they did a
24 dredging project right by the Hudson Falls

1 site. They had outside of the silk curtains
2 very low resuspension of their own project.
3 They had low suspension to one point where one
4 day they had no detect of PCBs.

5 General Electric knows how to do
6 this project. They can do it well. They have
7 the technology. These are chemicals that are
8 very poisonous to our health and to the river.
9 It's been way too long and it can happen now
10 and it should be cleaned up right now.

11 Thank you.

12 ROB GOLDMAN: My name is Rob
13 Goldman, G-O-L-D-M-A-N. I live in Brunswick,
14 New York with my wife and two children. My
15 place of business is located in Troy, on the
16 Hudson River, one-third of a mile south of the
17 Federal Lock.

18 I have been involved in water
19 pouring businesses for over a decade that have
20 operated from that location. These businesses
21 have included, and still include, a towing and
22 salvage company. And we are one of the
23 remaining companies that Mr. Tobin mentioned,
24 a marine and a charter boat operation.

1 My business partners and I support
2 the EPA's proposed PCB remediation plan so
3 that the State of -- New York State Canal
4 Corporation can obtain permits to perform
5 navigational dredging in order to maintain the
6 canal prism.

7 I can personally testify that there
8 are locations on the north canal, the
9 Champlain Canal, that can not be transitted by
10 vessels that have eight feet or more of draft,
11 which, by the way, is far less than the
12 State's mandated 12 feet on the canal. Not
13 only will this draft reduction continue to
14 affect tourism, such as the ability of
15 transient vessels to move between their
16 summer homes in the Champlain Valley and their
17 winter homes in the U.S., it has made the
18 feasibility of transporting bulk commodities
19 by tug and barge not cost effective.

20 Additionally, if the current trend
21 continues and navigable channel continues to
22 shoal in, public safety may be compromised.
23 The ability of firms like mine that have canal
24 tugs that have reduced air draft and that can

1 clear the bridges, will not be able to
2 navigate on the north canal. Therefore, our
3 ability to mobilize contractor's equipment
4 that maintain water control structures, dams,
5 bridges, locks, and hydro plants will not be
6 possible.

7 Thank you.

8 MR. CASPE: If I can just call
9 the next group of speakers, so that they'll be
10 ready.

11 Susan Pond, Jeff Jones, Sean
12 Kirker, Peter Sheehan, Andy Mele, David Higby
13 Werner Hetzner, Robert Henrickson, Wayne
14 Bayer, Richard Orsi, M.D., Tom Ellis, and
15 Joyce Marie Cockerham.

16 BARET PINYOUN: My name is Baret
17 Pinyoun. I work for the Sierra Club. I live
18 in Saratoga Springs. I have also lived in
19 Gansevoort and I've lived in Schuylerville.

20 I want to commend the EPA. You
21 guys have done a wonderful job not only with
22 your proposal, but also with the public
23 process. This public process has been nothing
24 short of amazing. I think Tim Haven said it

1 earlier that we are all pretty happy that the
2 meetings are going to be over, but I think we
3 should feel good about everybody who has come
4 out and spoken so passionately about the
5 Hudson River and about their concerns. I
6 commend every citizen in the Hudson Valley who
7 has come out for these meetings.

8 I think you know where the Sierra
9 Club stands. I will just reiterate it once
10 again. The Sierra Club feels very strongly
11 that because of public health risks the PCBs
12 must be removed from the river. We think
13 Alternative #4 is a good start, but we prefer
14 Alternative #5 that you proposed in your total
15 plan.

16 I just want to make a couple of
17 other short points, and I guess I just wanted,
18 too, to tell the people here tonight a couple
19 of things about what happened in Queensbury
20 last night.

21 This issue has a lot of emotional
22 ties to it, as people have heard, as people
23 know. Often those who live "down river",
24 which I guess is south of Hudson Falls, have

1 been characterized as not really knowing the
2 issues of PCBs or not really having the same
3 concerns as people up north.

4 Any of you who live south of Hudson
5 Falls, last night, there were some people at
6 the Queensbury hearing who actually said that
7 your opinion should not weigh as much as those
8 living up north. I take personal offense at
9 that. I think that everybody who comes out,
10 each and every one of the comments should be
11 weighed the same. We all live downstream.
12 PCBs are a problem for everyone. Those
13 problems range from either, it could be
14 disruption in the short term in your backyard,
15 or the PCBs are coming down into the flood
16 plain actually in your back yard. So I just
17 want people to keep that in my mind.

18 Thank you.

19 TOM KRYZAK: My name is Tom
20 Kryzak. I have one statement.

21 There are several alternate methods
22 to dredging along with dredging and we brought
23 one with us, and it's available out back. We
24 can talk with people, and I don't want to take

1 any more time from the rest of the people here.

2 Thank you.

3 CHRIS WHITE: My name is Chris
4 White and I am with Hudson River Sloop
5 Clearwater. Tonight I would like to
6 respectfully submit a resolution supporting
7 the removal of the PCB contamination. We have
8 55 municipal resolutions that have been signed
9 on this. We have two county legislators and
10 we have more than 150 organizations that
11 represent environmental management counsels,
12 labor, religious groups, environmental groups,
13 and other civic organization.

14 I would like to mention that two of
15 these towns that are -- I have the resolutions
16 for tonight, take their drinking water from
17 the Hudson. So they have a very clear
18 interest in the Hudson and they know what they
19 are doing by passing this resolution. These
20 resolutions represent hundreds of hours of
21 debate, of public meetings, of conversations,
22 and of research by people who are genuinely
23 interested.

24 These towns, these villages,

1 city's, organizations represent hundreds of
2 thousands of people. I would like to just say
3 they don't have the resources to buy
4 billboards or to buy thousands of plastic
5 signs, or run half hour infomercials, but the
6 message -- their message is loud and clear.
7 EPA must act to protect our health. EPA must
8 act to protect our environment. And EPA
9 should order the dredging of the PCB
10 contaminated sediments.

11 Thank you.

12 BETH SCUIMECA: Hello my name is
13 Beth Scuimeca - S-C-U-I-M-E-C-A. I live in
14 Saratoga Springs.

15 I would like to speak to you
16 tonight not as an environmentalist but as a
17 mother of two small children. Like all
18 parents I hope to raise my children with some
19 very basic values. I want them to learn about
20 truth and honesty. Lying or deceiving is
21 wrong. It's wrong for my three-year-old, and
22 it's wrong for our nation's corporate leaders.
23 I want them to learn about compassion. Like
24 all of you who are parents I am concerned

1 about my children's health and how it may be
2 effected by PCBs in the Hudson River and on
3 it's shore line. I'm also concerned about the
4 very serious health risks to the hundreds of
5 children who have eaten and will continue to
6 eat the fish from the river. For some of them
7 they have no choice. All of us here are
8 fortunate enough to have the ability to
9 understand the risks of eating contaminated
10 fish, and to provide our children with safe
11 alternatives. But what about those children
12 who are not so fortunate? I care about them
13 too. I want my children to grow up to feel
14 the same level of compassion. I want my
15 children to learn about responsibility.

16 If you cause a problem,
17 intentionally or not, you do your best to fix
18 it. It's not okay to pollute our rivers and
19 to destroy our natural resources for
20 generations to come. My three-year-old can
21 understand this, why can't GE?

22 My husband and I care deeply about
23 nature. When we hike in the woods or canoe
24 through the water we feel at peace. The

1 beauty of nature humbles us and reminds us
2 that we as humans are not separate from
3 nature, but rather a part of it.

4 GE would have us believe that only
5 the fish are effected by the PCBs in the
6 river. We know this is not true. When we
7 poison the fish, we poison ourselves. The
8 decision of whether to clean the Hudson is one
9 of the most far reaching decisions we will
10 ever make as a community. As we consider this
11 decision, we should ask ourselves what kind of
12 world do we want for our children and our
13 children's children. I want a world where
14 truth prevails over lies; where people and
15 corporations take responsibility for their
16 actions; where people have compassion for one
17 another; and where we respect and care for
18 nature. And most of all I want a Hudson River
19 that is clean, productive, and safe for
20 generations to come.

21 Thank you.

22 DAVID MATHIS: I'm David Mathis -
23 M-A-T-H-I-S. I'm here representing my family.
24 We live next to the river on land that my

1 grandparents bought back in the 20's, back
2 before PCBs were dumped into the river. We
3 live near the area where the overflights were
4 made by the public relations plane. You can't
5 tell by looking at the film, GE didn't tell
6 you they were flying over a hot spot. That's
7 quite interesting.

8 My children have played on the
9 banks of the river. I played on the banks of
10 the river as a child. I didn't know until a
11 couple of days ago that some of those banks
12 are so contaminated with PCBs that the banks
13 themselves are hazardous waste.

14 It's not going to do much for the
15 tourist industry. I don't know of anyone who
16 wants to vacation at a hazardous waste dump.

17 There's some people that really
18 believe that PCBs aren't dangerous. There's
19 some people that really believe that
20 cigarettes don't cause cancer. This is not
21 theology. This is science. The data supports
22 it. PCBs are hazardous.

23 GE would have you believe that it's
24 better for you, better for your families,

1 better for your communities to leave the PCBs
2 right there. Don't clean up the river. Of
3 course, they didn't tell you it's better for
4 the stockholders too.

5 GE says that the EPA plan that we
6 are talking about is probably -- could take up
7 to 10 years to clean the river. But GE
8 doesn't tell you that their plan could take
9 over a thousand. It's time to clean that
10 river now.

11 WERNER HETZNER: My name is
12 Warren Hetzner. I live in Cohoes and I'm her
13 to speak against dredging the Hudson River.

14 Now, I know some of you folks think
15 it's about the environment and you think it's
16 about the fish. I don't believe it's about
17 the fish. I think it's horse pucky.

18 EPA is here to tell us that this is
19 about the fish and about the environment. I
20 don't believe it. I know some of you do, all
21 of those with the red signs say "Clean Up The
22 Hudson River," but you shouldn't believe it
23 because it's not about the fish and it's not
24 about the environment of the river.

1 The reason I'm telling you this is
2 because we're sitting here in the Doyle Middle
3 School, which I would like to use as an
4 illustration. I think the same forces are
5 involved. Every year the Doyle Middle School,
6 I'm sure, does a budget and tries to get it
7 passed, and every year it goes up and every
8 year there's administrators, just like these
9 administrators, telling us how important it is
10 to spend the money because it's for the kids,
11 it's for the kids' education instead of it's
12 for the fish and the environment. I'd like to
13 remind you that even though this building is
14 beautiful, the Doyle Middle School is a lousy
15 school and that's just the way it is.

16 (Audience noise.)

17 WERNER HETZNER: So I'm telling
18 you --

19 MR. CASPE: Excuse me. Hold it.
20 Please. Please, could you keep your remarks
21 on target and can we all just let him have his
22 say.

23 WERNER HETZNER: The Love Canal
24 was said to be about pollution and dioxins.

1 The Love Canal, folks, after three or \$400
2 million, is still there and there is not a
3 goddamn ounce of dioxin that's been pulled out
4 and the people are moving in. For \$3 million,
5 all they did was build a fence around it.
6 It's not about dioxin.

7 (Audience noise.)

8 WERNER HETZNER: The fish have
9 never had it so good. As soon as you eat the
10 fish, you catch the, and eat them. Think
11 about it.

12 MR. CASPE: Thank you. Your time
13 is up.

14 Thank you very much.

15 I would like to just respond on
16 the -- with regard to Love Canal.

17 WERNER HETZNER: This is about
18 \$500 million dollars.

19 MR. CASPE: In fact there was a
20 clean up there, a very significant clean up.
21 Community was also relocated. Area was --
22 however, parts of the area have now been
23 improved to a point where people have moved
24 back in. And there is still, there certainly

1 is a toxic waste dump or, you know, in the
2 area that's been encapsulated, properly
3 encapsulated as well. There's been a lot of
4 work done there. We're actually probably
5 going to be taking that site off the Superfund
6 list in the coming months.

7 Thank you.

8 Marion.

9 MARION OLSEN: I would just like
10 to respond to one statement this gentleman
11 just made.

12 Again, EPA and the New York State
13 Health Department remind everyone to follow
14 the fish advisories, contrary to what he just
15 suggested of ignoring them.

16 Thank you.

17 AUDIENCE: Forth years from now
18 you still can't eat the fish. You can't eat
19 the fish with this money.

20 WAYNE BAYER: My name is Wayne
21 Bayer, from East Greenbush, in Rensselaer
22 County.

23 I'm executive board representative
24 for the New York State Public Employees

1 Federation and chairman of the political
2 action committee for PEF EnCon that represents
3 2,000 professional staff at DEC. Many of our
4 members, engineers, research scientists,
5 biologists, chemists and geologists, have been
6 working for years sampling and researching
7 environmental damage caused by GE. Countless
8 hours of work have been done for you, the
9 citizens of New York State, as your paid
10 employees. Many have done this at desk, in
11 their cubicles, with pencils, computers, and
12 sophisticated scientific laboratory equipment.
13 Many others have spent an equal number of
14 hours on, in, below the river, in all kinds of
15 weather. You know some of these, like Ward
16 Stone, with his research showing essentially
17 unchanged levels of PCBs in turtles over a
18 20-year period. There are also
19 behind-the-scenes professional staff that have
20 worked on the PCB mammal studies that have so
21 seriously discredited GE's position that PCBs
22 were harmlessly buried in the river sediments.
23 And there are the small staff units that have
24 provided most of the fish data that has been

1 used by almost everyone over the last 20
2 years. They are the staff that made GE
3 remediate the Hudson Falls and Fort Edward
4 plants. Remember your history. GE did not
5 come happily forward like good corporate
6 citizens and neighbors to stop this
7 contamination. They came kicking and
8 screaming.

9 In concluding, our members do this
10 work most of the time because they are paid by
11 you to do it. They also volunteer many unpaid
12 hours, partially because of idealism,
13 education, and professionalism, but also
14 because they live and have lived along the
15 Hudson, they hunt, fish, swim, and boat in
16 this great river, too. They are your
17 neighbors. They love this river and they
18 don't want anyone to get away with harming it.
19 They choose to believe and support EPA on this
20 issue and not GE.

21 Don't let GE get away with this
22 propaganda. This year it is EPA they are
23 after. Next year it could be DEC or the
24 health department. The year after that, may

1 be your town council. And the next year, it
2 may be you.

3 Support EPA, not GE.

4 SUSAN POND: My name is Susan
5 Pond. I live in the Town of Halfmoon and my
6 water supply comes from Waterford.

7 I'm really stunned that the
8 residents who live in some of the most hotbed,
9 heavily concentrated PCBs are not outraged
10 that their property values have virtually
11 plummeted. As someone recently said, who is
12 going to want to buy, to vacation, or to live
13 in a toxic waste dump.

14 We've heard all of the reasons.
15 We've certainly heard every single one of GE's
16 let the river heal itself, what are they not
17 telling us. We know that GE, like the tobacco
18 industry, has its own secrets. One thing is
19 for sure, this is not just a local issue.

20 The river is flowing the PCBs
21 downstream. Once it gets into the ecosystem
22 of the tidal Hudson, it can enter the ocean
23 and the potential to migrate throughout the
24 world.

1 These do not break down, they do
2 not decompose. The dechlorination process
3 may, in fact, create a more dangerous type of
4 PCB.

5 One of the things that's come very
6 clearly is that they deposit in fatty tissues.
7 Women are more at risk with breast cancer.
8 One of the recent studies from the list for
9 the breast cancers in New York State have
10 shown Saratoga Springs, Fort Edward, Cohoes,
11 and Albany in higher levels.

12 GE is certainly not our friend.
13 It's threatened to leave for a long time.
14 Jack Welch hates New York. Don't let them be
15 robber barons.

16 In 1983 the Hudson was placed on
17 the EPA's national priorities list of most
18 hazardous waste dumps. 1998, President
19 Clinton named it as the one of 14 American
20 Heritage Rivers. I'd like to see that become
21 what we see in the advertisements.

22 Remember, we borrow from our
23 children. We do not inherit from our fathers.

24 DAVID HIGBY: My name is David

1 Higby. I'm a project director with
2 Environmental Advocates of New York State.

3 We support Alternative Number 5
4 with qualifications. Those qualifications
5 will be spelled out in our written commentary.

6 We believe that the upper Hudson is
7 undergoing a wildlife and human health
8 emergency, and the only reason it hasn't been
9 declared so is because of toxic politics.

10 But I would like to speak briefly
11 tonight, not as a working environmentalist,
12 but as a 25-year resident of Washington
13 County. I live there happily with my wife
14 and two small children.

15 As one of the speakers before me
16 mentioned, the message last night, when the
17 atmosphere was considered a little friendlier,
18 by some of my neighbors in Washington County
19 was very clear. And that message was the
20 people downstream simply don't care, don't
21 matter, and their opinion doesn't even matter.
22 Well, it does. It matters to many of us.
23 Mine is not one of the faces you will ever see
24 in a GE ad, and I care a lot, not just about

1 where I live, but the entire Superfund site,
2 which goes all the way from Hudson Falls to
3 the tip of New York City.

4 I want to just bring up that it is
5 not just wildlife and human health that is in
6 such great peril here, but also the economy
7 for our children and our grandchildren.

8 As the president of the Chamber of
9 Commerce in Fort Edward once said to me, "We'd
10 like to put a sign outside Fort Edward that
11 says 'Welcome to historic Fort Edward, a
12 beautiful place with a wonderful river running
13 through it.' But in all honesty, we'd have to
14 put a sign up that said, 'Welcome to Fort
15 Edward, a historic place with a toxic
16 Superfund site running through it.'"

17 River front revitalization is
18 important to every community up and down this
19 river valley, the City of Hudson, the City of
20 Troy, the City of Albany, and New York City as
21 well. But if we're to improve our economy
22 using river front revitalization, it will do
23 us no good if we're just improving access to
24 toxicity. Everyone understand that we have to

1 live with that stigma and it's very important
2 that we do something about that.

3 Rather than being devicive (sic), I
4 suggest to you that we should work together.
5 The polluter in this case has spent millions
6 of dollars, perhaps as much as 60 or \$70
7 million providing a wedge between our
8 communities.

9 MR. CASPE: Please wrap up.

10 DAVID HIGBY: I say we bring that
11 wedge down and work together to clean up this
12 river.

13 Thank you very much.

14 TOM ELLIS: My name is Tom Ellis.
15 I live in Albany. I work as a teacher and I
16 was appalled at the comment that was made at
17 this mic a couple of minutes ago. It was a
18 disgrace.

19 I'm a representative of Citizens
20 Environmental Coalition, a statewide group.
21 We have an office in Albany and another one in
22 Buffalo. We strongly favor the dredging.

23 I know there are some people who
24 want to turn the Hudson Valley into a tech

1 valley. I'm not necessarily in favor of those
2 ideas, but I can tell you, if this river
3 doesn't get cleaned up, this valley will be
4 forever known as the PCB valley. And maybe
5 the river should be changed, the name of the
6 river should be changed to the PCB River,
7 because that's what it is now. It's a
8 200-mile-long toxic waste dump. It's the
9 longer one in the United States.

10 General Electric has more Superfund
11 sites than any other company in the United
12 States. They have a terrible reputation and a
13 the terrible track record.

14 About 500 pounds of PCBs flow down
15 the river each year. They flow into the
16 Atlantic Ocean. They enter the food chain
17 from the bottom up. PCBs accumulate in the
18 fatty tissues of animals. Some animals can
19 have up to 10 million times more PCBs in their
20 bodies than are contained in the water that
21 those animals live in. The animals at the top
22 of the food chain and animals that live a long
23 period of time, they bioaccumulate large
24 amounts in their flesh. Some whales can live

1 more than 80 years and they eat immense
2 amounts, and so they just keep accumulating it
3 all their hives. For example, a herring might
4 have one part per million in its flesh; a
5 seal, 20 parts per million; killer whales, 250
6 parts per million; and large fish, a thousand
7 parts per million.

8 This issue here, it's a lot bigger
9 than the Hudson River. There are PCBs that
10 are escaping from rivers and estuaries all
11 over the world into the oceans, and they are
12 accumulating in the large fish and birds and
13 animals that live in the ocean or over the
14 ocean, and they're disrupting those animals'
15 ability to reproduce --

16 MR. CASPE: Thank you.

17 TOM ELLIS: -- they're wrecking
18 their endocrine systems.

19 Thank you very much.

20 DAN MCGRAW: My name is Dan
21 McGraw. Myself and my wife and my three young
22 kids live in the Town of Halfmoon. We get our
23 drinking water from the Hudson River. I'm
24 here on their behalf but I am also here on

1 behalf of the Operating Engineers Union which
2 I represent.

3 The Operating Engineers for those
4 of you who don't know are the people that run
5 the dredges. We run the heavy equipment. We
6 run the clam shells that GE is showing you on
7 the news many times. I generally try to stay
8 away from these meetings because people think
9 we are here only because we want jobs. I
10 would be lying if I said we didn't have an
11 interest in jobs for our members. But when I
12 was coming home from the office a little while
13 ago, I was listening to the radio and I
14 listened to General Electric's, I'll call it
15 propaganda. The picture was so distorted
16 about the dredging that I turned my car around
17 and I came here. I just want to set the
18 record clear. The dredging -- we just did a
19 dredging project up in Lake Champlain,
20 Cumberland Bay. We had about 20 Operating
21 Engineers on that job. Some of them are here
22 right now. At the end of the meeting -- I
23 won't take up the time now, those of you who
24 don't know what dredging is really like should

1 talk to the members in the back of the room
2 who worked on the project, and they will tell
3 you how unobtrusive -- and I have to say talk
4 to the people who live on Lake Champlain and
5 these operators. The dredging was
6 environmentally sound; it was not very
7 disruptive; it wasn't like the clam shell
8 dredging you see on t.v. every night. There's
9 some of that will take place under EPA's
10 proposed dredging plan, but most of it is the
11 hydraulic dredging. I think it's a safe way
12 to do the dredging. It's the most
13 environmentally sound way to do the dredging,
14 and on behalf of my family and the 1700
15 Operating Engineers that I personally
16 represent, and the 40,000 Operating Engineers
17 in New York State, we support EPA's dredging
18 proposal.

19 MR. CASPE: Let me just call the
20 next group of speakers: Aaron Banks, Stanley
21 Byer, David Lefave, Pauline Boehn, Bill
22 Koebbeman, Joe Kusek, Wally Chapman, Judy
23 Schmidt-Dean, Merrilyn Pulver and Steve
24 Segore.

1 RICHARD ORSI, M.D.: I'm
2 Dr. David Orsi. I'm a family physician. I'm
3 here tonight as a member of the Environmental
4 Committee of the Medical Society of the State
5 of New York.

6 The Environmental Committee
7 reviewed EPA's proposal and two weeks ago
8 presented it to the Executive Committee of the
9 Medical Society of the State of New York. The
10 Medical Society has accepted the Environmental
11 Committee's recommendation. The Medical
12 Society of the State of New York supports the
13 EPA's recommendation to dredge the Hudson
14 River and remediate the PCBs.

15 BOB HENDRICKSON: I'm Bob
16 Hendrickson and I'm President of the Nassau
17 Union of Concerned Citizens. This is the
18 third of these meetings I have attended. When
19 the process started in Saratoga, never did I
20 imagine it would take such a bizarre course.

21 On one side is the EPA which has
22 wisely proposed to clean up most of GE's
23 Hudson River PCB pollution at GE's expense
24 through an environmental process with a proven

1 track record.

2 On the other side we have Polluter
3 GE who has mounted a massive and effective
4 propaganda campaign against the cleanup which
5 would put the likes of Nazi or a Joseph
6 Goebbels to shame. Now 23 years after PCBs
7 were banned they propose a point source
8 control plan for the three ounces allegedly
9 leaving the plant site per day while almost
10 500 pounds a year from sediments pour over the
11 Troy dam.

12 When studies released this week
13 revealed PCBs on the Hudson shore line, GE's
14 response was, gosh we don't know how they got
15 there. Misinformation, disinformation,
16 distortion and outright lies, it's all there.

17 Added to the strange mix are the
18 elected officials who have chosen not to look
19 at the facts of the EPA plan, but instead have
20 elected to demonstrate the egregious level of
21 irresponsibility as they pander to the
22 corporate money that supports their
23 incumbency, and turn their heads away from
24 their role as stewards of the land and the

1 waters by spewing nonsensical rhetoric
2 intended only to inflame the citizenry.

3 And, yes, arising with religious
4 zeal are the anti-cleanup citizens who have
5 hopped on the GE band wagon. Apparently they
6 are brainwashed by the propaganda or somehow
7 trying to appease GE, which has a solid track
8 record of pulling tens of thousands of jobs
9 out of New York so they don't close the plant.
10 Frankly, the only thing that could make this
11 bizarre picture more complete would be if the
12 walls of this room were covered with paintings
13 by Salvador Dali.

14 If one looks at the research on
15 these chemicals, their persistent nature,
16 their proliferation throughout the world,
17 their impacts on endocrine disruption,
18 reproductive failure, and developmental
19 disorders possibly what we should be
20 discussing here is the extinction of a
21 species, not just Timber rattlesnakes or bald
22 eagles. I'm talking about Homosapiens. From
23 my perspective you've got a sound plan and it
24 can't start too soon.

1 Thank you.

2 WALLY CHAPMAN: Hi, my name is
3 Wally Chapman. I am 74. I was in the
4 service. I taught school at Hudson Valley,
5 auto mechanics. Got into a lot of emission
6 stuff. And I live in Schaghticoke Hill which
7 is -- it's in my back yard.

8 You have heard enough about PCBs.
9 I don't think there's any argument. Maybe you
10 ought to hear a little bit about GE, that they
11 have -- they could have contributed the money
12 to a church or a some medical institution
13 instead of this wonderful t.v. program. And
14 now it's their turn. They have put it in the
15 river. They should get it out.

16 And the only thing I say to the EPA
17 is do it gently. There's people that actually
18 live on the edge of the river, and I have seen
19 your map and the red and all that. I want you
20 to get the PCBs, but gently. And your
21 systems, many of them will work, but if you
22 need to siphon along somebody's bank to save
23 their willow trees, think about it because
24 they are all real people.

1 Thank you all and I hope that you
2 all get out there and vote.

3 You want a dewatering plant, GE,
4 right next to their old parking lot with brown
5 ground already, that's the place to put the
6 PCBs.

7 CHRIS BALLANTYNE: My name is
8 Chris Ballantyne. I'm here tonight
9 representing my children, Patrick, Tyler and
10 Katie.

11 I am a cancer survivor and
12 ironically the cancer that I have been
13 fighting may have been caused by my friends at
14 General Electric.

15 I think it's a sad day in America
16 when corporations pit citizens against each
17 other, and against government. Particularly
18 the agency that's here tonight to help us
19 effect a clean up to protect the public, and
20 the health of all of the residents of the
21 Hudson.

22 We all live downstream and the one
23 thing I would say tonight is that I have
24 appreciated the opportunity that you have

1 created to provide for citizen input. You
2 have worked very diligently. I believe this
3 is one of the most effective public comment
4 processes ever. If you don't believe that to
5 be the case then just look at how General
6 Electric has stuffed your e-mail boxes. Look
7 at how that corporation tonight has tried to
8 quell support for this cleanup, and to quell
9 people's attendance and participation at this
10 meeting, put on another 30 minute infomercial.

11 I think it's unconscionable what
12 General Electric has done and I have tonight a
13 special award for the good gentleman in the
14 back of the room. It's a box of nutty bars.
15 And I publicly call on you tonight, when the
16 public comment period is over on April 17th,
17 to take down your ads and start to work like a
18 good corporate neighbor to effect a clean up
19 and a resolution of this issue.

20 DAVID LEFEBVRE: My name is David
21 Lefebvre, L-E-F-E-B-V-R-E, from Troy.

22 I just want to say a couple of
23 things. I'm for dredging, specifically
24 Alternative Number 5.

1 And POPS, persistent organic
2 pollutants. This is -- the United Nations has
3 identified eight of these POP pollutants
4 worldwide that they want to encourage other
5 countries to get rid of, and PCBs were on the
6 short list of eight chemicals they found to be
7 the most important of any chemicals they could
8 identify in our environment that they would
9 urge everyone in the world to stop producing
10 and to eliminate because they're dangerous to
11 wildlife and human health.

12 Also, I want to say that the key
13 word in that is also is persistent, because
14 it's the fact that they're not going to go
15 away and that they persist in the environment,
16 as you've heard over and over, they accumulate
17 in the fatty tissues and so forth. And
18 they're going to stay in the sediment also.
19 They're going to be persistent there --

20 MR. CASPE: Excuse me, could you
21 just get a little closer to the mic?

22 DAVID LEFEBVRE: Sure.

23 And what happens is that they're
24 going to stay in the river until the weather

1 changes, and you know we've had volatile
2 weather with global warming, this type of
3 thing, so forth, is that, you know, during
4 flooding the sediment is broken up and the
5 pollutants are released again. And they'll
6 find their way, I've heard at the previous
7 meeting there, that the high levels on the
8 banks perhaps were the result of flooding.
9 And so that's going to happen again. So we
10 have only more of the same to look forward to.
11 Until they're removed, we're just going to be
12 subjected to this.

13 The other thing I wanted to say is
14 I would think Fort Edward would want to
15 improve their environment. I agree with David
16 Higby, that they would want to have this
17 cleaned up and have navigational dredging take
18 place and maybe even improve the economic
19 status of their community.

20 AARON BANKS: Good evening. My
21 name is Aaron Banks, B-A-N-K-S.

22 And before I start, I'd like to ask
23 everybody here a few questions.

24 Who here likes to swim?

1 Come on people, let's see some
2 hands here.

3 Who here likes to fish?

4 Who here likes to hike?

5 Me too. Me too to all of them.

6 Yesterday, a friend and I went down
7 to the Hudson to see nature in it's annual
8 rebirth. I was a little disappointed there
9 was trash in and around the water and an oily
10 film on parts of the surface, but I still
11 thought it was beautiful.

12 The only thing that really upset me
13 were the signs I saw evenly spaced, about a
14 half dozen of them, warning me of the danger
15 of swimming in the water or eating the fish I
16 caught. This really upsets me.

17 I consider myself an outdoorsman,
18 and I've fish, hiked, and swam all over this
19 great state. I think it's a grave injustice
20 that I can't enjoy these activities in and
21 around the Hudson, right in my own backyard.

22 To the Mayor of Stillwater, I say
23 I've spent my whole life in Upstate New York,
24 never living more than 20 minutes from the

1 Hudson, and as a young person I have a
2 responsibility to say that we must clean up
3 the Hudson.

4 To Tim Havens, to Jack Welch, to
5 the members of the EPA here, what we do or
6 don't do regarding cleaning up the Hudson will
7 affect me longer than it will affect you.

8 Today the EPA offers a real plan to
9 clean up the Hudson.

10 In American history class, I've
11 learned that all American citizens live under
12 the same laws, wether you are GE, a corporate
13 citizen, or a school student, like myself, the
14 rules are the same. If I dumped massive
15 amounts of PCBs in the Hudson, I would be
16 responsible for cleaning them up.

17 To GE I say, regardless of the
18 propaganda you put on my television every
19 night, and it's propaganda, make no mistake,
20 you are no different than me. You have
21 recklessly contaminated the Hudson, you must
22 cooperate with the EPA to clean it up. We
23 must clean it up so that, when I take my
24 family down to the river many years from now,

1 I don't see a river that is a victim of
2 corporate greed and indifference, but a Hudson
3 River that is vibrant and PCB free.

4 Thank you.

5 STANLEY BYER: My name is Stanley
6 Byer. I'm a chemical engineer, an RPI grad,
7 I've worked 29 years as an environmental
8 scientist.

9 Tonight I've been sent to offer a
10 statement of support for a prompt and complete
11 clean up of the toxic waste being discharged
12 by the General Electric Company.

13 I speak as a private citizen and an
14 elected representative of my professional
15 peers, the career of civil servants who are
16 members of the New York State Department of
17 Public -- New York State Public Employees
18 Federation, Division 169, which represents the
19 1900 professional scientific staff at DEC.
20 We're a unit of engineers, geologists,
21 environmental scientists, biologists,
22 foresters, environmental analysts, and other
23 technical staff titles. We wish to express
24 our strong support of the Hudson River

1 dredging proposal put forth by EPA.

2 After a careful evaluation of all
3 the options being considered and in full
4 understanding of the scientific and
5 technological factors surrounding the
6 remediation project, the career environmental
7 professionals, who comprise our statewide shop
8 steward council, voted nearly unanimously to
9 send this statement of support to the public
10 record and docket.

11 The prompt remediation of the
12 Hudson River is essential to improve and
13 protect the long-term health of our citizens
14 and our ecosystem. A comprehensive
15 remediation of the existing toxic waste
16 deposits and the cessation of the additional
17 continuing illegal PCB discharges from the
18 General Electric Company sites will benefit
19 generations of New Yorkers to come.

20 Cleaning up the Hudson River will
21 enhance the commercial and economic health of
22 the Empire State and will greatly improve the
23 recreational value of the Hudson River.

24 Upon serious scrutiny, GE's

1 alternative proposals reveal themselves to be
2 fraudulently insufficient and self-serving.
3 Their all-too-well publicized solutions do
4 nothing to remove the existing PCB-laden
5 sediments, leaving untold tons of waste PCB
6 deposits in the river bed, does not fix the
7 problem but simply prolongs the inevitable
8 migration of these toxic substances downstream
9 and, more importantly, throughout the food
10 chain.

11 Only by the removal of these
12 contaminants to the greatest extent practical,
13 can anyone claim that the Hudson River is
14 truly being remediated.

15 Thank you.

16 MR. CASPE: Thank you.

17 (Applause.)

18 TIMOTHY LAKE: Good evening. My
19 name is Reverend Doctor Timothy Lake, L-A-K-E,
20 and I represent the River People. If you hold
21 up -- Carolyn, if you hold up a River People.
22 I also represent the Hudson Valley Pagan
23 Network, the Essatrue (sic) Free Alliance, and
24 over 800,000 pagans around the country.

1 What I have for you this evening is
2 not so much facts but I have a metaphor for
3 you.

4 We have a chant that was originally
5 produced by Dina Metzger, and I'll just give
6 you apart of that. And it can be seen like a
7 metaphor of what's going on in the river and
8 where it goes.

9 It's we all come from the goddess,
10 and to her we shall return like a drop of rain
11 flowing to the ocean. Our whole system here,
12 tied to one environmental truth, is that the
13 river is our creator. We survive from it.

14 I will give you a blessing here, if
15 you will.

16 The river is a symbol of our hopes
17 and dreams. We may light a candle and cast
18 our cares to the river. She will act as our
19 agent and comfort us. In our times of despair
20 and hurt, she will heal us. Let us join
21 together in unity, all of us, we're all
22 neighbors here, for peace and justice. Let us
23 call on those who would clean the Hudson, to
24 do that which is right. Let us remember our

1 connections to family, divinity, and nature
2 and our commitments and responsibilities to
3 them.

4 Thank you.

5 JOE KUSEK: My name is Joe Kusek,
6 K-U-S-E-K.

7 I'm concerned about some of the
8 movements of the PCBs from the area after
9 dewatering it and what's going to happen to
10 the dust that comes off that train and the
11 people downstream that are going to be subjected
12 to an increased turbulence coming down the
13 stream.

14 The water that goes down that
15 stream is picked up by a lot of people,
16 including the pharmaceutical companies over in
17 (inaudible) that were there.

18 I don't know. You've been shipping
19 PCBs all over the world via that mechanism.

20 The fact is, if we trim this thing
21 up and move it, are we actually doing a
22 service? Everyone talks about the kids and
23 all that and how much money GE has spent on
24 their propaganda. Perhaps it would be better

1 if we showed a little faith in the kids and
2 challenged the engineering schools by putting
3 up an award for somebody to come up with a
4 better solution, teach the kids that it's just
5 not enough to be an environmental activist,
6 but to find a solution instead.

7 Thank you.

8 MR. TOMCHUK: I just wanted to
9 clarify a little bit that the concern about
10 emissions from a facility. There should not
11 be any real health, increased health risks
12 that would be unacceptable from any facility
13 and that the current exposures, the
14 bioaccumulation up the food chain is far
15 outweighs any risk that is, would, that
16 somebody living nearby would have.

17 Thank you.

18 ERIC BROCKOVICH: Hi. My name is
19 Eric Brockovich.

20 What are we talking about here?
21 Polychlorinated biphenyls. Okay?

22 It's simple chemistry. The
23 electronegativity of chlorine is 3.5. The
24 electronegativity of oxygen is 3.2.

1 What do you want to do? You want
2 to make the molecule bigger and filter it and
3 then incinerate it. And then all the chlorine
4 goes down into the ocean, where it belongs.

5 What's in the ocean? Salt, NaCl.
6 Thank you.

7 JUDITH SCHMIDT-DEAN: My name is
8 Judy Schmidt-Dean. Tonight I would like to
9 address the subject of risk. This
10 reassessment coming at the dawn of the new
11 century where we face very real dangers and
12 risks, ones our parents and grandparents never
13 dreamed existed, illustrates so well the
14 inadequacies of the current methodologies of
15 risk assessment. It would be easy to say it
16 lacks good old common sense, but I believe it
17 is much more complex. We actually need a new
18 language of risk. The language of
19 mathematics, statistics and actuary are not
20 enough anymore. Risk must be individualized,
21 made unique to each person. We measure risk
22 right now at the point of contact, not by the
23 different effects these risks can have on
24 individuals determined by the genetic make up,

1 life expectancy, occupation and so on.
2 Perhaps it is more holistic approach that
3 combines the body, mind, and lifestyle of an
4 individual that we need. But that doesn't
5 describe exactly what I mean. Even in
6 English, the wordiest language on earth, there
7 are no words to describe what a true risk
8 assessment should be. I can picture a think
9 tank with mathematicians, statisticians,
10 actuarials, scientists, medical doctors,
11 occupational researchers, psychologists,
12 social and cultural psychologists,
13 geneticists, philosophers, artists, humorists,
14 and theologians all coming together to assess
15 the actual risks we human beings face.
16 Impossible today perhaps, but we will be
17 forced to move in that direction. A
18 generalized homogenized version of normal,
19 average and safe just doesn't make it anymore.
20 Yes, it is all that we have got but
21 until the time does come that science can
22 truly assess risk, then let common sense
23 prevail.

24 I would formally request that you

1 abide by the FDA level of two parts per
2 million, which the FDA says is protective of
3 human health instead of the target goal you
4 have set at .05 parts per million, which is 40
5 times lower than the FDA limit. There is no
6 justification for this. I request too that
7 you then rerun your model and show you us then
8 the benefit of this ridiculous dredging
9 project.

10 MARION OLSEN: I would like to
11 respond to a few of the issues that Ms. Dean
12 just mentioned. EPA has been involved in risk
13 assessment for a number of years going back to
14 the 1980s. EPA develops guidelines, brings
15 together scientists from both within the
16 agency and outside to discuss the best ways of
17 looking at risk assessment. To improve, to
18 look at the toxicity information, to look at a
19 wide variety of information. This has been an
20 ongoing process, as evidenced by EPA's cancer
21 guidelines in 1986, updates in 1992 and 1994.
22 And this is just one example.

23 What you have mentioned is an idea
24 that EPA has been looking at for a number of

1 years, and this is the idea of cumulative
2 risk. The risk assessment forum of the agency
3 is trying to address this issue, to use the
4 best available science, and to involve
5 individuals within this process. And this has
6 been going on for a number of years.

7 Thank you.

8 MR. CASPE: I would just add --

9 MARION OLSEN: I'm sorry. I
10 would also like to address the issue of the
11 FDA level, which as you mentioned is a
12 tolerance level. It as set at 2 ppm. It was
13 set back in the early 1980s. EPA has
14 reevaluated PCBs at various times since then,
15 looked at the toxicity information, and also
16 has looked at exposures of individuals who are
17 consuming fish from the Hudson River. The FDA
18 level is designed to address a market basket.
19 An individual who is not getting all of their
20 fish from one area, EPA's assessment has
21 evaluated that, and has come up with a 0.05
22 ppm value to be protective of an individual
23 who is consuming fish from the Hudson River,
24 and not diluting it by having fishing from

1 multiple sources outside of this area.

2 MR. CASPE: And I would just add
3 that .05 parts per million is also consistent
4 with the number adopted by the Great Lakes
5 Sport Fishing within the Great Lakes.

6 PETE SHEEHAN: My name is Pete
7 Sheehan, and I am a volunteer with the Sierra
8 Club, Chair of the local Hudson Mohawk group.

9 On behalf of the statewide
10 Sierra-Atlantic chapter, it's approximately
11 30,000 members, I would like to first commend
12 the EPA for putting forth it's proposed action
13 of requiring that the Hudson River be dredged
14 of PCBs. We support the central concept that
15 General Electric, as responsible party under
16 federal super fund law, should bear the cost
17 of removing PCBs as detailed by your agency.

18 Specifically the Sierra Club
19 believes that while the preferred EPA remedy
20 #4 is a good start, Alternative #5 is our
21 favorite alternative because Alternative #5
22 will remove 155,000 pounds of PCBs from the
23 river at a cost of approximately \$570 million
24 dollars over seven years.

1 What we think we are dealing with
2 here, which is becoming abundantly clear, is
3 the insidious nature of PCB contamination. It
4 gives the casual observer the message that all
5 is right with the Hudson River when the
6 reality is that the river is a toxic dump with
7 water flowing over it.

8 The cunning and misleading nature
9 of General Electric's advertising uses the
10 nature of the pollution to distort the truth.
11 The message left for the general public and
12 our children, and our future generations is
13 that pollution need not be cleaned up, that
14 mother nature can always take care of itself.
15 In some minor forms of pollutions this may be
16 partially true. However, with PCBs, which
17 were designed not to break down naturally,
18 this is false, as many scientists have proven
19 beyond a shadow of a doubt. Data recently
20 released by the DEC regarding PCB levels which
21 have been discussed here tonight show that
22 they remain a presence, and that the PCBs are
23 not being safely buried in the Hudson River.
24 And we fully support the EPA in its role, and

1 we would support dredging the Hudson River for
2 our future generations. Thank you.

3 MERRILYN PULVER: Good evening.
4 My name is Merrilyn Pulver. I am the Fort
5 Edward Town Supervisor.

6 In 1999 when EPA wanted to do the
7 emergency dredge of the Thompson Island Pool,
8 EPA calculated the resuspension rate. Last
9 night you said that you were wrong when you
10 calculated that resuspension which was much
11 greater than you are now calculating. You
12 were wrong in 1999 but if we had to ask in
13 1999 EPA would have said your calculations
14 were absolutely correct. That was 18 months
15 ago. Today EPA tells us it knows exactly what
16 it's doing. Do you understand why we don't
17 trust EPA's calculations? EPA has said, we
18 heard you, we heard the upper river
19 communities. There will be no landfill in the
20 Hudson Valley. However, EPA has selective
21 hearing. All of these communities, these
22 organizations, have said no. We have been
23 saying no for a long time. No to dredging, no
24 to land filling, no to dewatering facilities.

1 What part of no don't you understand? Just go
2 away and let our communities recover from the
3 stigma that EPA itself has placed upon them.

4 MR. CASPE: I would like to call
5 the next 10 speakers please. Lisa Kannenberg,
6 Gene Waters, Charles Treventi, Ivan Vamos,
7 Brian Smith, Sherwood Davies, Sam Goodspeed,
8 Frank Berlin, Mark Dunlee, and Lorraine
9 Wilson.

10 PAULINE BOEHM: My name is
11 Pauline Boehm. That's B-O-E-H-M, and I'm from
12 Halfmoon.

13 First of all I want to say I'm
14 totally in support of the EPA's dredging plan,
15 and I do prefer Alternative 5. Pretty much
16 most of what I would have said has been said
17 tonight.

18 I do want to say though it really
19 saddens me that so many of the people up river
20 are such victims of GE's propaganda, and I
21 hate to see people divided. But one of the
22 things that I don't understand is this idea
23 of, leave us alone, because those PCBs and
24 that water with the PCBs in them doesn't stay

1 in Fort Edward, it doesn't stay in Hudson
2 Falls. It goes down to New York City, and
3 they don't want it either.

4 One last thing I would like to say,
5 there's been a lot said about economics, and I
6 can't see where cleaning up the river would be
7 bad for the economy. I think a couple of
8 people said that, and, you know, even if it
9 was a little bit bad, it seems to me that as a
10 culture and as a society, we really have our
11 values screwed up if that's more important
12 than the health of the people that live in
13 this culture.

14 Thank you.

15 BILL KOEBBEMAN: Bill Koebbeman,
16 Town of Halfmoon, one of the towns that was on
17 that list a minute ago that has come out
18 against dredging. And these towns have
19 criticized your public process. I just want
20 to say that you have given advance notice, you
21 have given everyone a chance to speak or
22 submit written comments. I think your public
23 process is beyond criticism.

24 I would like to tell you how some

1 of those resolutions are passed that were on
2 that list. At the Town of Halfmoon I attended
3 the board meeting where that was passed.
4 There was no advance notice. The people at
5 that time on the spur of the moment were given
6 a chance to speak. Two of us spoke in favor
7 of dredging and against the resolution that
8 they then passed. Two of the board members
9 were missing that night. That's how seriously
10 they took this. There was no both sides
11 speaking, you know, the experts from both
12 sides didn't have a chance to speak. So when
13 these town's criticize you, I want you to keep
14 that in mind.

15 And I support your resolution.
16 Thank you very much.

17 IVAN VAMOS: Thank you for the
18 opportunity to give comment.

19 My name is Ivan Vamos, V-A-M-O-S,
20 and I have been working with Hudson River
21 issues for over 35 years. That includes a lot
22 of work on the upper Hudson. I used to be a
23 deputy commissioner for New York State Parks.
24 I have retired since, but it was my staff and

1 I that put together the original 1972 Canals
2 and Recreation Way Plan and we had implemented
3 a lot of it during the time that I was there.
4 I served on the canal board for over a decade
5 and in time watched the issues on the upper
6 Hudson, which is the Champlain Canal, become
7 quite a travesty. Of course, navigational
8 dredging had to stop. There hadn't been a
9 problem before that. There was dredging.
10 Nobody seemed to notice, though it was a
11 pretty sloppy operation. And I trust your
12 operation, as you propose it, is much safer.

13 We have also conducted surveys at
14 that time of people that were along the
15 canals, migrant workers, people that weren't
16 able to respond to questions because they came
17 from Asia or South American countries. They
18 all eat the fish. Those do, anyway.

19 We also had done a great deal of
20 costal erosion work and it had become one of
21 my specialties. I chaired the Long Island
22 Costal Erosion Task Force, I served with the,
23 since retirement, were the U.N. for Small Iron
24 Nation Costal Erosion issues.

1 That material is going to move and
2 does move. This may be the year that it
3 moves. There's a lot of snow pack in the
4 mountains. A good storm will bring that out
5 and the material will move. It has to be
6 gotten rid of; otherwise, we will have the
7 problem forever.

8 Thank you.

9 MARK DUNLEE: My name is Mark
10 Dunlee. I live in Postenkill. I'm vice-chair
11 of the Green Party of New York State, and we
12 are very committed to the issue of dredging
13 the Hudson River. In fact, we brought up our
14 presidential candidate, Ralph Nader, who came
15 to Albany last summer to speak about the
16 issue.

17 It's time to remove one of the
18 greatest rivers of this planet from life
19 support. It's time to clean it up. It's time
20 to hold GE accountable for its criminal
21 activities.

22 But I want to talk very briefly. A
23 couple years ago I had an opportunity with a
24 friend of mine, who is one of the lasting

1 remaining commercial fishermen to the Hudson
2 River. And there's something that we never
3 hear about, is that \$30-million-a-year
4 industry that was destroyed by the PCBs. We
5 went down in Poughkeepsie, where he's one of
6 two fishermen left, went out fishing for shad.
7 At the same time that the shad were running,
8 the Striped Bass was running. And even though
9 both of them live in the Atlantic for most of
10 their lives, by the time the Striped Bass come
11 out to Poughkeepsie, because they're bottom
12 eaters, they have eaten so much PCBs that
13 they're contaminated. So we had to spend, of
14 130 fish that we caught, we had to throw a
15 hundred of those fish back because they were
16 Striped Bass.

17 One of the other things I do is I
18 run a statewide network of food pantries and
19 soup kitchens. And each month we feed 1.6
20 million people. And to sit there and throw
21 away perhaps a ton of food because GE had
22 contaminated that, was a crime. And it's time
23 to restore the Hudson River and to allow our
24 people and our environment to take advantage

1 of this wonderful resource.

2 Thank you.

3 SHERWOOD DAVIES: Good evening.

4 My name is Sherwood Davies, D-A-V-I-E-S.

5 I am opposed to dredging the
6 Hudson, upper Hudson River until there is an
7 evaluation on the impact of human health of
8 the dredging process of the upper Hudson and
9 an evaluation is made on the public health
10 impact from the PCBs that will remain in the
11 lower Hudson River.

12 The U.S. EPA has measured PCBs in
13 the water column, bottom sediments, and fish.
14 Health officials extrapolated PCB human
15 exposure based on fish consumption and has
16 issued an advisory.

17 The New York State DEC recently
18 released a report showing PCBs in soil and
19 animals from samples that were collected
20 adjacent to the Hudson River some 15 miles
21 north of the Troy Dam. This data is suspect
22 as to the timing of the release and the fact
23 that it did not include an evaluation of the
24 total length of the river.

1 The U.S. EPA has also found PCBs in
2 variable concentrations in the water column,
3 in bottom sediments from Fort Edward to New
4 York City, but has only recommended dredging
5 in the Hudson River, although the entire river
6 has been declared to be a PCB Superfund site.

7 Our public health officials need to
8 provide an evaluation of human casualties
9 which may result from the dredging of the
10 upper Hudson and the potential public health
11 impact from PCBs that will remain in the lower
12 portion of the river.

13 Thank you.

14 SEAN KIRKER: Good evening. My
15 name is Sean Kirker. I live in Latham, New
16 York, and I support the dredging operation.

17 I'm not going to take a whole lot
18 of time here tonight. I got here late. My
19 boss has already talked to you about it. And
20 what we are is we are the experts in the
21 dredging. Okay?

22 I've heard a lot of people talk
23 about how bad it's going to be, what a mess
24 it's going to be. Believe me, we don't do

1 that kind of work. We're professionals. We
2 take the environment -- you know, I'm sick and
3 tired of listening to people say that we just
4 want to wreck the environment.

5 If you have ever gone by the roads
6 that we do and we build and you see the mess,
7 and six months later when you go by, it's
8 clean. When you go through a pipeline that
9 brings gas into your neighborhoods, okay, when
10 you see them cut that path, you say they'll
11 never clean this up. When you go back six
12 months to a year later, you see that it's
13 pristine and clean, and the farmers want it
14 that way and that's the way they get it. This
15 operation will be no different.

16 Again, I'd like to say, this is a
17 great country, we can come up here, both sides
18 can air their views, but I say a pucks to GE
19 because what they have done to this is a scam.
20 Okay? They make billions of dollars a year
21 profit and they put it all on billboards. If
22 they meant so much to the community that they
23 would spend those millions of dollars into the
24 community, I wouldn't be up here talking. But

1 they're not, they're putting it into
2 billboards, they're putting it into signs on
3 the lawns. What does that tell you about what
4 they feel about the community, you and me and
5 the river?

6 Thank you very much.

7 (Applause.)

8 LORRAINE WILSON: Hi. I was the
9 last name called. Should I wait?

10 MR. CASPE: No. Just say who you
11 are and go on.

12 LORRAINE WILSON: Okay. Hello.
13 I'm Lorraine Wilson. I'm from Niskayuna. I'm
14 a private citizen. I'm a member of the Sierra
15 Club. I'm a member of the Public employees
16 Federation. However, I'm very unhappy with
17 what I've heard this evening.

18 This meeting is not about to clean
19 the river or not to clean the river. This
20 controversy is and should be about how to
21 clean the river.

22 I have very serious doubts about
23 many of the EPA's ideas. I am unhappy hearing
24 GE talked about as if it were a horrible,

1 evil, manipulative -- GE has already spent
2 more than \$200 million to clean the Hudson.
3 They will continue to clean the Hudson. I
4 think their proposal is sounder and more
5 reliable. I trust the GE science.

6 I really, truly expect and fear EPA
7 project over-extending, over-extending the
8 time, over-estimating how well they can do it,
9 how little will be released. I am very
10 concerned about that. I hear the word
11 believe, we believe, we believe. I'd rather
12 hear the word I know this is going to work. I
13 didn't hear that.

14 Also, I'd like to know what part of
15 all this cost the Legislature intends to pay?
16 The permits were sold by the New York State
17 Legislature. The dumping was stopped when the
18 problem was discovered. The clean up began
19 back in 1977.

20 (Audience noise.)

21 LORRAINE WILSON: And we have
22 been.

23 I think it's my turn. Thank you.
24 I've waited a long time. I'm also

1 concerned --

2 Oh, I've passed it. I'm sorry.

3 MR. CASPE: Why don't you wrap
4 up.

5 LORRAINE WILSON: Thank you.

6 I think that perhaps in 2005 we'll
7 all be told you've been polluting with your
8 vehicles which were legally registered, pay
9 up.

10 MR. CASPE: Thank you.

11 MIKE DONVITO: Good evening. My
12 name is Mike Donvito, and I here, along with
13 my brother operating engineers, are in favor
14 of dredging. I'm a union carpenter so I'm not
15 going to get any work out of this.

16 I'm here to tell you story about
17 Mike Donvito, a true story. Five years ago I
18 inherited an abandoned gas station from my
19 Dad, who died this coming May the 17th, five
20 years ago. Because of the EPA, and I have no
21 love for EPA because of the things that have
22 happened, my Dad was closed down because he
23 did not comply with the law of having the gas
24 tanks tested or removed back in 1990. A lot

1 of hard feelings there, hired a lawyer, really
2 couldn't do anything. The law was set in
3 stone, you had to comply with the law. Last
4 year I said to myself, I do not want to look
5 back on the year 2000 and still have this
6 headache. I borrowed the money, I had those
7 tanks removed. Thank God there was no
8 pollution. Now I can look back on the year
9 2000 and say to my Dad, we did it.

10 Is GE any better than me? If I
11 have to comply, who are they?

12 Thank you.

13 MR. CASPE: If I can call the
14 next group of speakers: Mike Russo, Ashley
15 Bowman, Tom Prindle, John Nabererzny, Nicole
16 Romano, Denise Jordan, Geralyn McDowell,
17 Maureen Ferraro-Davis, Roger Gray, and Gary
18 Gustin, Jr.

19 BRIAN SMITH: Good evening. My
20 name is Brian Smith. I live in Albany and I
21 work in Castleton. I moved up here 10 years
22 ago because I thought, from the New York City
23 area, because I thought there was a lot of
24 nature up here, and it was beautiful and the

1 people were really nice. And I think the
2 river is beautiful too today, like you see in
3 the GE ads and stuff, but I liken it to a
4 house, which is a beautiful house, but that's
5 on a bad foundation. And I know if there's a
6 bad foundation, we fix it.

7 I commend the EPA and DEC research
8 scientists for their thorough studies which
9 show our rivers can be improved. I urge you
10 to carry through with your plan to clean up
11 the Hudson.

12 The river should be cleaned up for
13 three reasons. Number 1, science has shown
14 that PCB poisons in the river can be safely
15 removed.

16 Number 2, experience has shown our
17 river can be cleaner. Several other areas
18 including sites here in New York State have
19 benefited from PCB cleanup like areas of Lake
20 Champlain.

21 Number 3, simple morality says if
22 you make a mess, clean it up. It would be
23 practically criminal to leave toxins in the
24 river when we have a choice.

1 I urge all folks who realize it's
2 time to clean up our river, not to buy GE
3 products until GE ends the nauseating,
4 incessant propaganda, t.v., radio, road signs,
5 internet propaganda campaign against science,
6 morality and common sense. Enough is enough.
7 And until GE cleans up the mess it made over
8 20 years ago.

9 Thank you very much.

10 MR. CASPE: I would make an
11 observation. The line is a lot shorter on
12 that side.

13 TOM PRINDLE: My name is Tom
14 Prindle and I am the President and General
15 Manager of the Mallory Line, Collar City
16 Charter. We operate a charter fleet of six
17 canal boats and two trawlers out of Troy Town
18 Dock and Marina. Last year we recorded a
19 hundred weeks of charter. Most customers
20 coming from all across America and a few from
21 Europe, I might add, traveling up the
22 Champlain Canal to Lake Champlain.

23 We believe, and the numbers will
24 show, that our business makes a significant

1 impact on the economic food chain along the
2 Champlain Valley. The upper Hudson River is
3 not just a river, it is also a commercial
4 highway in which the State of New York is
5 investing heavily in improved infrastructure
6 for recreational boating traffic at places
7 like Fort Edward Yacht Basin, Mechanicville
8 and Whitehall.

9 Since the canal is recognized by
10 both sides in the dredging issue as an
11 important economic highway it makes no sense
12 to us that the draft issue goes unmentioned as
13 a real problem effecting our industry and the
14 economic viability of the canal as a
15 recreational highway. The number of grounding
16 incidents in the Fort Edward Yacht Basin by
17 vessels drawing three to four feet, and by
18 even larger recreational craft, and tour
19 vessels in the canal channel proper should
20 tell you that the draft problem will only get
21 worse if sedimentation is allowed to go
22 unchecked. The canal has not been dredged in
23 20 years. I ask you to consider what the
24 draft of the navigational channel will be like

1 in ten years.

2 I am also a principle partner in a
3 new company called North River Navigation that
4 is building a 259 foot hotel ship modeled on
5 such vessels operated in Europe. That ship
6 will draw eight feet. Under the present
7 scenario on the Champlain Canal it is doubtful
8 that we would be able to consider the
9 Champlain in our program. Certainly dredging
10 will cause delayed lockings, no wake zones,
11 and inconveniences for boat traffic during the
12 duration of the project, but to us the payoff
13 in the long term by way of a restored canal
14 channel is even greater. Opening the way for
15 charter boats, tour boats, hotel ships, and
16 even a possible return to some use of the
17 canal for commercial shipping.

18 Imagine traffic not being able to
19 use the Northway because of deteriorating
20 pavement. Well, friends, draft is to the
21 canal what pavement is to the Northway. The
22 Canal Corporation, which is strangely silent
23 on this subject, we assume for political
24 reasons, will tell you that it cannot dredge

1 the canal for navigational purposes --

2 MR. CASPE: Please wrap it up.

3 TOM PRINDLE: -- because of
4 PCB-laden sediment. If EPA does not dredge,
5 then who will?

6 We, therefore, support the EPA's
7 proposal.

8 MR. CASPE: Thank you.

9 SAM GOODSPEED: Good evening.
10 Sam Goodspeed from Queensbury.

11 Indicator species have been able to
12 show what scientific research will support in
13 the future. This is true of problems of DDT.
14 Like PCBs DDT was produced by Monsanto
15 Chemical Company. Indicator species have been
16 trusted in the past and have saved many lives.
17 The canary in the coal mine is a common
18 example of an indicator species. Miners have
19 long trusted the canary to tell the toxic
20 gases. PCBs are also toxic, and we have
21 indicator species such as owls, tree swallows,
22 hawks, minks, turtles, and other wildlife.
23 They demonstrate that PCBs are dangerous by
24 the health effects on their populations. With

1 the knowledge of PCBs, that they don't break
2 down, and the information indicator species
3 offer, I see no other option but to remove the
4 PCBs from the Hudson.

5 I would like to leave you now with
6 a quote from Sir Francis Bacon "For when men
7 once made over their judgments to others
8 keeping, and have agreed to support someone's
9 opinion, from that time, they make no
10 enlargement of the sciences themselves, but
11 fall to the servial(sic) office of
12 embellishing certain individual authors and
13 increasing the (inaudible) to them."

14 MR. CASPE: Thank you.

15 FRANK BERLIN: Well I have come
16 to three meetings. My name is Frank Berlin -
17 B-E-R-L-I-N, and I finally got to speak.

18 I wonder sometimes, you know, I
19 hear about people saying, well what are they
20 going to do with the PCBs? There were PCBs in
21 all the transformers, right, all over the
22 country. And I don't know if you folks --
23 what happened to all those PCBs? And also the
24 ones that GE is pumping out of the ground now?

1 There must be some besides, you know, putting
2 it in a waste dump. They have approval to get
3 rid of that. I don't see that as a concern
4 really. I'm just wondering what happened to
5 all the stuff before. Do you know anything
6 about that?

7 MR. CASPE: Is that the series of
8 questions?

9 FRANK BERLIN: Well other than
10 the transformers, what happened to all the
11 PCBs?

12 MR. CASPE: Transformers have
13 been disposed of properly, sometimes
14 incineration, they have been emptied,
15 sometimes landfill, sometimes they have been
16 spilled and they have caused -- then we have
17 had to go out and clean up facilities as well.

18 FRANK BERLIN: So it has been
19 done in the past? It's not something new?

20 MR. CASPE: That's right.

21 FRANK BERLIN: So I don't see
22 that as a big issue. The thing about
23 dredging, we dredge all the time, and it's not
24 like it's a dirty word. We have always been

1 dredging the rivers. So I don't see that as a
2 big problem. As long as you dispose of it,
3 like you dispose of the other PCBs.

4 The other thing, I'm from Clifton
5 Park and Clifton Park is probably the most
6 populated town in the County of Saratoga, and
7 they say Clifton Park is against dredging.
8 Well I go to our town meetings and I never
9 remember being asked or any survey taken of
10 the residents of Clifton Park. So I want you
11 to know that I think the politicians said that
12 they were against dredging, but the people in
13 Clifton Park, I don't believe were asked how
14 they felt about that.

15 One other thing, a man alluded to
16 the whales, and there is an article here in
17 *The Gazette*, March 4th, which says that the
18 PCBs in the seals and whales have weakened
19 their immune system, and that thousands of
20 animals died off in Europe, and it was proved
21 that PCBs were the cause of that. So it's not
22 like PCBs are good for you. So we should
23 dredge the river.

24 JOHN NABEREZNY: My name is John

1 Naberezny. That's N-A-B-E-R-E-Z-N-Y. I'm
2 thoroughly in favor of dredging.

3 If Mother Earth was working on the
4 State of New York with the scalpel, she
5 certainly would take it to GE's plant up on
6 the river before the cancer spread to the rest
7 of the state, like it's doing. But I think
8 GE's got a good solution to the problem. I
9 call it cash and carry. They save the cash.
10 We, the people, get to carry it in our bodies
11 to the graveyard.

12 (Applause.)

13 JOHN NABEREZNY: A lot sooner
14 than later.

15 MIKE RUSSO: My name is Michael
16 Russo. I live over here on 14th Street in
17 Troy. I'm a fisherman.

18 I've been fishing the river for the
19 past 20 or 25 years. Along with myself and
20 maybe a hundred other guys, we've been helping
21 New York DEC by recording our catches of
22 stripers and shad. And being on the river so
23 much, there's a tremendous food potential out
24 there and there's also a potential for

1 economic growth and tourism.

2 One fact is that the fish, you
3 can't eat them. So that really hurts. So the
4 PCBs really have to come out of the river.
5 But at what cost?

6 GE and EPA are at opposite ends of
7 the universe.

8 And my question is where are the
9 cooler heads? Where are the people that are
10 going to stand on the middle ground? Where
11 are the people that are going to work
12 together?

13 There's got to be a better way to
14 do it. Doesn't seem like you guys are working
15 together. I mean, you come up with these
16 facts, like 38 pounds are going to go over the
17 Troy Dam because you're going to dredge 12
18 hours a day, six days a week. What about the
19 millions of pounds of sediment that's going to
20 flow down the river? What happens when the
21 stripers spawn? How many year classes of fish
22 are you going to kill? And what if you upset
23 that ecosystem? What if you kill a zoo
24 plankton and a pseudo plankton and all the

1 microorganisms? You won't only kill future
2 generations, you'll kill the generations of
3 fish that are there in now.

4 So I think something has to be done
5 to get the PCBs out of there, but you better
6 find a better way of doing it.

7 You want GE to pay for it. You
8 guys make the mistakes, you got to be willing
9 to pay for it, too, because if you hurt that
10 river, you hurt that fish, you hurt the
11 communities, you're going to pay for it in the
12 end. So find a better way and work together.

13 GERALYN McDOWELL: I'm Geralyn
14 McDowell, M-C capital D-O-W-E-L-L.

15 I'd like to thank the EPA for
16 coming to Troy, having this meeting in a place
17 that is accessible by public transportation
18 and to pedestrians. I'd also like to welcome
19 my neighbors from other communities to Troy,
20 New York, the home of Kate Mullaney, who
21 organized the women to stand up to the bosses.

22 I'm in favor of Alternate 5, the
23 best clean up possible, and GE should pay for
24 it.

1 I am a member of the Rosa House
2 Peace community and the editor of *River*
3 *People*, and I'd like to enter a copy of that
4 into the record.

5 *River People* is written from an
6 environmental justice perspective because we
7 know that it is poor communities, communities
8 of color, women, children, and elders who bear
9 the brunt of pollution. We know people are
10 eating the fish.

11 As an independent and broadcast
12 journalist, I know all too well that this is
13 just one problem.

14 There are may other environmental
15 problems that we will need to work together to
16 address. And yet, as a community educator,
17 with decades of experience with non-violence
18 and creative conflict resolution, I am all too
19 aware that GE's assault, and it is an assault,
20 on our minds, on public opinion, is crippling
21 our ability to listen to each other, to
22 dialogue, to cooperate, to work together to
23 find solutions. So it is not only for this
24 problem that we're affected, but for all. I

1 take heart in the words of my friend and
2 colleague Adolpho Perez Escoval the 1980 Nobel
3 Peace Prize winner, he said, "True, the
4 elephant is stronger, but the ants, well,
5 there are more of us."

6 We need to get out and do our work
7 through April 17th. Take home a copy of *River*
8 *People*.

9 MAUREEN FERRARO DAVIS: My name
10 is Maureen Ferraro-Davis. I live in the Town
11 of Schaticoke, on the shore of the Hudson
12 River.

13 This is my sixth hearing and I
14 basically said about everything I felt, so I
15 wanted to share a couple interesting facts I
16 found when I was doing research for a paper I
17 had to write for a class I'm taking. The
18 paper is entitled "The Legacy of the Hudson:
19 Heritage River or forever Toxic?" And the
20 references are from a book called *At Any Cost,*
21 *Jack Welch, General Electric, and the Pursuit*
22 *of Profit* by Thomas F. O'Boyle.

23 The first is in regards to a
24 similar situation with the Mohawk River in

1 1950s. In interviews with employees of GE,
2 Mr. O'Boyle wrote that, in 1950, GE -- and
3 regarding concerns, GE in radioactive waste in
4 the Mohawk River, the dumping of radioactive
5 waste was permitted by the state but was
6 regulated. And in this particular instance
7 the state had notified GE not release any
8 radioactive waste because the radiation
9 monitors were not functioning. As
10 coincidence might have it, GE had a backlog of
11 waste to unload and they released it all at
12 once, a total of 600 curies. This one
13 unmonitored dump was four times the amount GE
14 officially claimed to have released in all of
15 their discharges prior to 1964. The employees
16 claimed that other discharges went undetected
17 and unreported.

18 The State of New York had to dredge
19 the Mohawk to rid it of the radioactivity,
20 because GE chemists alleged that the
21 radioactivity had been washed out to the
22 Atlantic Ocean, when instead, of course, it
23 was found settled in the river sediment.

24 And then the second reference goes

1 to science. At a Westinghouse plant in
2 Indiana -- I guess the State of Indiana had
3 conducted research at a capacitor factory
4 similar to GE's Fort Edward and Hudson Falls
5 plant. This study found an alarmingly high
6 death rate among workers that had died of
7 brain cancer. Officials from GE were sent to
8 Indiana to pressure the state not to release
9 the findings. The state released the findings
10 in spite of GE's obstruction, and then GE came
11 back and instructed their managers to refer
12 their concerned employees to four so-called
13 independent scientists to confirm --

14 MR. CASPE: Please wrap up.

15 MAUREEN FERRARO-DAVIS: -- to
16 confirm negligible health risks from PCBs.
17 And these four scientists had at one point in
18 their careers received financial support from
19 GE for their research.

20 I support your dredging.

21 MR. CASPE: I'd like to call the
22 next group of speakers.

23 John Pattison, Dale Coehrson, Lynne
24 Jackson, Lance Bieselee, Roger Moseley, Joe

1 Berlino, John Wallner, Chris Brownell, Esther
2 Riegert, and Doug Bullock.

3 RENE PECK: Hi. My name is Rene
4 Peck, and I'm a wildlife rehabber and I have
5 been for five years with DEC.

6 I just want to address an issue in
7 when we did research studies in 1970s that it
8 showed that PCBs caused deformities in
9 animals. Recently, in the last couple of
10 years we found a bald Eagle along the Hudson,
11 and in studies that were done on him, in the
12 muscle tissue he had extremely high toxicity
13 contents of PCBs in his tissues. Because of
14 that, he was deformed. He had a beak that was
15 deformed and he was not able to eat, and
16 that's why when he was found him he staving to
17 death. You know, through the veterinarians,
18 they tried to put an imitation beak on him,
19 but it's a very highly probable cause that the
20 Bald Eagle died or had to be euthanaised
21 because of the deformities in the beak.

22 I'm very, very much supporting
23 dredging because, being a wildlife rehabber
24 for the pass five years, I've seen a lot of

1 creatures die and it's unbelievable what it's
2 doing to our environment, what it's doing to
3 our children.

4 Thank you.

5 MR. CASPE: Thank you.

6 ROGER GRAY: My name is Roger
7 Gray. I'm from Albany, New York. I would
8 like to echo the previous speakers telling us
9 about how irresponsible GE has been acting in
10 this situation. If anybody here dropped a
11 toxic substance into a public waterway, we
12 would be sued and fined from here to next
13 Christmas. Yet GE is doing nothing to step up
14 to the plate to clean up their mess and take
15 responsibility for the problem. I think it's
16 tremendously irresponsible for a company with
17 the wealth, it's the fifth largest company in
18 the world, they made \$10 billion in profits
19 last year, yet it's doing nothing to step up
20 to the plate and take responsibility for it's
21 mess. It's tremendously irresponsible for GE
22 to use it's money to try to mold public
23 opinion to believe that the river is somehow
24 magically cleaning itself, and it's

1 practically criminally negligent for GE to
2 state that there is no health risk to eating
3 fish from the Hudson.

4 So I would like to ask the
5 gentleman from GE, when you go back to your
6 plush corporate offices tomorrow, tell your
7 boss to stop welching on environmental cleanup
8 and dredge the Hudson.

9 JOHN WALLER: Hello to everyone
10 from the EPA. I kind of have the feeling that
11 everyone is talking out at the audience and to
12 themselves and not too much to you.

13 I want to thank you for coming here
14 tonight and thank you for listening. It's a
15 hard process and you have listened to an awful
16 lot of people. I have only come one night so
17 I have a sense of what you feel, but not
18 nearly all of it.

19 I'm from the Town of New Baltimore,
20 which is in Greene County, so I'm a down river
21 person about fifteen miles south of Albany. I
22 live within about a hundred yards of the river
23 and I walk by the river every day. I'm on the
24 town board in the Town of New Baltimore and I

1 have talked to a lot of people there about the
2 dredging issue and the environment and fish
3 and economic development and a lot of other
4 issues. For a down river community it boils
5 down to simply one thing, there is pollution
6 that's coming over the dam in Troy, and that's
7 keeping us from having fish, from having
8 tourism around the fish, and it is time that
9 General Electric cleaned up the mess that it
10 has made. Absolutely time to get started.

11 So I stand by all the people who
12 support dredging to Governor Pataki, Attorney
13 General Spitzer, 55 municipalities that I have
14 heard have signed on board for this, the
15 unions, and especially the organizers from the
16 Sierra Club, from Clearwater, from Scenic
17 Hudson that have had the gall to take on this
18 huge corporation and get the message out there
19 without any money other than a lot of people
20 who are willing to show up at meetings like
21 this, sometimes time and again.

22 So thank you for coming, thank you
23 for listening and good luck.

24 MR. CASPE: Thank you. Could you

1 please just repeat your name?

2 JOHN WALLER: Yes, I'm John
3 Waller. Thank you.

4 MR. CASPE: Thank you.

5 DOUG BULLOCK: Doug Bullock,
6 member of Public Employees Federation,
7 Executive Board. I'm also an officer of the
8 Albany Central Federation of Labor.

9 This is my first time speaking. I
10 just want to say to you that in the labor
11 movement in the Capital District there is
12 overwhelming support for dredging of the
13 Hudson River. Resolutions have been passed at
14 the Glens Falls Central Labor Council, at the
15 Saratoga Labor Council, at the Troy Labor
16 Council, at the Albany Central Federation of
17 Labor, and at the Public Employees Federation.

18 I want to speak on my own union the
19 Public Employees Federation, Region 8, which
20 is the Capital District, and the resolution
21 that was passed. It was hotly debated on both
22 sides. The vote came out 42 in favor of
23 dredging and 7 against. At the state wide
24 Public Employees Federation Executive Board, a

1 board of 110 people, the vote came out in
2 favor of dredging and there was only two
3 oppositions to dredging.

4 I have never seen the labor
5 movement in this area come to unity with the
6 environmental groups ever before in the
7 history on an issue such as this. It just
8 doesn't happen, and it's good to see.

9 I really want to protest what GE is
10 doing. I am appalled, and that's mainly why I
11 am here tonight. Every day, every hour, every
12 news cast, every single print media in this
13 area have carried GE. They are trying to
14 dominate public opinion, and they are trying
15 to indoctrinate people. Their commercials
16 inaccurately portray the dredging as a
17 construction-type steam shovel dripping with
18 PCBs. Why are they lying to us? They could
19 care less about the health of the Hudson
20 Valley residents. The Hudson River is the
21 oldest and largest super fund site in the
22 country. What are they hoping to change?
23 This 20 year old super fund law? They want to
24 set a precedent here in New York that will

1 save them billions of dollars across the
2 country. They do not want to be responsible
3 for the environmental damage that they have
4 caused.

5 One positive effect of the Hudson
6 River remediation will be the creation of
7 hundreds of jobs in an area which has been
8 plagued with high unemployment.

9 MR. CASPE: Please wrap it up.

10 DOUG BULLOCK: The proposed \$460
11 million that will be used to clean up will
12 promote economic renewal without burdening the
13 taxpayers with that. I urge you to keep the
14 support up for dredging, and don't get
15 bushwhacked.

16 CHRIS BROWNELL: Hi, my name is
17 Chris Brownell. I am a long time resident of
18 the Hudson River Valley, was born in Glens
19 Falls, grew up in Greenwich. My family
20 members have farmed in Easton for almost a 200
21 years.

22 I am ashamed of GE because it's a
23 real typical corporate response, okay, but I'm
24 really more ashamed of the some of the farmers

1 and land owners in the area who are supposed
2 to be stewards of the land and who have kind
3 of joined forces in this evil collusion with
4 General Electric to attempt to convince the
5 general public that dredging is wrong, and
6 that the river is cleaning itself. It clearly
7 is not, it's clearly GE's responsibility to
8 clean it, and I applaud the EPA's efforts.
9 And stay the course.

10 Thank you.

11 ROGER MOSELEY: Roger Moseley,
12 farmer from Buskirk. Mayor Fiorello LaGuardia
13 used to, when he got up to speak, he threw
14 away his papers and says, I'm among friends.
15 I don't need this. Well clearly I'm not going
16 to be among friends. So I better stay with
17 this.

18 I am against -- well I wouldn't say
19 I'm against the dredging. I would like to
20 keep somewhat of an open mind, but several
21 things have come to my mind as I have
22 listened. This is black and white. It's sort
23 of like the evil empire and I'm troubled by
24 that. There are times when it seems as if the

1 issue of public safety is really being
2 supplanted by "get him", and I don't quite
3 understand this. Is it just a vendetta? Is
4 that where the emotion is? I don't think
5 that's true of everyone, but I have heard an
6 awful lot of this, and I wish somebody could
7 enlighten me some time.

8 By the way I am able to think for
9 myself. GE does not necessarily mold my
10 opinion. I'm a farmer, and I'm used to
11 investigating and watching whatever comes
12 along, and making my own judgments.

13 I'm a little bit troubled. I don't
14 seem to here any groundswell for any
15 alternatives. I think it was Jimmy Durante
16 who once said, my head is made up, don't
17 confuse me with facts. Now that might not
18 seem as funny to you in this context as it
19 would in others, but I'm worried about that.
20 It seems to me that if PCBs are so universal,
21 taking care of them here, is that really going
22 to make us all totally healthy? That was a
23 new idea to me that they were so universal.

24 So I'm opposed to dredging because

1 I'm not persuaded that it will truly achieve
2 the assumed goal. And I am persuaded it will
3 be a little bit like burning down the house
4 just to get a few rats.

5 MR. CASPE: I would just like to
6 respond to the issue of PCBs being universal.
7 Yes, they are universal in low
8 concentrations. These are not the low
9 concentrations we are looking at. These are
10 the hot spots we are looking at. That's why
11 we didn't go after the lower Hudson either
12 because the lower Hudson is largely dispersed
13 at very low numbers. These are high
14 concentrations in areas that we can clearly
15 get at.

16 LYNNE JACKSON: My name is Lynne
17 Jackson, J-A-C-K-S-O-N, and I live and work
18 nine-tenths of a mile from the Hudson at 223
19 South Swan Street in Albany. I am the owner
20 of a high-tech computer company, Jackson's
21 Computer Services, and I am a member of the
22 Albany-Colonie Chamber of Commerce.

23 On March 30th, the Chamber issued a
24 statement indicating that, though the thinks

1 GE's PCBs should be removed from the Hudson,
2 it does not think that the technology exists
3 today to dredge the Hudson.

4 The Albany-Colonie Chamber of
5 Commerce has christened the Capital Region,
6 quote, Tech Valley, unquote. Telling the
7 world that Tech Valley doesn't have the
8 technology to clean up the poisons in our
9 river is advertising our incompetence. The
10 Chamber is obviously bowing to the will of GE
11 and not supporting cleaning up our river.

12 My business does not benefit from
13 having a dirty river. The only business that
14 thinks it will benefit from a dirty river is
15 GE.

16 Who wants to live next to a
17 Superfund site?

18 Who wants to live in a community on
19 a poison river?

20 Not the high-tech dot coms, who can
21 choose anywhere in the world to settle because
22 of technology and the internet.

23 The best environment for business
24 is a clean environment. Dredging the Hudson

1 will provide jobs.

2 We have the technology to dredge
3 the Hudson safely. Dredging the Hudson on
4 this scale will allow this region the
5 opportunity to develop innovations that will
6 improve dredging techniques, which we can sell
7 to the thousands of other Superfund sites in
8 the country. Dredging the Hudson will make
9 the river good for business here and safe for
10 people everywhere.

11 MR. CASPE: I'd like to call the
12 next group of speakers.

13 Brian Agosta, Peter Jellet, Adam
14 Ayers, Michael Elder, Aaron Mair, Nancy
15 Griseau, Carl McDaniel, Tom Borden, Martin
16 Overington, Sarah Dean, and Ed McCarthy.

17 AARON MAIR: Well, thank you for
18 having me again here this evening.

19 Two things. You know, to quote the
20 immortal Malcolm X, when he talked about
21 people being hoodwinked, bamboozled, and set
22 upon, this is clearly that case. GE had
23 hoodwinked, bamboozled, and set upon American
24 citizens in this State in this Hudson River

1 Valley, and in this country. And the main
2 reason is, again, the corporate bottom line.

3 You can look only as late as the
4 last *Fortune Magazine* and look at clearly and
5 understand clearly this is about the bottom
6 line of saving them from expending money and
7 also preserving their rights of protection
8 from future liability elsewhere in this
9 country and around the world.

10 Let me say tonight that I'm
11 extremely proud, extremely proud of the Public
12 employees Federation and the leadership voting
13 in support of dredging. I am disappointed,
14 though, because one of the elected officials
15 up river last night Merrilyn Pulver, stated
16 that the opinions of those up river should
17 matter more than those down river. How
18 un-American, how unfortunate.

19 All of us, one person, one vote.

20 I've lived in the Hudson River
21 Valley, in fact, born and raised in the Hudson
22 River Valley, descended from a culture that
23 depends upon river culture, a religion,
24 Baptist, that depends upon river culture. And

1 to say that I must abandon heritage and values
2 in this valley is truly a crime. And for any
3 corporation that asks us to surrender our
4 heritage, our culture, our customs, our habit
5 is truly a crime.

6 The EPA asking GE to be held
7 accountable by the law and for the law is only
8 doing its job. I praise you for enforcing the
9 law.

10 What's unequal about the law,
11 unfortunately, is that it excludes 90 percent
12 of the river communities south of the Troy
13 Dam. This is truly an exclusionary process.
14 Unfortunately, GE has truly won because
15 they're only dredging in the backyards of
16 those who, a, do not want the dredging, but
17 more importantly it's ignoring many of those
18 who will be victims.

19 I'm in support of the dredging, but
20 I also ask that you amend it and dredge the
21 entire Hudson, all the way down to New York
22 City Harbor.

23 Thank you.

24 PETER JELLET: Hello. My name is

1 Peter Jellet, J-E-L-L-E-T. I'm a private
2 citizen, a resident of Watervliet, across the
3 river.

4 I thank the EPA for having this
5 hearing process. I support the dredging of
6 the Hudson River.

7 Couple of things just amaze me.
8 One of the things is the shortsightedness of
9 those people who oppose dredging. They're
10 talking about a period of five to 10 years
11 where there may be some disruption. But the
12 Hudson River will be cleaner forever, and I
13 think that's something to consider.

14 The other thing I'd like to say is
15 that, you know, if General Electric had only,
16 if this is the only place they had polluted,
17 we may be able to cut them a little bit of a
18 break as to their propaganda. Clearly, there
19 are many other instances in which General
20 Electric has polluted and not wanted to clean
21 up. Housatonic River over in Massachusetts is
22 one. Down in Nassau they have a problem with
23 GE.

24 So it's clear that GE definitely

1 brings death to good things. So I think we
2 should not believe their propaganda.

3 And thank you once again.

4 MR. CASPE: This is like a New
5 York City traffic report. You know, you say
6 that the traffic is good in one place and
7 everybody goes there and then it's empty on
8 the other side. But okay.

9 BRIAN AGOSTA: That's right. I
10 was swerving. I'm sorry.

11 MR. CASPE: That's all right.

12 BRIAN AGOSTA: Hi. My name is
13 Brian Agosta. I'm a student at RPI. I'm
14 graduating.

15 Agosta, A-G-O-S-T-A. It's not like
16 the capital of Maine. It's a common mistake.

17 Two things. First of all, about
18 the process and the EPA not having all the
19 answers and saying yes, this is definitely
20 going to work. That's a good thing, because
21 I'd be more suspicious if they said this
22 dredging, oh, yeah, it's going to work. I'd
23 be so suspicious, because if we don't have a
24 process that is open to errors, if we don't

1 acknowledge that every process that we make
2 will have errors, then we will be prone to
3 commit errors over and over. We have to build
4 into our processes techniques to prevent
5 errors from happening before they occur. So
6 we have to be able to make these processes
7 reversible or alterable at every step. And by
8 opening up their process to the public,
9 they're doing that, by soliciting feedback.
10 And it works because they've already started
11 altering their first proposed plan. So I
12 think that yay for the EPA, yay for us.
13 They're listening.

14 Second thing I have to say is baby,
15 baby, I get down on my knees for you. If you
16 would only clean the Hudson like you ought to
17 do. Yeah. I bring love, love, a love you
18 don't find everyday. So please, please,
19 please make PCBs go away.

20 Thank you.

21 SARAH DEAN: My name is Sarah
22 Dean, and I overlook the Hudson in Troy.

23 I didn't take the EPA's word for
24 it. I didn't take GE's word for it because I

1 think they're both biased and I think they
2 both put out propaganda. So I turned to a
3 family member who has a Ph.D. in this very
4 subject. His whole work is about cleaning up
5 PCBs. I trust him. He doesn't live anywhere
6 near here. He has no bias or interest in it.
7 Interest in the subject, yes. Interest in the
8 specifics of the Hudson, no.

9 His indication was that he doubted
10 that dredging was the most effective way to
11 take care of the problem because too much of
12 the PCBs would get mixed up in the water and
13 flow downstream. He also indicated that it
14 would endanger those who use the Hudson River
15 for their water for a generation because there
16 would be such a high level of PCBs in the
17 water.

18 He also told me -- and once again I
19 trust him, so I'm going to tell you what he
20 said. He said that if you're going to dredge,
21 you have to dredge all the way down and
22 through all the bays or it won't do a lot of
23 good for the food chain.

24 And that's what I have to say. I

1 think there is a middle ground. I think it
2 should be cleaned up, but I'm not sure
3 dredging is the right way.

4 TOM BORDEN: Hi, I'm Tom Borden,
5 a farmer from Washington County, and I'm
6 President of Washington County Farm Bureau. I
7 have been very active in this EPA reassessment
8 process as Chairman and Cultural Liaison group
9 over the past eleven years.

10 At this point I have to say I'm
11 disgusted with the notion that a meaningful
12 community interaction program has taken place.
13 That the total community discussion on this
14 huge remedial proposal, these last six
15 volumes, has come down to public comment
16 sessions such as this is a disgrace. Concerns
17 that should have been discussed before this
18 feasibility study was produced are now only to
19 be considered as comments to the completed
20 document. It's not as if these issues weren't
21 raised along the way.

22 Any other organization that
23 proposed such a project would be required to
24 do an environmental impact study. Why should

1 this huge project be exempt from such a
2 requirement?

3 How can you expect local property
4 owners, many of us farmers, to make such a
5 leap of faith as to accept this proposal with
6 so little detail offered?

7 Being this late I'm going to leave
8 some of this and make one observation I think
9 needs to be made. So many of you want to see
10 the PCBs cleaned up out of the river, so would
11 I. I don't support this project, however, and
12 I think one thing you should make note of in
13 that nice little green summary out of this, is
14 that when we get all done dredging this, we're
15 going to improve the flow down river less than
16 50 percent.

17 Folks, this isn't cleaning up the
18 PCBs. I support looking into something --
19 there's got to be something better than this.
20 We're not ridding ourselves of PCBs with this
21 project, we're making a heck of a mess and we
22 haven't even decided the effect it's going to
23 have on the community around it. It deserves
24 a lot better look than this. I'm in favor of

1 getting rid of them, but it's got to be a
2 better way than this, and we've got to do
3 better than 47 percent.

4 In short I'm opposed to this
5 remedial proposal, our cultural liaison group
6 is opposed, Washington County Farm Bureau is
7 opposed, and the New York Farm Bureau is
8 opposed.

9 MR. CASPE: I would like to just
10 call the next group of speakers. Tom Simkins,
11 Michael MacCabe, David Page, Beth Super, Bob
12 Gibson, Rich Rusin, Debra Henrickson, David
13 Borton, Christian W. Andreini and Ed Smith.

14 Okay.

15 NANCY GRISEAU: My name is Nancy
16 Griseau, and I have a Master's degree in
17 geology. I am a resident of Troy, and I'm an
18 environmentalist, and I'm opposed to dredging.

19 I decided early on in this issue
20 that I was going to try to keep an open mind,
21 and I was going to find out the facts for
22 myself. I wasn't going to believe what I was
23 being told by either side, and so I decided to
24 read as much of the EPA's documents as

1 possible.

2 I also discovered that one of my --
3 well didn't discover, but one of my professors
4 at SUNY has, for almost two decades, been on
5 EPA's independent consulting council, and he
6 has kept me apprised of the science that's
7 gone on. And his opinion is that bad science
8 has gone on on all sides, and dredging is the
9 not the best solution with the amount of
10 resuspension that will probably occur.

11 But what I want to share with
12 you -- two minutes is, like, not enough time
13 to really make a case. I guess the most
14 astounding thing to me is what I want to share
15 with you. I got on a website, the EPA's
16 website, and among the many documents I spent
17 hours reading was I discovered their Health
18 Hazard Risk Assessment document - HHRA. This
19 is the document in which they assess the risks
20 to humans from PCBs. They examined the six
21 most significant pathways of contamination to
22 a human being, and after addressing all six
23 of those they dismiss five of them as having
24 no significant health risk to the human beings

1 at the river. You can breath the air on the
2 river, you can safely swim in the river, you
3 can safely drink the water. If, when you are
4 swimming you accidentally swallow sediments,
5 you are in no danger. If you swab your skin
6 in sediments, you're in no danger. The only
7 danger that you are in from the river is
8 eating the fish.

9 So EPA has justified dredging the
10 river because it's dangerous to eat the fish,
11 and they are going to ravage over a hundred
12 acres of river, they are going to drive away
13 all life forms in those 100 acres, and it's
14 going to be devastating.

15 MR. CASPE: Thank you.

16 DAVID PAGE: My name is David
17 Page. I live a quarter mile outside of Troy,
18 five minutes from here, and I want there to be
19 a lot of dredging.

20 I went to the Troy City Council
21 meeting and was told that I could not speak.
22 The anti-dredging council members used a
23 technicality that I live one quarter mile
24 outside city limits to prevent my voice. They

1 did not think it mattered that my drinking
2 water comes from Troy. I pay money for this
3 drinking water. They don't seem to care that
4 I pay taxes to Troy City Schools. And the
5 worst thing about this to me is that they seem
6 to think that these are the people who decide
7 how safe my drinking water is.

8 Politics on this dredging issue are
9 very strong, but we all know that the source
10 of all opposition comes from one place. It
11 comes from a heavy industry polluter located
12 upstream from here. Every one of the
13 polluter's arguments has been refuted, but new
14 ones are constantly being manufactured. As
15 long as they can make it seem as though
16 there's a debate, they can delay the cleanup.

17 There is no real debate.
18 Overwhelming scientific evidence says that
19 PCBs do irreparable harm to people and the
20 environment. They don't break down into
21 non-PCB molecules ever as far as we know.
22 They have been studied for many decades. This
23 is not a good time to live by the river even
24 if you don't eat the fish, which some New

1 Yorkers can't avoid doing. You still breathe
2 air that is evaporating from the river which
3 contain PCBs. This is where the airborne PCBs
4 are most contaminated. Also the ground you
5 stand on is becoming increasingly toxic as
6 PCBs are slowly becoming absorbed from the
7 water, and even the yard you stand on is the
8 same.

9 And lastly, I urge the EPA to stand
10 firm on it's commitment to protect our
11 children. If you don't clean up this river,
12 nobody else will. Thank you.

13 ED SMITH: Ed Smith, Troy, New
14 York. .

15 I have a simple citizen's
16 perspective that I would like to share with
17 you. I guess it's probably more like what the
18 average person sees this debate as. I don't
19 have a lot of time to investigate the science,
20 although I have made an effort to become
21 knowledgeable about the issues and I have been
22 exposed to some of the other information
23 that's on the air waves put out by interested
24 parties.

1 The first thing that I would like
2 to say and make you aware of is, as I
3 mentioned I live in Troy near the river, for
4 me the river is dead. I never eat the fish.
5 I never consider swimming in the river. I
6 don't even consider boating recreation on the
7 river. The reason that I don't consider those
8 things is because I am concerned about the
9 health hazards due to the contaminants in the
10 river. We have heard a lot of discussion
11 about particles per million and their effect
12 on human health. I would say that it is a
13 false argument to say that there is a certain
14 number of particles per million. That's okay
15 to have in the river. I take the position
16 that there should no particles per million of
17 PCBs. That's a natural state of the river and
18 a state that I think it should be returned to.

19 So I support the EPA's plan to
20 clean up the Hudson River, and I strongly urge
21 you to consider Option 5, and clean it all up.

22 It is the case that this is going
23 to have a very great trauma on our region.
24 Our neighbor citizens and communities to the

1 north are going to go through a lot of
2 tumultuous changes as the result of this, and
3 probably it's going to hurt them economically.
4 So if we have to pay that price, at least
5 let's do them the courtesy of doing it only
6 once and not over again some time in the
7 future when perhaps we will discover that we
8 have to go through a similar process in order
9 to get all the PCBs out of the Hudson.

10 Please continue. Don't be
11 dissuaded. Clean up the Hudson.

12 MR. CASPE: The next group of
13 speakers are Mike Don Vito, Chris White, Allen
14 Wikman, Allison Dalton Smith, Nancy Yule,
15 Sunanda Sukumar, Glen Simsek, Billy Fields,
16 II, Renee Peck, John Slyer, Nora McDowell,
17 Richard D'Arrgo, Eric Daillie, and Dr. Henry
18 A. Scarton.

19 ALISON DALTON SMITH: Hi, my name
20 is Allison Dalton Smith. I am a senior at
21 Troy High and I am President of the Student
22 Council.

23 When you arrive at a party,
24 invitation in hand, you are a guest and

1 respect whoever's house it is. You would not
2 want to break anything, and would be horrified
3 to destroy anything.

4 Now apply the same principles to
5 our lives. Our birth is an invitation and the
6 party is the most wonderful party ever, living
7 on earth. We should be respectful of the
8 earth and try our hardest to leave the party
9 as we came because we are only guests.

10 This is why I support dredging of
11 the Hudson. The time and money spent dredging
12 is inconsequential in the realm of time, but
13 our impact on the earth will be felt forever
14 if we don't clean up our mess.

15 NORA McDOWELL: Hello. My name
16 is Nora Higgins McDowell. I live 200 steps
17 from the river on Old Sixth Avenue in Troy.

18 I have a garden project that I've
19 done with the kids since I was 17, and one of
20 our favorite activities is to be in the
21 sprinklers in the summer. It gets hot in this
22 city, and unlike past generations of people my
23 grandparents' age, we do not have access to
24 the river that is only 200 steps from our

1 neighborhood.

2 I'm also very concerned that people
3 who have -- many people who live in Troy come
4 from cultures that have fished. Troy is the
5 city of immigrants; Italian, Irish, African,
6 African-American, people coming from the
7 south. The original Honenashoni (phonetic)
8 Nation, the Mohawks who lived here knew how to
9 take care of this area.

10 We are giving something up when we
11 say it doesn't matter if it's only the fish
12 that are sick. We are giving up our own
13 health, too, because it does matter because
14 people will eat the fish, especially in the
15 midst of a GE campaign that is polluting our
16 minds on bus shelters, on buses, on
17 billboards, on TV ads, on TV tonight trying to
18 prevent people from becoming informed and
19 saying their mind.

20 It is polluting our minds so that
21 people don't even know what to think and they
22 will, maybe not this year, that's why we
23 worked on River People to put in English and
24 Spanish "don't eat the fish," but next year,

1 five years, 10 years, 20 years, 30 years, 40
2 years, 50 years, 60 years, 70 years, when the
3 PCBs are still in the river, people are not
4 going to remember all this debate. People are
5 going to be eating the fish.

6 Troy's future depends on this
7 river, just as Troy's past depended on this
8 river. My neighbors' health and our quality
9 of life depends on this river being healthy.

10 I support dredging of the river. I
11 know it's not going to be easy, but I support
12 doing it.

13 GLEN SIMSEK: My name is Glen
14 Simsek. Thank you for giving me an
15 opportunity to come down.

16 I have a strong feeling that
17 there's no one evil in this room, that we're
18 all concerned. There are communities involved
19 here, but I think the bigger picture is that
20 New York State is the larger community here
21 that everyone here should be concerned with.

22 I kind of resent the fact that --
23 while I applaud the EPA that we have a very
24 fair-minded debate going on here, I do resent

1 that GE may be skewing that. And I hope that
2 that's factored in in some way, shape, or
3 form, that GE has effectively given voice to
4 their opinion.

5 And then the last thing I wanted to
6 comment on is actually a question. My
7 understanding is that, if the EPA doesn't
8 dredge the Hudson, if that doesn't happen,
9 that for navigability reasons it will have to
10 be dredged. If at that point, if the EPA says
11 no, we're not going to dredge the river, who
12 pays the bill? Was wondering if you could
13 answer that.

14 MR. CASPE: Sure. If we made a
15 determination that the river did not require
16 dredging, then navigational dredging would
17 have to occur under its normal circumstances.
18 And so the cost of dredging the river and the
19 cost of getting rid of that material in a
20 proper manner would fall, obviously, to the
21 State of New York, you know, the Canal
22 Corporation, or in a case of something local
23 areas, where you might be dredging an area in
24 order to get a channel into a marina that we

1 might otherwise be dredging, that it would
2 fall to the landowner, to the marina owner.

3 GLEN SIMSEK: So, just to be
4 clear, if at the end of this whole debate, the
5 EPA decides that dredging is not going to
6 happen, that's the alternative?

7 MR. CASPE: Yeah.

8 GLEN SIMSEK: And do the people
9 in those communities understand that, because
10 they become the people who pay?

11 MR. CASPE: We've certainly tried
12 to explain that. I would hope that, I would
13 hope and expect that people listen.

14 GLEN SIMSEK: It just doesn't
15 seem that I've heard this argument. It's just
16 beyond me that it hasn't come up. I mean,
17 it's going to happen one way or another,
18 dredging seems like its going to happen
19 whether people like it or not.

20 MR. CASPE: Hasn't happened for
21 20-some-odd years. That's why part of the
22 problems exist, as far as navigation exist.

23 GLEN SIMSEK: All right. Thank
24 you.

1 MR. CASPE: You're welcome.

2 JOHN SLYER: Good evening. My
3 name is John Slyer. I am a teacher. I'm a
4 parent. I'm a concerned citizen.

5 One thing I tell my children and I
6 tell my students is to tell the truth, and I
7 teach my students and I teach my children not
8 to believe everything they read, not to
9 believe everything they see on TV. And this
10 is really a huge problem right now. Kids
11 believe what they see on TV. You see kids
12 going out killing each other because, oh, we
13 saw it on TV. Well, the truth of the matter
14 is GE is tapping into our children.

15 I teach seventh grade. I know that
16 children, when given the facts, can solve this
17 problem. They don't have the money. They
18 don't have the television stations. They
19 don't have the billboards. But they can
20 figure out what the truth is. They don't
21 need -- they're not going to profit,
22 necessarily, from the GE stock. Someone is.
23 The richest company in this area.

24 General Electric, 100 years ago, if

1 you look back in its history, they actually
2 worked to fund their first scare tactic
3 campaign by taking an elephant and
4 electrifying it, killing it, and filming it,
5 and showing it all over the country to show
6 people how dangerous alternating current was.
7 And then, once they put test levels, the
8 person who was promoting alternating current
9 out of business and got people on their side,
10 the way they're trying to do now, they
11 profited more than any other company in the
12 world from alternating current itself.

13 I support dredging. Without
14 dredging, the river will never be clean. PCBs
15 will get stirred up, come off the bottom and
16 be ingested by our children, by animals.
17 River commerce and recreation will die, will
18 not that thrive. Worse yet, people will get
19 sick people, will die, and General Electric
20 will not be there to hold anyone's hand.

21 Dredge the river. Do the best that
22 you can. We'll continue to work with this
23 problem into the century.

24 Thank you very much.

1 BILLY RIDGEFIELDS, II: Good
2 evening. My name is Billy Ridgefields, the
3 Second. I'm from Troy. I've lived in Troy
4 most of my life, Watervliet and Cohoes also at
5 times.

6 I feel that the EPA is more than a
7 renegade agency that really doesn't have any
8 say to the people that elected officials, more
9 or less. But there are still a lot of
10 questions that I have to ask to a point.

11 First of all, if there's going to
12 be dredging to a point, is there going to be
13 local companies that are going to be allowed
14 to even get in on this, on the dredging issue,
15 to a point to do the dredging and all that
16 stuff, if it's allowed to?

17 MR. CASPE: It's a big job. The
18 job would be bid. You know, it obviously
19 would be bid.

20 Would it be local companies? I'm
21 not sure exactly. It's a big job. It would
22 have to be -- we're going to have to be
23 looking for people who will do it right.
24 We're going to be looking for people obviously

1 who are going to have the capability to do
2 that. If there are people in the community
3 that are capable of doing that, then certainly
4 they're free to bid on the job.

5 We're not at that stage. We'll
6 have to see. We'll cross that road when we
7 get there.

8 BILLY RIDGEFIELDS, II: Well, the
9 reason why I'm saying that is because the
10 Bethlehem landslide, where Carl McCall blocked
11 the local company for doing the job,
12 primarily.

13 MR. CASPE: I don't think we're
14 planning on blocking local companies to do the
15 job. But, with all due respect, I would just
16 say, just to be clear, this is a big job and
17 to do it right you need a company with the
18 wherewithal, obviously, to be able to do that.
19 If there are companies locally that have that
20 wherewithal, then they certainly can compete.
21 If there aren't companies locally that have
22 that wherewithal, then they won't be able to
23 compete. I don't know, you know, what's in
24 the area and what isn't.

1 BILLY RIDGEFIELDS, II: Okay.

2 That was the only question I have to ask.

3 Thank you very much.

4 MR. CASPE: You're welcome.

5 RICHARD D'ARRIGO: Good evening.

6 My name is Richard D'Arrigo, D apostrophe
7 A-R-R-I-G-O. I'm a resident of the Town of
8 Waterford. I live less than a mile from the
9 Hudson River. I can look out my windows and
10 see the river.

11 I spent 10 years, from 1985 to
12 1994, as a member of the board of Water
13 Commissioners for the Town of Waterford.
14 That's a five-member board that's appointed,
15 not elected, and serves without pay to run the
16 local water system.

17 In case anyone in the room is
18 unaware of this fact, the Town of Waterford
19 and its customers in the Town of Halfmoon get
20 their water supply from the Hudson.

21 I've heard many arguments this
22 evening on both sides of the issue, many
23 emotional arguments, many economic arguments,
24 some vindictive, some self-interested. But I

1 think in our community we have a much larger
2 interest which has gone virtually unnoticed
3 this discussion, and I wish we were discussing
4 science rather than supposition. I wish we
5 were discussing fact rather than emotion and
6 verbal brick throwing.

7 The facts are that thousands of
8 people still use the Hudson River as the
9 source of their daily drinking water. Those
10 citizens who live in these communities do not
11 have the ability to go and purchase water for
12 all their needs elsewhere. Until some remedy
13 for that fact is developed, tested, and in
14 place, it is not too late to start dredging,
15 it is still too soon.

16 I can tell you from my own
17 community, it is possible to re-engineer the
18 Troy water supply, which has an abundance of
19 excess water so that it could serve our needs.
20 It wouldn't be terribly expense initially, but
21 there would be a cost to the people in our
22 community. I would suggest that if that has
23 to happen, it should happen before the first
24 day of dredging, if dredging is a solution.

1 If it does happen and there is a residual cost
2 to be borne by the community of Waterford, I
3 would suggest that that cost should be borne
4 largely, if not entirely, by the single
5 largest customer of the Waterford water
6 system, which, ironically, happens to be the
7 General Electric Company.

8 I think you need to address the
9 concerns of communities that take water from
10 the river, not just in our circumstance
11 because we're the closest community to the hot
12 spots that you want to dredge that does still
13 use the river as a water source. The
14 community just north of us, Halfmoon, now has
15 a proposal in the discussion stages to build a
16 water treatment plant of their own, also aimed
17 at taking water from the Hudson, and for them
18 to proceed with that plant without the
19 question being resolved, and it needs to be
20 resolved, whether or not the dredging
21 operation will make taking water from the
22 Hudson in that region unsafe for the next 10
23 to 20 years. That issue really needs to be
24 studies and resolved before they commit a

1 large amount of public funds to a water
2 treatment plant.

3 The larger problem is that the City
4 of Poughkeepsie also uses the river for
5 drinking water source.

6 And I would suggest at least this:
7 If you're going to dredge, if you're going to
8 try to separate the sediment you've dredged up
9 with hydraulic dredging from the water, don't
10 treat us as though we're too naive to realize
11 that what's going to go back into the river
12 from that process isn't just pure H2O. I
13 don't believe the technology exists to
14 adequately separate water soluble by-products
15 of your dredging from the water before you put
16 it back in the river.

17 If you're going to put water from
18 your dredging process back into the river, the
19 only safe place to do that is below
20 Poughkeepsie, below their water intake, below
21 the salt line which makes water from the river
22 to saline for communities to use it for
23 drinking. That's going to add to the cost of
24 your project, but it needs to be examined

1 before you go ahead.

2 One last thing, please, before you
3 shut me off. You have scheduled somewhere on
4 the St. Lawrence River this summer another
5 dredging project aimed at dredging PCBs. I
6 don't know if any communities down river from
7 that project take their drinking water from
8 the St. Lawrence.

9 MR. CASPE: Yes, they do.

10 RICHARD D'ARRIGO: I hope they
11 don't.

12 MR. CASPE: They do.

13 RICHARD D'ARRIGO: But I would
14 suggest strongly, if they don't stop you from
15 dredging there for the same reasons I'm
16 expressing here tonight, you should use that
17 as a test project. And when you tie to
18 dewater your sediments, test the water before
19 you put it back into a river that's used for
20 drinking, not just for the types of PCB that
21 were originally introduced into that body of
22 water, test it for all 209 variants of the PCB
23 family, because we have no way of knowing the
24 amount of time the PCBs have been in the

1 river, how many of those variants now exist in
2 a water soluble form --

3 MR. CASPE: Okay. I got you.

4 RICHARD D'ARRIGO: -- in a form
5 that you will not be able to separate out
6 before you put it into our homes.

7 MR. CASPE: Thank you.

8 RICHARD D'ARRIGO: Thank you.

9 MR. CASPE: I can just tell you
10 that it's the St. Regis Mohawk Tribe takes
11 their water from the St. Lawrence River right
12 below the Reynold's -- where we're going to be
13 dredging, which is the old Reynold's facility,
14 which is now Alcoa. They also -- we also did
15 dredging there previously and monitored their
16 supply as we dredged General Motors. Exactly
17 the monitoring that we did, you know, what
18 depth was done and how the monitoring was
19 done, you know, as far as exactly what samples
20 were taken and what weren't, I'm sure we can
21 give you the information on that. But it's --
22 we hear your concerns and we certainly will
23 take care of them.

24 RICHARD D'ARRIGO: Yes. The one

1 problem with the idea of monitoring is this:
2 One of the first things I did in my very first
3 meeting as water commissioner was ask how much
4 of our budget we were spending on testing.
5 And when I found out how little it was, I
6 demanded and we did, in fact, go ahead with a
7 much larger regimen of testing of the water,
8 both what we take in raw from the river and
9 what we put out as a finished product into
10 people's homes.

11 MR. CASPE: Well, we've certainly
12 heard your -- I've heard your concerns, we've
13 heard your concerns, we'll try to address
14 them.

15 RICHARD D'ARRIGO: Okay. The
16 problem with monitoring, though, is when we
17 send samples out for testing, it takes weeks
18 for them to come back with a confirmation that
19 there is or is not PCB in the water. And I'm
20 not certain that all the variants of PCB were
21 even tested for.

22 If you're going to monitor on a
23 real-time basis, you have to have better
24 technology than what we've been able to

1 access, because telling a community that the
2 water that was re-introduced into their water
3 supply three weeks ago now turns out to have
4 been excessively contaminated with PCBs is not
5 a satisfactory solution. It's a worsening of
6 the problem.

7 MR. CASPE: Okay.

8 RICHARD D'ARRIGO: Thank you.

9 MR. CASPE: Thank you.

10 MR. TOMCHUK: There's a couple of
11 things that I just want to mention here.
12 First of all, as far as discharge water goes,
13 it would be released according to any permit,
14 by permit standards by DEC. So that would be
15 the same as other discharges to the water
16 upstream, that there are a number of outfalls
17 from the GE plant sites. And, generally,
18 that's like less than the detection limit from
19 conventional methods.

20 In addition, the monitoring
21 downstream of a dredging operation. Well,
22 what can you do? You do it on a daily basis
23 or several times a day or hourly. There is
24 even constant meters to measure trepidity

1 these days. Trepidity is a very good
2 surrogate for the amount of PCBs that would be
3 transported. Yes, there is some in the
4 dissolve phase and we can acknowledge that and
5 probably form a correlation after a number of
6 days of monitoring. We would probably also
7 have a lab on site for the operation, which
8 would do daily PCB monitoring and have a
9 one-day turnaround. So there would be a lot
10 more methods to or response. You know, we'd
11 be able to see a quick response if there is a
12 trepidity release, you know, suggesting that
13 there might be a large amount of PCBs, and we
14 would have the long-term monitoring of PCBs.

15 RICHARD D'ARRIGO: Sir, one other
16 point is that I've seen the film of the
17 technology that you are proposing for the
18 dredging project on the Hudson in the case
19 where it was being used on the Fox River. The
20 problem to me is that the technology you're
21 using the hydraulic dredging, is a marvelous
22 mechanism or remixing the contaminated
23 sediments back into the water that you're
24 using to suck it up out of the river. The

1 process you plan to use for separating the
2 sediments from the water, a sand filtration
3 process, will, in fact, reduce the trepidity,
4 it will remove the small particles to which
5 much of the PCB will adhere. The problem
6 isn't that, it's that some of the PCBs already
7 in the river bed may be ready to go back into
8 solution as soon as they're exposed to the
9 water and the water is going to contain an
10 unacceptable level of dissolved contaminant.
11 Both the sediment --

12 MR. TOMCHUK: Our calculation,
13 our calculation is that it would -- I'm not
14 sure of the exact numbers -- but it would be
15 less than 60 parts per trillion, I believe, in
16 that order. At the worst point, it would be
17 60 parts per trillion increase, which is still
18 well below the 500 parts per trillion standard
19 of PCBs from a water supply. I do not believe
20 there would be any exceedances of the raw
21 water going into your plant, exceedances of
22 the maximum contaminant level.

23 So I think that, you know, then
24 once you process it through your plant, it

1 likes to adhere to the solids in the sand
2 filters, I think you will be removing
3 additional PCBs. So I can't foresee a problem
4 with that.

5 Plus, we will have close
6 coordination with any of the water --

7 MR. CASPE: But we can certainly
8 discuss, I mean, we can discuss this
9 separately afterwards, if you'd like. You
10 know, there's still people --

11 RICHARD D'ARRIGO: Yeah, I don't
12 want to keep other people from having there
13 turn to speak. But there are alarming
14 problems with threat to the public health to
15 reintroduce --

16 MR. CASPE: We can talk to you, I
17 think, and hopefully we can devise a scheme
18 between ourselves and the water suppliers that
19 will make everybody feel comfortable.

20 RICHARD D'ARRIGO: Thank you.

21 DR. HENRY A. SCARTEN: I guess
22 I'm the last one.

23 MR. CASPE: You may be. You
24 never know.

1 DR. HENRY A. SCARTEN: I'm
2 Dr. Henry Scarten. I'm a professor in the
3 mechanical engineering department at RPI. But
4 these remarks made by me tonight are personal,
5 private, and in no way reflect on RPI.

6 I was at choir practice for three
7 hours and just got here. So I apologize, I
8 haven't heard anything except the last few
9 minutes.

10 And I also want to say that I have
11 been qualified as an expert witness in SEQR
12 proceedings, for example, the Lane Mine and
13 the Daily Mine. I'm a noise control expert,
14 not a water expert.

15 However, I am an expert in a
16 different way. I grew up approximately a
17 tenth of a mile from Millers Run in South
18 Western Pennsylvania. Millers Run was
19 polluted by the coal washer, bituminous coal
20 sulfer in that stream all of my youth.
21 Nothing would live in it. If you swam in it,
22 you smelled after you got in it and you had
23 this stuff on you. Finally, the mine stopped
24 and years later, years later the stream

1 finally had fish in it. But my youth was
2 denied.

3 And I see there used to be
4 commercial fisheries all up and down this
5 river. I happen to like to fish. I
6 understand that some of the -- this recently
7 released report, that some of the water foul
8 have eaten these fish and they're polluted on
9 the flood planes. I think we need to clean it
10 up. I think we can't mess around.

11 I'm concerned about the release of
12 the PCBs back into the river per the previous
13 speaker, but I think we have to get on with it
14 and I do hope, however, that we will work from
15 the top down towards the bottom. I don't know
16 the scenario that you're going to use.

17 Are you going to work from the top
18 part? Because, obviously, you're going to
19 release some stuff into the river, so I hate
20 to reinfest it.

21 So are you going to work removing
22 the top and working your way down?

23 How's that going to work?

24 I haven't heard anything about that

1 or seen --

2 MR. CASPE: The releases we're
3 talking about, even at the maximum level that
4 we predict would be 38 pounds a year. Those
5 are very, very low numbers compared to the --

6 DR. HENRY A. SCARTEN: I'm
7 talking about -- pardon me. I'm talking about
8 working your way down river so the --

9 MR. CASPE: I understand what
10 you're talking about. I guess what I'm saying
11 is those releases, the amount that we would be
12 releasing, is not a reason in and of itself to
13 set a construction scheme up that you'd either
14 be working from the top to the bottom, because
15 there really is not -- 38 pounds is not enough
16 to really be any kind of a considerable
17 recontamination threat.

18 DR. HENRY A. SCARTEN: Was this
19 based on mathematical modeling?

20 And we know how good those are
21 sometimes, you know, including in my field.

22 MR. CASPE: Is it based upon
23 mathematical modeling? It's based upon
24 looking at the flow, looking at the scour

1 rates, looking at a variety -- looking at
2 resuspension rates, looking at a variety of
3 things and coming up with our best estimates,
4 our best and most conservative estimates
5 possible.

6 DR. HENRY A. SCARTEN: So could
7 you answer my question, though?

8 Are you going to work from up river
9 down, or are you going to sort of do it
10 everywhere?

11 MR. CASPE: I don't know is the
12 answer.

13 DR. HENRY A. SCARTEN: I
14 personally, it makes sense to me, even though
15 I'm not in the field, that you ought to do
16 that.

17 MR. CASPE: And what I'm saying
18 is that, if you assume a real dirty operation,
19 that certainly would make sense. If it is as
20 clean an operation as we are relatively
21 certain we can produce, then it really doesn't
22 make that much of a difference.

23 Certainly, if you're working it --
24 well, that's the point. Yeah.

1 DR. HENRY A. SCARTEN: And last
2 but not least, why isn't the Corps of
3 Engineers involved in this?

4 Why can't we use some of our
5 federal tax dollars to help out, even GE?

6 I mean, we don't want to chase them
7 out --

8 MR. CASPE: Well, the Corps of
9 Engineers --

10 DR. HENRY A. SCARTEN: -- we
11 don't want -- if I can just finish. We don't
12 want to chase GE out of this area. They're an
13 employer here.

14 Why not use some federal tax
15 dollars?

16 MR. CASPE: I think the Corps of
17 Engineers navigational dredging really is
18 downstream of Troy. It's not upstream of
19 Troy, I believe. Plus, we are using the Corps
20 of Engineers as experts to us, as giving us
21 advise as how dredging would occur, what type
22 of resuspension we're talking about, how to
23 stage this. We are using the Corps of
24 Engineers in that regard. So they are

1 involved, but not involved as far as federal
2 monies coming into the site.

3 DR. HENRY A. SCARTEN: Well, why
4 can't we use our local representatives to
5 actually ask for some money to help out?

6 MR. CASPE: I think the first
7 thing we have to figure out is we have to get
8 to a point on what we're going to do and then
9 how we do it. As far as what type funding is
10 brought to bare is a secondary issue.

11 DR. HENRY A. SCARTEN: Thank you
12 very much.

13 MR. CASPE: You're welcome.

14 GARY DAILLIE: Good evening. My
15 name is Gary Daillie. I live in Troy just a
16 few feet from the river. I am also a member of
17 the Rensselaer County Grange. This is in
18 large part an environmental issue. I would
19 like to talk about that tonight.

20 Sixty percent of the world
21 population rely on fish for 40 percent of it's
22 food. In a time when our food is becoming
23 increasingly unsafe due to the use of
24 pesticides, hormones, antibiotics, and

1 genetical engineers, food irradiation, and so
2 forth, the fish in the river are increasingly
3 important as a food supply.

4 I have myself severe food allergies
5 and fish is the only source of protein I can
6 assimilate. I am, therefore, now forced to go
7 to buy fish at the local store at about \$10 a
8 week, that would be \$5,650 over ten years.

9 Think of what it costs a family of
10 five living on low income wages. New York
11 State has the highest rate of child poverty in
12 the industrial world. You make the
13 connection. A million people living along the
14 river at \$5,650 a year, every ten years that
15 is \$5 billion. So I don't think EPA should be
16 concerned about the cost of this remediation
17 plan.

18 We support Alternative 5. However,
19 there are indications that there are ways to
20 remove the PCB from the sediment through
21 thermal absorption, and I wondered why EPA
22 doesn't seem to be looking at those
23 technologies?

24 MR. CASPE: Is that a question?

1 GARY DAILLIE: Yes.

2 MR. CASPE: Do you have any
3 others?

4 GARY DAILLIE: No.

5 MR. CASPE: Thermal absorption,
6 would be the -- we would dredge the material,
7 then thermal absorption would occur, you know,
8 on land. We didn't -- we ruled out the
9 possibility of siting that facility for the
10 same reason that we ruled out land filling in
11 the Hudson Valley because we don't believe
12 that we could administratively ever site such
13 a facility.

14 GARY DAILLIE: But you would have
15 a dewaterization facility on the land right
16 there. So why couldn't you have a --

17 MR. CASPE: A dewatering facility
18 there is no heat involved. What that is
19 basically is a press. As the material would
20 go through, it would be pressed and water
21 would be pressed out of it, and the dry or
22 relatively dry cake then would be shipped by
23 rail outside of the valley. That is the plan
24 that we came up with because -- largely in

1 response to some of the public concerns that
2 we heard in the area that led us to believe
3 that we couldn't site a facility.

4 Plus the fact that a thermal
5 absorption facility would be rather expensive.
6 That's not to say that we aren't still looking
7 at recycling options. We are still looking at
8 recycling options. There are still
9 possibilities that portions of this material,
10 sizeable portions, would be recycled into
11 other products. So we are still looking at
12 certain options like that. As far as a
13 thermal absorption facility, we have ruled
14 that out.

15 GARY DAILLIE: For what reason?
16 I still don't understand.

17 MR. CASPE: Basically we did not
18 think it was administratively feasible.

19 GARY DAILLIE: Well I would urge
20 you to look back at this issue and again not
21 look at cost that it entails.

22 MR. CASPE: It wasn't just cost.
23 Those are very difficult facilities to site.

24 GARY DAILLIE: This has been done

1 in New Bedford, Massachusetts.

2 MR. CASPE: The community has to
3 have -- you have to have a community that's
4 willing to accept something like that, and we
5 have a difficulty as we talk just about
6 dewatering facilities. We have difficulty
7 with communities wanting to accept dewatering
8 facilities. When you talk about a thermal
9 absorption facility, that becomes just orders
10 of magnitude greater than.

11 GARY DAILLIE: But not in terms
12 of the environmental impact on the community.
13 Basically you are building another enclosed
14 facility to treat these sediments. What I
15 think communities would be opposed to is
16 (inaudible) of this material. But to treat it
17 in order to remove the PCB I understand 99.6
18 percent effective removal of the PCB sediment
19 from the sediment. I don't -- still your
20 answer doesn't convince me. I don't think
21 this has even been proposed to those
22 communities. Have you asked these communities
23 what they would say about thermal absorption
24 facility there next to the dewaterization

1 facility?

2 MR. CASPE: No, we have not.

3 GARY DAILLIE: Then how are you
4 to say that this might be a problem with them?

5 MR. CASPE: Okay.

6 GARY DAILLIE: Please look at
7 thermal absorption no matter the cost.

8 Thank you.

9 TRACY COCHRAN: Hi, my name is
10 Tracy Cochran. I live and work in Troy and I
11 was also at choir practice for most of the
12 meeting. So I'm probably not saying anything
13 that you haven't heard before.

14 I do support dredging. I think
15 it's important because, well, one of the most
16 recent studies I have read about suggest that
17 they have found increased PCBs in the ground
18 water. Those PCBs aren't just staying put
19 buried in the bottom of the Hudson.

20 If they are getting into the ground
21 water, they are going to get into the
22 aquifers, into the drinking water, and into
23 the crops, not only the fish. Also you can't
24 tell the eagles or the minks or the otters not

1 to eat the fish. That's what they've got to
2 do to survive. And it's not fair for our
3 neighbors in this area, our wildlife
4 neighbors, to become ill or starve to death.
5 And the numbers have been going down because
6 somebody won't clean up their mess.

7 And finally I also support dredging
8 because of the need to clean up the fish so
9 that people can eat the fish. I haven't heard
10 GE offer to provide every family within
11 three miles of the river a fish dinner every
12 week for the next 50 years. So I think, you
13 know, I think they have got the money to do
14 that if they want, and I think they could also
15 pay for dredging if they want to do that, or
16 if they have to do that. And I hope that they
17 do have to do that.

18 Thank you.

19 ALLAN WIKMAN: I feel right at
20 home because in Newburgh the other night I was
21 the last speaker, and I want to thank the man
22 for being true to your word. Somebody did
23 sneak in after me.

24 MR. CASPE: Please introduce

1 yourself.

2 ALLAN WIKMAN: Allan Wikman -
3 W-I-K-M-A-N.

4 I'm not going to speak into the
5 microphone. If you want to hear me, come on
6 up.

7 I want to introduce you to PCBs.
8 These are politically correct. These are
9 politically incorrect PCBs. These are
10 indicators up and down the Hudson River, and
11 what the EPA wants under the circumstances to
12 do is spend upwards of \$460 million to babysit
13 the people along the Hudson River who can't or
14 won't study the situation, look at the signs
15 relevant to their own health conditions, and
16 make a decision. Do they want to eat fish?
17 Do they want to eat (inaudible) fish? I think
18 it's a waste of money. I think we should
19 maintain the status quo.

20 This is the spelling of my name.

21 I don't have television in my
22 house. I don't read newspapers, and I haven't
23 talked with GE to get information for this,
24 but I have consulted the EPA. In fact, I have

1 here in my hot little hand a document that the
2 EPA in New York City was kind enough to mail
3 me by snail-mail, of all things, dated
4 March 23rd. It doesn't include their 2000 --
5 their December 2000, pardon me, Hudson River
6 PCB reassessment.

7 Everything in my presentation is
8 either my opinion or directly out of this
9 document, and I will quote chapter, verse and
10 page. It's going to be about five minutes.

11 (Comment from audience.)

12 Yeah, I think it's great. If you
13 don't like it, leave.

14 MR. CASPE: You have three
15 minutes. It's my meeting not yours, my rules.

16 ALLAN WIKMAN: You sound like
17 Nazis. You have given various people here
18 five minutes, six minutes, seven minutes to
19 state their case, and then you --

20 MR. CASPE: It's not your place
21 to --

22 ALLAN WIKMAN: You have had all
23 kinds of time and you don't give the citizens
24 enough time to state their case.

1 On page (inaudible) of this
2 document what the EPA wants to do is reduce
3 the PCBs in the fish so that the people along
4 the Hudson can eat safely. This is a
5 babysitting operation. I say again it's not
6 worth \$460 million simply to make the fish
7 safe for people along the Hudson River to eat.

8 On page 11 the EPA says the Hudson
9 River is safe for waders, for boaters, for
10 swimmers. Some of you people have mentioned
11 that tonight.

12 On page 13 the EPA says there are
13 no standards for cleaning up PCBs, federal or
14 New York State.

15 On page 7 they talk about peer
16 review. These peers generally agree. I would
17 like to know when they don't. These peers say
18 that these PCBs in the river are probably
19 carcinogenic. Probably. Well that's enough
20 doubt for me. They say they can alter
21 patterns of change in the PCBs.

22 On page 11 the EPA tells us there's
23 been no navigational dredging since 1979, '78,
24 '75, '74. And as one or two of you people

1 said before, does EPA have a secret deal? Do
2 they have a love affair with Hudson Shipping
3 or perhaps the New York Thruway Authority?
4 Who is responsible for the canals? Do they
5 want GE to pay for this? What if the \$460
6 million expands to a billion dollars or two?
7 What if the five years turns into ten or 20
8 years? What if the EPA is found by the courts
9 to be negligent for having ordered dredging of
10 the Hudson River. What if? Well here is what
11 if. We property owners, taxpayers, small
12 business people, shoppers, we are going to pay
13 through the nose, ladies and gentlemen.

14 To sum up I don't think that it's
15 worth \$460 million of our tax dollars to
16 babysit people along the Hudson River who are
17 otherwise intelligent enough to make up their
18 own minds. This is the purpose that the EPA
19 wants to dredge the Hudson River. The EPA
20 says the river's water is safe, there are no
21 standards in the country nor in New York
22 State. Peer review is questionable. Is the
23 EPA having a love affair with the (inaudible)
24 industry?

1 Hi ho, let's maintain the status
2 quo.

3 MR. CASPE: Are we at the point
4 where I have called everybody who wants to
5 speak?

6 FRANK MACE: I didn't sign up
7 initially because I'm part of the school
8 system, but I have to speak as an individual.

9 MR. CASPE: Can you just say who
10 you are?

11 FRANK MACE: Frank Mace. I
12 received a call to set this up.

13 MR. CASPE: Please spell it.

14 FRANK MACE: Frank - M-A-C-E.
15 Two years ago last month I was diagnosed with
16 cancer. No one can tell me the cause of that.
17 More than likely it was some form of
18 industrial pollutant.

19 I'm afraid if we continue this
20 debate, we are going to study this thing to
21 death, and I won't be here in 10 years. So I
22 really support you guys and I want you to push
23 ahead.

24 PHOEBE McDOWELL: My name a

1 Phoebe McDowell, and I live here in Troy. And
2 I just happened to be here tonight, and I
3 appreciate the EPA coming, and I appreciate
4 all the people for all their good words.

5 I would just like to say that the
6 work that I do is -- I'm a doodler(sic). I
7 take care of babies, and I take care of
8 (inaudible) babies, and I care about that
9 process, and care about the process of having
10 a clean environment to do that in. That's
11 enough. Thank you very much.

12 MR. CASPE: Thank you. Is there
13 anybody else who wants to speak? If not, I
14 guess this will close the public hearing phase
15 of this public comment.

16 I thank you all for coming. Those
17 of you who are still here, I thank you for
18 staying and persevering. And I want to thank
19 you, my staff and our consultants. These
20 eleven hearings have been long and arduous and
21 thank you to all of them. And thank you to
22 all of you. Thank you. Good night.

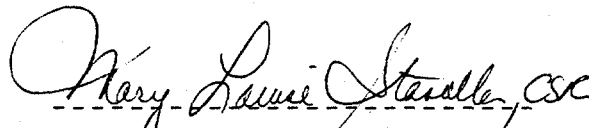
23 End of the above proceeding.

24 (11:00 p.m. concluded.)

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

We, SANDRA L. CAMPOLI and MARY LOUISE STASOLLA, Shorthand Reporters and Notary Publics in and for the State of New York, do hereby CERTIFY that we recorded stenographically the foregoing testimony taken at the time and place herein stated and the proceeding testimony is a true and accurate transcript hereof to the best of our knowledge and belief.


SANDRA L. CAMPOLI


MARY LOUISE STASOLLA