



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

JACOB K. JAVITS FEDERAL BUILDING

NEW YORK, NEW YORK 10278

**HUDSON RIVER PCB REASSESSMENT
COMMUNITY INTERACTION PROGRAM**

STEERING COMMITTEE MEETING

TUESDAY, MARCH 12, 1991

7:00 P.M.

ALBANY, NEW YORK

M I N U T E S

The Hudson River PCB Reassessment Steering Committee held its initial meeting on Tuesday, March 12, 1991 in the Senate Room of the Howard Johnson's Motor Inn in Albany, New York. The meeting began at approximately 7:00 P.M. and was attended by the following Steering Committee Members:

Ann Rychlenski - Community Relations Coordinator,
U.S. EPA, Region 2 (Steering Comm. Chair)
Douglas Tomchuk - Project Manager, U.S. EPA, Region 2
Albert DiBernardo - TAMS Consultants (EPAs Contractor)
William T. Ports - NYSDEC
Bruce Bentley - NYSDEC
Bridget Barclay - Chair, Environmental Liaison Group
Thomas Borden - Chair, Agricultural Liaison Group

William Bradley - Agricultural Liaison Group
Jim Behan - Co-Chair, Citizen Liaison Group
Ennio Ruggi - Co-Chair, Citizen Liaison Group
Judy Schmidt-Dean - Chair, Citizen Liaison Group
Paul F. Lilac - Co-Chair, Governmental Liaison Group
Keith H. Griffin - Co-Chair, Governmental Liaison Group
Darryl Decker - Chair, Governmental Liaison Group
Carl Deppe - Co-Chair, Environmental Liaison Group

In addition, a number of observers attended the meeting, including Lillian Johnson, Chief, Community Relations Staff, U.S. EPA, Region 2 and Mel Hauptman, Chief, Eastern NY & Caribbean Section, U.S. EPA, Region 2.

The meeting was opened by Steering Committee Chair, Ann Rychlenski who welcomed the participants and gave a brief review of the purpose, function and goals of the Steering Committee and the Hudson River Oversight Committee. The various Steering Committee members then introduced themselves to the assembled, after which time the Chairs and Co-Chairs of each Liaison Group presented their Group Reports (which consisted of comments,

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questions and suggestions to the Hudson River PCB Phase 1 Work Plan which they have reviewed). Reports were given by the Groups in the following order:

- 1) Governmental Liaison Group
- 2) Environmental Liaison Group
- 3) Citizen Liaison Group
- 4) Agricultural Liaison Group

A brief synopsis of the comments and questions raised by the Liaison Groups are as follows, (please note that the complete Liaison Group Reports presented that evening are attached, along with a copy of the sign-in sheet and meeting agenda).

GOVERNMENTAL LIAISON GROUP REPORT

Governmental Liaison Group Chair, Darryl Decker reported the following on behalf of the group:

- 1) Request that EPA use the most recent data available on fish studies in the Hudson.
- 2) Issue - that study of "other chemicals" in the Hudson besides Pcb be done separately from PCB studies.
- 3) Why is EPA doing another toxicity assessment, since EPA values will be used, isn't this redundant?
- 4) The toxicity assessment should be put on hold until congener specific and arochlor data could be pursued. In assessing PCB risk, what specific data will be used?

Governmental Liaison Group Co-Chair, Keith Griffin brought the following issue to the table:

- 1) In order to do a full and efficient reassessment, EPA should reproduce data from samples taken in 1979 and 1984. Check PCB levels in the same areas across the years for comparative study.

Co-Chair Paul Lilac reiterated the call for new data, particularly in fish samples.

Al DiBernardo, EPA's Project Manager from TAMS Consultants, posed the following questions to the Governmental Liaison Group:

- 1) Did they (the governmental group) know of any relationship between the rehabilitation (or lack thereof) of the Fenimore Bridge and the PCB issue?
- 2) Was the demolition of the Ft. Edward dam accomplished quickly?

- 3) Are there any local ordinances prohibiting work on the Hudson River?

ENVIRONMENTAL LIAISON GROUP REPORT

Environmental Group Chair Bridget Barclay reported that the Hudson River Sloop Clearwater has raised the issue of what they perceive as a general bias in the Phase 1 Work Plan against the impacts of PCB contamination of the lower Hudson as compared to the attention given the upper river throughout EPA's reassessment; and also requested that the geographic scope of the "Hudson River PCB Superfund site" be expanded. In addition, Ms. Barclay reiterated that more outreach was necessary to "down river" constituencies. Some of the other issues raised by Clearwater are as follows:

- 1) Availability of new data on the effectiveness of dredging as a remedial activity (i.e., pilot studies of the New Bedford Harbor PCB site).
- 2) Current data on PCB levels in Hudson River fish vis-a-vis changes in FDA tolerance level from 5 ppm to 2ppm.
- 3) Valid justification for different approaches taken towards Upper and Lower Hudson.
- 4) Assessment of any available data on PCB levels in waterfowl.
- 5) Evaluations of G.E.'s claims of biodechlorination in the river should consider all viable possible causes for observed differences in PCB composition.
- 6) Inventory of resources of the Upper Hudson should include all resources whose use may be restricted due to PCB contamination. A similar inventory should be conducted for the Lower Hudson, New York Harbor and bight and the L.I. Sound.
- 7) Careful scrutiny of the Thomann model (peer review by independent body).
- 8) Assessment of bioaccumulation in the Lower Hudson, with development of a PCB transport model for the lower river.
- 9) Observation that natural occurrence of biodechlorination is too speculative to include in transport model.

- 10) Assessment of human health risks should be done for the lower river; and for purposes of the exposure assessment, the site characterization should include the entire Hudson River, the NY Harbor, the NY bight and L.I. Sound.
- 11) Will exposure assessment be conducted assuming that fishing restrictions do not exist; and will the assessment consider the existence of commercial fishery closures?
- 12) Information used to develop a toxicity assessment should also include the FDA tolerance level for PCBs.

Throughout her report Ms. Barclay continued to call for equal consideration of the Lower Hudson River in all aspects of EPA's reassessment.

Carl Deppe, Environmental Group Co-Chair also raised a number of questions and comments on behalf of CEASE as follows:

- 1) Concern about age and relevancy of existing sediment surveys due to high flow events between the time the surveys were taken and the present. Resurveys that are congener specific were suggested.
- 2) Update water and fish level monitoring to include 1990 and 1991 USGS and DEC data.
- 3) Provisions should be made to allow congener specific analysis to be applied to the risk assessment study.
- 4) Avoid establishing false premises in Phase 1 that would lead to false avenues of pursuit in Phase 2.

AGRICULTURAL LIAISON GROUP REPORT

Tom Borden, Chair of the Agricultural Liaison Group reported that the Agricultural Liaison Group met on February 28 with 23 members in attendance. Their discussion focused on the Phase 1 Work Plan. Mr. Borden began the group's report with a brief and informative summary of the economic importance of agriculture to New York State, punctuated with crop and production statistics from the NYDA. In addition to this preface, the Agricultural Liaison Group raised the following issues to the Steering Committee:

- 1) Suggestion that a representative from the US Dept. of Agriculture be seated on the Hudson River Oversight Committee.
- 2) When assembling data, will ground water, flood plain and soil data be considered?

- 3) When data base is being developed, will data from other sources, (e.g., Monsanto, G.E.) be included?
- 4) Will toxicity of PCBs be addressed in conjunction with the exposure assessment?
- 5) In reference to "open literature" sources on PCB toxicity - will this be named and be made available?
- 6) Request for a glossary of environmental terms and acronyms.
- 7) Request that minutes of meetings be mailed to all members of the liaison groups and that all groups be kept abreast of liaison group meetings so that everyone can get a "feel" for the ongoing activities of the Community Interaction Program.
- 8) Request that Steering Committee Meeting and Hudson River Oversight Committee Meeting be held in Upper Hudson area.
- 9) Request that EPA consider Japanese studies (circa. 1980 & 1982) regarding aerobic biodegradation of PCBs.
- 10) Question as to whether EPA protocols are regularly reevaluated as new data becomes available.

Concern was raised by the Agricultural Group regarding who at EPA will decide on the remedy for the Hudson River PCB Superfund site. Is this decision made by just one person?

Lillian Johnson, EPA Chief of Community Relations for Region 2 answered this question by indicating to the group that while it is the Regional Administrator who signs the Record of Decision, he makes his decision on whether or not to sign the ROD after conferring with the Project Group and consideration of all public comment pertaining to the site in question.

CITIZEN LIAISON GROUP REPORT

Judy Schmidt-Dean, Chair of the Citizen Liaison Group reported that the Citizen Group met on Tuesday, March 5; and that their meeting focused on a questionnaire developed to ascertain the uses and users of the Hudson River. (A sample copy of the questionnaire is attached). The data from the questionnaires indicate that the overwhelming issues involved are recreational, i.e., fishing, boating and swimming; the rivers value as a natural resource; and its beauty and historical value to tourism and commerce.

Ms. Schmidt-Dean also stated that the Community Interaction Plan itself was received quite enthusiastically by the citizens. The issues pertinent to the Phase 1 Work Plan raised by this group are as follows:

- 1) How will EPA determine the quality and usefulness of the various data collected?
- 2) What steps will be taken to ensure awareness of all ongoing and proposed PCB research?
- 3) Has anyone done an hydraulic model of the river?
- 4) How will Phase 1 address other river contaminants and what are the "other chemicals which may impact the river" referred to in the work plan?
- 5) Questions regarding EPA verification of PCB hot spot locations and concentration data?
- 6) Will EPA study status of PCBs along the Old Champlain Canal?
- 7) Suggestion that "catch and release" program be instituted in the upper Hudson that can give recreational fishermen back their sport and at the same time give NYSDEC a no-cost method to gather live fresh data.
- 8) Regarding the health risk assessment: suggestion that standards for inhalation exposure levels be set by the maximum likely exposure.
- 9) Request that EPA redefine meaning of PCB "hot spot".

A recurring issue of note has been the location of future Public Meetings, Steering Committee Meetings and Oversight Committee Meetings. In order to ensure the fullest public participation across the broadest spectrum of interest, EPA will hold meetings up and down the Hudson River throughout the course of this project.

Since the need for an "environmental glossary" was strongly expressed by all the Liaison Groups, Ms. Rychlenski reported that EPA would furnish group members with this document. In addition, EPA will provide the Liaison Groups with information regarding the membership, qualifications and areas of specialization of the participants in the Scientific and Technical Advisory Committee.

It should be noted that some of the above summarized comments were answered by EPA technical and community relations staff and TAMS technical staff. Issues not addressed during the Steering Committee Meeting will be referred to the Oversight Committee at the Hudson River Oversight Committee Meeting on April 4, 1991 in Poughkeepsie, New York. The full comments presented to the Steering Committee by the Liaison Groups at the March 12 meeting are attached to these minutes.

Before adjourning the meeting at 9:30 p.m., Ms. Rychlenski announced that the Hudson River Oversight Committee meeting would be held in Poughkeepsie, NY, at 6:00 p.m., on Thursday, April 4, 1991.