

ERRATA SHEETS

Date: 4-5-01

Hudson River PBCs Public Meeting

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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/udson. 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 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 to
15 re-stabilize. 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 PCBs -- 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 sits 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 still
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 interrming 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 our 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 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 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
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 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 re-pollute 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 the 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 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 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 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 from 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 show her our great area and
24 river from Stillwater north to Fort Edward.

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 "1" PCB
18 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 fabulously 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 sewn.

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

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 the impacts --

22 MR. CASPE: Thank you.

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

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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 have 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 (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 at 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 JANE HAVENS: Can I start?

22 MR. CASPE: Yeah, please.

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

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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 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 them, 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: Forty 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 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 live with that stigma and it's very important
2 that we do something about that.

3 Rather than being derisive (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 longest 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 lives. 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 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 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 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 coastal erosion work and it had become one of
21 my specialties. I chaired the Long Island
22 Coastal Erosion Task Force, I served with the,
23 since retirement, were the U.N. for Small Iron
24 Nation Coastal 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

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 pox 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 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 a 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 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 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 to 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 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 hear 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 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

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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 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

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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 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 studied 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 saline water from the
22 river 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 try 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 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 turbidity

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1 these days. Turbidity 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 for response. You know, we'd
11 be able to see a quick response if there is a
12 turbidity 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 turbidity,
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 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 fowl
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 re-infest 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 genetic engineering, 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?