ORIGINAL

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

PUBLIC HEARING

HUDSON RIVER PCBs SUPERFUND SITE
NEW YORK
PROPOSED PLAN

City Center
Saratoga Springs, New York

Tuesday, December 12, 2000
7:00 p.m.

PANEL MEMBERS

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

MS. RYCHLENSKI: Good evening. I'd like to call the meeting to order.

Hi, thanks for coming out this evening. My name is Ann Rychlenski and I'm community Relations Coordinator for the Hudson River PCB project for USEPA.

And, as all of you know, that's why you're here, this is the meeting on the proposed plan for the clean up of the Hudson River PCB site.

What I'm going to go through is a few grounds rules and just introduce the people that are here.

Before I go onto anything else, is there anyone here who needs a sign language interpreter?

(No response.)

MS. RYCHLENSKI: Okay.

Let me introduce the people here on the dais.

To my left is Mr. Richard Caspe. He's the head of Super Fund. He's a Director of the Emergency and Remedial Response Division at EPA. He's going to be talking to

you tonight about the proposed plan itself.

And then sitting over next to him is Mel Hauptman. He's the team leader at EPA on contaminated sediment sites.

And then sitting next to him is Mr. Bill McCabe. And Bill McCabe is a Deputy Division Director in Super Fund.

To my immediate right, Doug Tomchuk. Doug is Project Manager on the Hudson River PCB site. He's going to be talking to you tonight a little bit about the investigations that we did and what we found out that lead us to this point.

Next to him is Alison Hess. She's also a Project Manager at EPA. And she's going to talk a little bit about the feasibility study.

Next to her is Marian Olsen. She's an environmental scientist at EPA, and she does much of our human health risk work.

Right down there at the end is Doug Fischer. And he's our counsel, he's our attorney on the site from EPA.

I just want to talk to you a little

bit about how we're going to do things here tonight.

The purpose of this meeting is to present our proposed plan, to take public comment. So how we're going to do that is by having people come up to the microphones here.

Now, those of you who want to give verbal comment can do that by filling out small index card like this, so of you already have. If some of you have not, please do so. That's the only way you're going to get up here. We're going to call you up by fives and sixes to come up to the microphones and give your comments or questions.

There is some EPA people here. Would you please identify yourselves, those on the floor? Raise your hands. Okay. We've got Bonnie Bellow over here and we've got Nina back there. If you want, what you can do is you can fill out a card as the meeting progresses and get it to them, and they can get it to me so that you can come up here and give your comment.

Now, everybody's going to be

limited to two minutes to give that comment or question. Down here are some ladies that will have some signs. When the sign is green, that's the go ahead. When it gets yellow, you know that you're going to have to speed it up. And when they show the red sign, you're allotted time is over. Just like at the traffic circle. Okay? Everybody gets treated the same.

Public comment is important to us. We have a stenographer here tonight who will take down your questions and comments. When you get to the microphone, would you please speak your name clearly and also spell it so that stenographer can get a clear record of this evening's proceedings.

Public comment on this particular site of this proposed plan will be taken until February 16th. You're not limited to commenting only here at the meeting. You can send your comments in. Send them in by February 16th to Doug or to Alison at EPA.

In addition, I want to let you know that there will be other meetings in the

Hudson Valley after this one and the one at Poughkeepsie this Thursday night. We will be back up in this area and other areas of the Hudson Valley in January to speak with you again and to take more comment.

Before we turn this over to Rich and he starts talking about the proposed plan, I do want to acknowledge that there are some people here who are representatives, elected representatives, who do want to come up and share their thoughts with us. And we will knowledge them and have them come up to the microphones before we open the public portion.

I want to recognize Congressman Maurice Hinchey, who will be coming up to the mike; also Peter Lehner, who is representing the Attorney General, Eliot Spitzer; and also Assemblyman Robert G. Prentiss is also here.

I guess that's about it. So I'm going to turn this over to Rich Caspe.

And have a good evening.

MR. CASPE: Good evening.

As Ann said, we're here tonight to present EPA's remedy for dealing with the

Hudson River PCB site. It's been 10 years in the making.

What we like to do, normally we would give a long presentation, two-hour presentation, when we present a proposed plan. There's a lot of people here tonight and I'm sure -- we know there's a lot of people who want to speak. So we're going to try to abbreviate it a little bit tonight. We're going to try to cover a lot of ground in around 45 minutes. We'll present some information, we'll then open it up, obviously, for questions and comments. And, as Ann said, just keep in mind this is the first of many meetings. There will be plenty of opportunities as the 60 days run on for you to read what we've put out and, you know, understand, you know, a little bit more perhaps what we're thinking and at the same time for us to understand a little bit more about what you're thinking.

We've put an enormous amount of material out today and this week. We'll have, I think, the feasibility study for this site,

as an example, is 4,000 pages. It will be on the website this week. The proposed plan is only 31 pages. It's a boiled-down version. I strongly recommend you read that one first.

But, again, this is a time to share opinions, understand the facts, and for all parties here to try to listen to each other and understand where they're coming from.

So after a 10-year study, where are we? I'd like to recap what we know, what the study has given us.

We know that PCB is a serious health threat. We know that over one million pounds of PCBs were discharged into the Hudson River. We know that PCBs don't go away in the environment, that they're long lived. We know that there's unacceptable fish contamination in the Hudson River, and we know that when we look into Thompson Island Pool that the fish numbers are over a hundred times what we believe would be an acceptable number. We know that people are eating the fish, despite the eat none advisories. The latest 1996 study that was done by the Department of

Health found that one in six people that they interviewed, that they saw, had, were in possession of fish, and one in 10, roughly, were in possession of more than one fish. We know that birds and animals, obviously, are eating the fish as well. We know that the water column, PCBs, the PCBs in the water, as they move over the Thompson Island Pool, which I'll get to in a minute, which is the uppermost stretch of the 40 mile stretch that we studied, we know that they increase significantly as the water flows over those sediments. Over three times the PCB numbers increase from where they, from what they are when they start. We know that there's an upstream source as well at the GE Hudson Falls facility that requires control in order to allow the river to restore itself. We know that fish contamination is nearly stable, that despite significant improvements since the '70s, that the last seven years really shows that the fish contamination levels in the Thompson Island Pools are basically stable. We know that PCBs are not uniformly buried.

We know that, while the river may be net depositional, that overall the river may be, there may be some deposition, that when you look from place to place within that river, that the river is a very dynamic system, that PCBs are coming out of the sediment, they're moving around and redepositing themselves either above the Thompson Island Dam or moving down river. We know that the contamination, that the majority of contamination is in the top nine inches of the sediment. We know that over 500 pounds a year are flowing over the Troy Dam into the lower river. And we know that we have good science behind this information. We've done six peer reviews on our six major reports by five peer review panels, all independent, that have been brought in, that were totally unbiased, at a cost to EPA at over a half a million dollars. And we know that they, for most part, accepted our science and, where they had some problem, we've made corrections.

So where has all this led us?

Well, while we know that the

situation we have is unacceptable, we don't have a simple solution. We used a variety of tools to try to come up with something that made sense. We looked at the actual what -- we looked at the actual geochemistry, as we call it. We looked at what's really happening in the water column from sampling, what's really happening in the sediment from the sampling. We looked at the fish. We looked at the sampling data from the fish, what's really happening in the fish, the fish going up and down, what's happening. And we developed a complex math model, a mathematical model, which brought a lot of these factors into play and that tries to predict what happens to the river if you do what.

We think using all these things we've come up with a sensible, practical, common sense approach. And now I'd like to go into what the remedy is. And I'd like you to focus on these maps that we put up earlier.

If you look at that, there are three sections to the upper Hudson River. There's a six-mile stretch between the

Thompson Island Pools and, basically, Rogers Island. It's the uppermost stretch. The second stretch of the river we looked at was from the Thompson Island Dam down to the dam at Northumerland. That was five miles, roughly. And then the third section, the largest section, was 29 miles long and ran from the Northumberland Dam to the Federal Dam at Troy.

What we did is we looked at these sections, because these sections are very different, and we tried to come up with a remedy that made some sense where it was customized to each of these sections.

If you can now just put on the remedy slide, please.

What we came up with was targeted dredging. And what the targeted dredging was is removal of the little over 2.6 billion cubic yards of material. Hundred thousand pounds of PCBs in that material. Around $460 million in present work costs.

As we came up with that, we targeted that still further. We looked at

the -- if you can go to the next set of slides -- looking at the -- what these are are those sections of the river now in a little bit more detail. It red shows, if you look, the way it's running is you have Fort Edward up on the upper left, it runs, the river runs down the first side on the left and then it continues on the right. So you're looking at roughly 12 miles of river here, if you would. The red shows where we believe dredging should be accomplished. And the blue, or white, depending on where you're looking at it from, are the areas where we would not be doing anything to the river.

As you can see, in the Thompson Island Pool, the area where we have the greatest impact on fish, we found that we had to do a lot of dredging. You can see a lot of red in that first, in that first area between Rogers Island and the Thompson Island Dam, one and a half million cubic yards within that six-mile stretch. You know, pretty intensive dredging in that area.

But if you look at the second

stretch, you see a lot less red, only around a half a million cubic yards, and large stretches of the river that would not be disturbed at all.

If you look at next slides, moving on, the next two, moving at that last 29 miles of the river, you see that there is very, very little dredging actually that's occurring, roughly a half a million cubic yards and only a few hot spots.

We did the dredging for different reasons. In the first, in the first stretch, we looked at the Thompson Island Pool. What really was governing what we were looking at was the impact on fish. You know, that area certainly had the greatest impact, and that's what governed largely where we were dredging.

When we moved, looked into the second section, it was a combination of factors. We had some large masses of PCBs there as well as we had considerable impact on fish as well.

When you moved into the third area, in fact, we did didn't look -- fish issues

weren't that great. What the issues were here is we had hot spots that clearly showed that there was some scour, we saw signs of scour, erosion, in some of those hot spots, so he selected areas there for removal that we believed otherwise were continuing to erode and continuing to move with the river downstream, downstream and sideways, I guess, as it mixes around.

So we looked at those different things.

And what all of this really shows, if you to go the last slide, I guess, what it really shows is that the impacted area, the river, 40 miles of river, and it's a pretty big river, so there's 3900 acres if river bottom within this 40-mile stretch. Of those 3900 acres, we are recommending that we would dredge around five, a little under 500 acres of it. That's around 13 percent of the area. That's why we call it targeted. It's far from what some people characterize as bank-to-bank dredging. Certainly not for 40 miles, not for six miles, and not for five miles referring to

any of the three stretches.

There are places where we have contamination from bank to bank. Where we have that contamination from bank to bank, that's what we'll have to do. There are other areas where we have only little, we have relatively smaller, small places, where we'll do that, and other places where we have nothing.

I would just say that within the 2.6 million cubic yards, the other thing, around 300,000 cubic yards of that actually is not contamination. In order for us to move barges and do the work we have to do, two things have to -- we want to assure ourselves of two things: We want to assure ourselves that we don't close the river to navigation at any time and we want to assure that we can move our barges as well. So we're actually planning on dredging a little over 300,000 cubic yards of the river for navigational purposes, to allow all barges to move and to allow people to move around our equipment as we're moving. That's when we talk about

targeted that's why the remedy is referred to as what it is.

We are proposing no local landfill. And that is largely is a result of community opposition. We've heard you, we've tried to accommodate that. All of the, all of the dredge material would be water, which I'll come back to, and then shipped by rail to facilities outside of the Hudson Valley.

Now, people say, "Well, where is that going?" For costing purposes, we used Texas for the hazardous material and Buffalo for the non-hazardous material. I just wouldn't underline that that's for costing purposes. And you have to understand something, that when you're dealing with rail transport, once you put something in a rail car, it doesn't cost that much more to go a little bit further. So just so you understand that. And, certainly, we're not looking at anything in the Hudson Valley.

Dewatering facilities. We will need dewatering facilities. There will be probably two of them. We need one in north

and we need one in the south. The operation, while the operation is going on, these facilities will have to be operated. They are around 15 acres we would expect them to be each, up to 15 acres, depending on what type of dredges we used and how we set the operation up. And would be cited on commercial property. We have looked, we believe there are commercial sites that would not require taking of any farmland or anything else for putting this. We can put one, basically, in the area of the Port of Albany. And the other was somewhere slightly north of the Moreau Landfills.

And rail transport, I mentioned that.

Five-year construction. We've heard a lot of different things about how long it takes to do something. We believe we can do this job in five years. We can get in, we can get the job done, we can get it out. People refer to previous dredging jobs. They take a 50,000 cubic yard dredging job and they say, "Well, if that took a year and this is 10

times or 20 times, whatever, bigger, then this is going to take 20 times longer." That's not the way things are. And I think you all know that, when somebody builds, builds a housing development or something like that, doesn't take them 20 times longer to build 20 houses as it takes them to build one house. This would be scaled up. We would be operating with multiple dredges. They would be environmental dredges. And I underline that, environmental dredges. They will not be your children's Tonka toys. They won't look like that. They won't be the dredges that you've seen pulling mud out, dripping things from all different sides. These are dredges that have, they have positioning systems built into them, they have video cameras built into them. We would have real-time monitoring going on at the same time the dredging will go on to insure that we didn't have sediment contamination of any significant leaving the site. So we think this can going and it can be done readily.

So where are we going from here?

Well, we have a public comment period, and we're expecting that by June, our hope is that by June we would finalize the remedy. We would then have a three-year design, where a lot of the details, exactly how all of this would be done, would be then laid out, you know, in great detail, the way you normally do in an engineering design. And then after that three-year design, we would expect to have a five-year construction schedule, where we would be in and out within five years.

That's largely the remedy that I'd like to cover. I'd now like to turn it over for a little bit more detail to two RPMs for the site. RPMs being remedial project managers.

And first Doug is going to talk about the remedial -- go a little bit more into why remediation is necessary. And then Alison will go into a few more details on what the actual remediation will be.

Thank you.

DOUG TOMCHUK: Thank you.

The first thing I'm going to cover tonight is why we believe active remediation is necessary, why our preferred alternative has that in there. The first area that we looked at was water column transport of PCBs. Basically, we found that PCBs are transported currently in the water column and that PCB's in the sediments are the primary source of PCBs into the river. So sediment is contributing PCBs that are stored in it into the water. Basically as had Rich mentioned before when PCBs cross the area of Roger's Island, the upper boundary of Section 1, they have a fairly low concentration, which is attributed to numerous sources above there. And then they pass over that river section which is called the Thompson Island pool, and the PCB levels increase. This increase is about 1-1.5 pounds per day and it comes from the sediment. Okay. That's about a three to four - factor of three to four increase as the PCBs cross that load. That load contributes to the PCBs that we find throughout the Hudson all the way -- throughout the whole fresh

water Hudson which is all the way, at least, down to Kingston for a 100 river miles. That's the primary source of PCBs to the river.

This graphic shows the PCBs coming in at Roger's Island. That's in the yellow put. It's split up by the type of PCBs called homologs there and it shows a pattern which is used to identify the sources in certain aspects of this. And then the light blue bars are the PCBs as they come out at the Thompson Island Dam. Basically you see an increase in concentration. You also see a shift in pattern which enables us to identify them as similar to the ones that are in the sediments and make the statement that they do come from the sediments as well. There are no other sources in this region. They have to come from the sediments.

So we have PCBs that come out of the sediments. Well there are different processes that occur and -- that could help deplete this over time. So that if the river was to clean itself there are certain

processes. I will cover two of them tonight which are two of the ones we have heard about the most. The first one is PCB dechlorination, the natural break down of PCBs, if you would, or stripping off of chlorine molecules making less of them and some people claim less toxic. That's not EPA's position. Okay. Sediment PCB inventories will not be naturally remediated by dechlorination. Our investigation showed us that we got less than a 10% mass loss over time, and basically that is controlled by the concentration, not the amount of time. It's not just a matter of waiting another 10, 20 or 30 years. That the concentration in the sediment controls it. So it's not -- the dechlorination occurs quickly, and then the rates drop down to negligible rates. Another way that PCBs could be naturally -- the system could be naturally remediated is burial so the PCBs would be isolated from the water column and from the bioda. We have found that the upper Hudson River is a dynamic system and natural sedimentation will not solve the

problem. But we do see burial at some locations. It is not deposition, we do see burial, but we do see evidence of erosion at other locations. We also find high concentrations still at the surface. We have had concentrations as high as 600 parts per million in some areas, but more than that 60% of the cores that we took in our sampling event in 1994 we found that 60% of those cores had the highest PCB concentration within the top nine inches. So these are clearly not getting deeply buried and out of the system. So therefore we see that at many locations the PCBs remain available to fish. And that's a real important point here. The PCBs are available to fish, and they will remain available to fish.

This graph here shows some of the trends in PCB fish data. We see on the bottom we have the year, the dots are the average concentrations. This is on a lipid basis which is the way you should be looking at trends. That's dividing by the fat content. And basically we see an overall decline in

concentrations from the mid-80s until 1999 which is on the end, and that's a good thing. The only problem is that the last five years there it's basically flat. The decline hasn't really continued. We do not see a decline in recent data trends. And this is important because -- next slide.

The concentrations you see here are from 1999: Large mouth bass and brown bullhead data in Thompson Island pool and at Stillwater and we see that the average concentrations are well above the risk base levels. So PCBs in fish still exceed all of our acceptable levels.

In assessing the problem here we do what's called the risk assessment, and we have looked at various pathways of exposure. But the one that really we have focused on as you can probably tell from our discussions here already are contamination to fish because consumption of fish is the root of exposure that causes the most risk. And our risk assessments have found unacceptable human health and ecological risks. Eating fish is

the primary -- as I said eating fish is the primary exposure pathway and we have found that cancer is a thousand times greater than our goal for protection. To people that are involved in this it's 1 x 10 to the 3rd. That's where the combined consumption where a young child, adolescent and adult. For non-cancer hazards we are over hundred times the acceptable level for a young child and sixty five times the acceptable level for an adult. Non-cancer health effects can be things such as low birth weight, learning problems and immune system problems, inability to fight infection.

We have also done ecological risk assessments and found unacceptable levels to animals that eat fish, and that would be animals such as the river otter, mink and bald eagle.

So basically we have a problem with the sediment. We do not see that going away; PCBs remain available to the biode of the fish and can be consumed by humans and other receptors. So Alison will now discuss some of

the -- basically that's the reason that we believe in remediation, active remediation is appropriate, and Alison will now discuss how we -- the process that we use to try to determine the right remediation process to select.

ALISON HESS: **Thank you, Rich.**

I would like to share with you the process the EPA went through in order to arrive at our preferred alternative. We did what's known as a feasibility study. As Rich mentioned, this is summarized in our proposed plan. It's a six volume study. It is available in the information repositories and should be available on our website shortly. In the feasibility study we evaluate options for PCB contaminated sediment in the upper Hudson River in order to protect human health and the environment for the entire nearly 200 miles of this superfund site.

Next slide, please. The objectives of our study included reducing cancer risks and non-cancer hazards for people eating fish by reducing concentrations of PCBs in fish.

Also we wanted to reduce risks to ecological receptors by reducing the concentration of PCBs in fish. For the river water we wanted to lower concentrations of PCBs in the river water that are above environmental standards. These standards come from other environmental laws such as the Clean Water Act and Safe Drinking Water Act. And we also wanted to minimize the downstream transport of PCBs such as the PCBs that are going over the federal dam at Troy into the lower Hudson. Within the sediments themselves we wanted to reduce PCBs that are or may be bio-available. In order to accomplish these objectives we looked at various types of action. The first box shows some passive actions including: No action; monitored natural attenuation, which are naturally occurring processes; and institutional controls such as the fish consumption advisories and the fishing restrictions like the current catch and release program. We also looked at active alternatives: Containment or capping was one, and removal or environmental dredging is

another. We looked at different treatment technologies, we looked at institute treatment technologies, which are treatment technologies whereby the PCB contaminated sediment would be treated in place. We did not find any technologies that were capable of doing this in the Hudson River. We also looked at extra two treatment technologies where the PCB contaminated sediments would be removed from the river and then treated. We looked at some beneficial use options. These are options where PCB contaminated sediments might be treated in order to create some commercially viable product such as cement or architectural tiles. We looked at different modes of transportation that would be available, and finally we considered various disposal options.

The criteria for evaluation are standard criteria that are used at all superfund sites. We have nine criteria that we use and the two most important are called the threshold factors. And these are overall protection of human health and the environment

and compliance with other laws. Next we have five primary balancing criteria that you see there, and two modifying criteria. And we are here tonight as part of the community acceptance criterion to take public comment at this meeting, other meetings, and, of course, in written comments as well.

Next slide, please. To go the no action alternative includes no institutional controls. So there would be -- this alternative is no fish consumption advisories and no fishing restrictions. And it also does not include any upstream source control at the GE Hudson Falls plant. This alternative is required by superfund law, but EPA did not identify this as it's preferred alternative because it's not protective of human health and the environment. Again, a threshold criterion.

We also looked at monitored natural attenuation. These are the naturally occurring processes such as dechlorination and burial that Doug mentioned. This alternative includes institutional controls such as the

fish consumption advisories and the fishing restrictions. It also includes monitoring of fish, sediment, water and air. It assumes the upstream source control at the GE Hudson Falls plant, and the cost for this alternative is $39 million without the upstream source control. EPA did not identify this as it's preferred alternative because it's not adequately protective, and we found that the river was not cleaning itself up naturally. And to come to that decision we used both the results of our computer modeling as well as the data that we have collected and others have collected including the fish data. And we also note that the institutional controls are not protective of the ecological receptors. The birds and the fish and the mammals do not meet consumption advisories signs.

Next we looked at a capping alternative. And this would be an engineered cap everywhere except in the target areas, except for the navigational channel, and we knew we wanted to minimize any changes in flow

to the river. So before we would place a cap, we would have to remove sediment. So this alternative includes substantial dredging that would be required to implement the alternative and allow the normal flow of traffic in the river. It also includes monitored natural attenuation and assumes the source control near the GE Hudson Falls plant. The cost for this alternative is $370 million. EPA did not identify this as it's preferred alternative because it's not a sufficiently permanent remedy. Over the long term the permanence of the cap is quite uncertain, and this remedy also has the difficulties of both capping and dredging. And we would have to maintain the cap, essentially, forever.

Lastly, we did look at the dredging alternative. We considered both mechanical and hydraulic environmental dredging equipment with the appropriate controls to limit resuspension. We wanted to do this project in the short term and that's factored into the two dredging alternatives that we looked at. We would perform, as Rich mentioned,

additional dredging in the channels to implement our alternative and also to allow the normal flow of river traffic. It included monitored natural attenuation until acceptable levels are obtained, and also assumed the source control at the GE Hudson Falls plant. This remedy -- these remedies are protective of human health and the environment because the involve the permanent removal of PCB contaminated sediments from the river and thereby result in reductions in concentrations of PCBs in fish.

The next slide shows a comparison of the two dredging alternatives that we considered. Number 1 is the preferred alternative that EPA has identified and Number 2 is a more extensive dredging alternative that we considered. You can see that there -- our preferred alternative has just under 500 acres of area that would be targeted while the more extensive remedy is significantly larger at just under a thousand acres.

Similarly the total volume removed in EPA's preferred alternative is

2.65 million cubic yards compared to 3.8 million cubic yards with more extensive dredging. Our alternative would remove over 100,000 pounds of PCBs compared to somewhat more than 150,000 pounds and much more extensive dredging. And the cost also of the EPA preferred alternative is $460 million compared to the more expensive remedy at $570 million.

Next slide, please. So to sum up, this is EPA's preferred alternative. It's targeted dredging, 2.65 million cubic yards containing over 100,000 pounds of PCBs using environmental dredging techniques to minimize any adverse environmental effects. It also includes stabilization at temporary facilities and transport by rail. It includes an off-site landfill and institutional controls which could be relaxed as the conditions improve in the river. It also includes monitored natural attenuation of the residual PCBs remaining in the river until we reach acceptable levels in the fish. And, lastly, it assumes the upstream source control at the

GE Hudson Falls plant.

Three aspects of this preferred alternative reflect the community concerns that we have heard already. Number 1, there is no local landfill; no new landfill; no existing landfill in the Hudson River Valley. Number 2, there would be additional dredging as necessary to accommodate the normal flow of traffic in the river. And, lastly, it includes a short time for dredging. We have a five year dredging program that we are proposing using multiple dredges so we would only be in any one location for a short time.

Now there's three main reasons that we selected this remedy as our preferred alternative. It will reduce concentrations of PCBs in fish so that the fish consumption advisories could be relaxed from the current eating advisory in the upper Hudson River. And it would also offer protection to both the ecological receptors as well as humans who continue to eat the fish despite the consumption advisories. It would also reduce the PCBs going over the federal dam by about

40%. The preferred alternative is protective, it's permanent, and, lastly, it's cost effective, and for these reasons EPA has identified it as it's preferred alternative.

Thank you.

MR. CASPE: I'd like to call Representative Morris Hinchey to a microphone.

REP. HINCHEY: Well, thank you very much.

First of all, let me introduce myself. I'm Morris Hinchey. I'm a member of the House of Representatives, I represent the 26th Congressional District in New York, which in the Hudson Valley consists of the County of Ulster and parts of the County of Orange and Dutchess. That extends westward almost to Elmira. But it is the Dutchess, it is the Hudson Valley counties, of course, that are most affected by this particular condition, and that is why I am here this evening.

I've been in the House of Representatives for eight years, but prior to that I was a member of the State Legislature. And for 14 years in the State Legislature, I

chaired the State Assembly's Committee on Environmental Conservation. And while doing so, the Committee that I chaired uncovered and investigated the very famous Love Canal toxic dump site. It was really the first toxic dump site in America to gain any attention. And it was that particular site which led to the creation of the Federal Super Fund and the New York State Super Fund, which were created at approximately the same time. And these super funds were created, of course, to deal with problems of neglected toxic and hazardous waste dump sites, such as the one that is the subject of attention here this evening, and particularly this particular report.

The Hudson River is the largest hazardous waste site in the country. It is some approximately 97 miles long. And it is a hazardous waste site as a result of the fact that PCBs were deposited in it by the General Electric Company from a period of time in the mid-1940s until the mid-1970s.

I just mention that in order to establish my depth of understanding of this

particular situation.

As a result of my experiences, I've come into contact with consequences of environmental contamination as a result of toxic and hazardous wastes and I'm very familiar also with the effects of toxic and hazardous wastes on animal life, including human beings.

So, first of all, let me express my appreciation to the Environmental Protection Agency for the very extensive, indeed, one might say comprehensive work, that has been done to develop this plan to address this very serious problem in the Hudson River. I think that the EPA has done a terrific job. I want to congratulate all of you ladies and gentlemen who are here this evening and all the others who have been associated with this work and with the development of this report.

(Applause.)

I think you have done the Hudson Valley, the State of New York and, indeed, the entire nation a great service. The work that you've produced here is, in a way, pioneering.

Not in the sense that we haven't had hazardous waste before, but in the sense that we have never had one of this size and of this complexity. And the work that you have done in producing this report will, I believe, lead to the eventual cleaning of the Hudson River, but it will also be used to advance that effort in a great many other places across the nation. So the work that you're doing here tonight is of service to us here in the Hudson Valley but it is also a great service to the country at large. And I think all of us very much appreciate that.

The presence of PCBs in the Hudson River is one of -- is a situation obviously, of long standing. We have known about PCBs. They've been manufactured since, oh, I guess the mid-1920s by Monsanto, and they were put into the Hudson River beginning at a time roughly at the close of the second World War, up until about 1977. Your study has revealed that there are approximately 1.3 million -- what is it tons?

MR. TOMCHUK: Pounds

MS. HESS: Pounds.

REP. HINCHEY: -- pounds, 1.3 million pounds of PCBs in the Hudson River that need to be addressed.

It is my belief that the only way to do that is by following the recommendations that you've established in your report, and that is taking the PCBs out of the river. Reliance upon so-called natural remediation or some evolutionary process that would take place through nature over time is, obviously, something that is trimerical, it would never happen. It's a false hope. It's a figment of the imagination.

The PCBs are manufactured to be very resilient and to last a long, long time, and they will do so in any environment, particularly a stable, relatively stable environment, such as the bottom of a river. So they will be there fore a long, long time. But they gradually escape from those hot spots, as we have seen, and they migrate down river. They continue to do so under normal circumstances, but if you have unusual

circumstances, such as periodic floods, which, of course, we have in the Hudson River, then larger quantities of the PCBs will migrate down the Hudson River and larger quantities will find their way into the natural environment, into the aquatic life of the river and into the food chain and eventually into the bodies of human beings.

PCBs are already in human beings. All of us bear some body burden of PCBs as a result of their presence in the environment, but the people that live along the Hudson River, particularly those who have eaten fish from the river.

Now, I know that we have a warning in New York State which stipulates that people should not eat the fish from the river, but we have warnings against a great many things and people violate those warnings. They do so for various reasons. Some people violate them, even in the upper river, because they depend upon the fish in the river for protein. There are people who fish the river and who eat the fish on a fairly regular basis in spite of the

fact that it is dangerous to them and in spite of the warning. Those people, of course, are the ones at greatest danger.

And the amount of money that is being involved here, when you begin to translate that into human lives, you begin to see that it is a very small sum indeed.

It's also true that other people come into contact with the fish, in some cases unknowingly. In restaurants or in other venues, where they may be eating striped bass or something, a fish of that nature. So fish are being -- fish from the Hudson River are, in fact, being consumed and they are making their way into the bodies of human beings. And, as we know, these PCBs bioaccumulate, as you pointed out in your study. I believe what that means, it's a fancy word for saying that, as one larger animal eats a smaller animal and so forth up the food chain, that they concentrate in the fatty tissues of the larger animals. And as human beings, who are at the head of the food chain, the PCBs are most heavily contaminated in people who eat fish

from the river, as they are most heavily contaminated, most heavily accumulated, rather, and contaminated, too, in the fish that we are likely to eat, such as large mouth bass or striped bass or other fish.

So, consequently, we see that in that way these, this situation is, in fact, very dangerous. But the PCBs also contaminate the environment-at-large, and, in effect, they have destroyed the Hudson River fishery. We had in the Hudson River a marvelous fishery at one time. The Hudson River is one of the most productive estuaries on the planet. And estuaries, along with tropical ecosystems, are one of the most productive ecosystems anywhere that one might find. And so the availability of protein in the river that we are being shut off from is extensive. And it would be wonderful at some point to think that people could eat fish from the Hudson River again and do so in a very safe way.

Furthermore, we know from very extensive scientific studies that the PCBs, not only are probable carcinogens, but they

are also destructive of the immune system, they are also injurious to young people, particularly, they cause learning disabilities, and a whole host of other health problems.

So, for these reasons and for a host of others, I, again, express my appreciation to the EPA for the length of time that you have put into this study and for the fruits that that effort is bearing in the study itself.

I know over the course of the last eight years in the Congress we have seen a number of attempts to impede your effort and to prevent this study from coming forward.

(Applause.)

We have seen attempts by members of the Congress to attach environmental riders to appropriations bills to prevent the study from taking place and for making it impossible to be carried forward.

That was a foolish --

(Shouts from members of the audience.)

REP. HINCHEY: That was a foolish effort and it has come to no avail because your study has been completed and we now have the benefit of it.

I would prefer if we would approach this in the most comprehensive way and do everything that we can to insure all of the PCBs in the upper river are removed. And I hope that that sentiment will be expressed by others during the course of this six-month public hearing process.

MR. CASPE: Thank you, Congressman. Thank you.

REP. HINCHEY: Finally, finally, let me say that this is, in fact, a public health problem. And the public health problem is most concentrated north of the Federal Dam in Troy, and those communities that are in the upper river, those are the people who stand to gain the worse effect of the presence of these PCBs, and they are the ones who will be most helped by the removal of the PCBs from the river.

Thanks very much for the work that

you've done.

REP. HINCHEY: Thank you.

MR. CASPE: Thank you, Congressman.

The next speaker is Mr. Peter Lehner representing State Attorney General Elliot Spitzer.

PETER LEHNER: Thank you.

I'm Peter Lehner - L-E-H-N-E-R and I'm the Chief of the Environmental Protection Bureau of the office of the New York State Attorney General Elliot Spitzer. The Attorney General's office strongly supports EPA's decision to dredge sediments from the most contaminated areas of the Hudson River. Fish throughout the Hudson River from Hudson Falls to the Battery are contaminated with PCBs. Wild life is contaminated. Humans are exposed and are also contaminated with PCBs. It is time to address that problem. We applaud EPA administrator Carol Branner and the staff of EPA Region 2 for the care and thoroughness they exhibited in reaching this conclusion. And we applaud DEC Commissioner John Cahill

and his staff for the time and effort they have expended in studying the river and reviewing EPA's proposal. Congress made the decision 20 years ago, and has repeatedly reaffirmed it since then that there's a compelling need to clean up toxic waste sites. Companies responsible for the contaminants must clean them up preferably by removing them.

The Hudson River after decades of study is long due for a clean up. Based on the extensive evidence of the record and EPA's and the State's technical and scientific review of that evidence four points are clear and should be indisputable: (1) PCBs cause harm to humans and wild life. That harm includes immune, reproductive, nervous, and endocrine system injury as well as cancer. (2) PCBs in the river sediments are available to fish and other animals and from there can be ingested by humans. We know it's fact that people are still eating contaminated fish from the Hudson River. (3) The river is not cleaning itself. While the river is cleaner

now than it was thirty years ago that is largely because the state has expended tremendous resources to reduce sewage and other industrial discharges. The PCB levels in the fish have decreased only marginally in the over 20 years since GE stopped using PCBs at the Hudson Falls and Fort Edward plants. Over the last seven years they have remained essentially stable. Unless the PCBs are removed from the river fish will remain contaminated. (4) Dredging the hot spots in the river will remove large quantities of PCBs and will lead to major improvements in the river. This remedy will dramatically reduce human health risks and will cut almost in half the flow of PCBs to the lower Hudson River. These long term benefits far outweigh the limited short term impact that may result. In addition, we believe that based on the long existing law it is fair and legal to require GE to clean up it's PCBs from the Hudson River.

GE's discharges were not, contrary to the common perception, always legal. And

in any event for 20 years companies big and small around the state and around the country have cleaned up their toxic discharges under the federal superfund program and state equivalent whether they are legally discharged or not. There is no reason to treat GE differently. Indeed to tax -- indeed to tax payers who will have to pay for the clean up if GE does not, to those towns and industries who have done their share to clean the Hudson River, and to New Yorkers who long for a cleaner Hudson, fairness demands that GE remove it's toxic waste from the Hudson River. We save the river by cleaning it, not by leaving it polluted. We have some copies of our full statement to make available to you and I think we will have some out in back.

Thank you very much.

MR. CASPE: The next speaker is Assemblyman Robert Prentiss.

ASSEMBLYMAN PRENTISS: Thank you very much.

I'm Assemblyman Bob Prentiss, P-R-E-N-T-I-S-S. I represent the 107TH

Assembly district, which comprises the towns of Clifton Park, Malta, and Stillwater, in Southern Saratoga County, and also the Town of Colonie, in Albany County.

Well, I listened, I'm still skeptical. There are too many unanswered questions and I am unconvinced.

(Applause.)

I'm opposed to the dredging plan as presented tonight to remove PCBs in the upper Hudson River. And I join with United States Congressman John Sweeney and with New York State Senate Majority Leader Joe Bruno in requesting that the United States Environmental Protection Agency concentrate its efforts in supporting the current ongoing clean-up program.

I believe that large-scale dredging of the upper Hudson River is not the proper remedy. We have all seen the vast improvement of the upper Hudson River over the last 20 years, and I am concerned that the unprecedented complexity and magnitude of this plan as proposed tonight presents many

unknowns. It is possible that dredging will reverse the clean up that has already been taking place over the past 20 years through natural processes.

Nearly 60 communities along the Hudson River, including Clifton Park, Malta, and Stillwater, which I represent, as well as Saratoga County, have unanimously -- these are your local elected officials in 60 different communities -- have unanimously passed resolutions in opposition to dredging because of the negative impacts it would have on the Hudson River, on the economy, and living conditions here in the Capital Region.

In addition to the communities along the Hudson that are opposed to dredging, major national environmental groups have also criticized the procedure of dredging that has taken place elsewhere in the United States in waterways. These groups know that, if the EPA carries out its pledge to dredge, that wildlife habitat and wetlands will be destroyed. A better alternative is to continue the ongoing, on-shore clean up of

PCBs, which is a program that is approved by the New York State Department of Environmental Conservation and the EPA.

Hundreds and hundreds of constituents from throughout our Assembly district, whether it's Colonie, Clifton Park, Malta, or Stillwater, have written letters, they've faxed e-mails to me, they have made phone calls to me expressing their opposition to dredging.

And I have just one letter I just got today that is typical of the sentiment of the constituents that I represent. And my constituent writes: "Dear Assemblyman Prentiss, I am opposed to dredging the upper Hudson River. The river is beautiful today and cleaner than it has been in generations. Dredging will do more harm than good. I support allowing the river to continue its natural recovery."

These are the voices that I'm hearing from --

AUDIENCE MEMBER: Jack Welch send that?

ASSEMBLYMAN PRENTISS: The voices of the people who live along the Hudson River, those who are steeped in tradition, heritage, and history, those who have made the river a part of their lifestyle.

By choosing to dredge the river, the progress the Hudson has made in the last two decades is in jeopardy. The EPA's plan will turn progress into mud that people living along the Hudson will have to treck through for five years, according to your own testimony. And earlier this year a New York State Department of Environmental Conservation official said that the EPA has estimated the timeframe of completing such an arduous task, that 10, maybe 20 years is more realistic. That's a lot of years and that's an even lot more mud.

If the plan to dredge moves forward, however long it takes, private landowners will be forced to endure what might as well be the seizure of their property. And, furthermore, the river ecosystem will be destroyed.

The upper Hudson River is making a remarkable comeback. If dredging commences, local communities will suffer the consequences. And as a member of the Assembly representing the 107th Assembly District, I urge the EPA to reconsider this plan that's been presented tonight to dredge. For the region's sake, don't dredge the Hudson.

MR. CASPE: **Thank you.**

(Someone in the audience asked Mr. Caspe a question which was unintelligible to the writer.) Okay, if I can.

We now get into -- if we can get to the point where we start calling people to the microphones, there are a few facts I think we are all going to agree on: (1) is that, you know, we have 110 people who want to speak; 110 times 2 minutes is 220 minutes; 220 minutes is almost four hours. So if we stick to 2 minutes, we can get out of here by a little -- around midnight. If we go -- that's assumed that EPA doesn't speak, which is probably. If you want to stay, we have no place to go, we will stay as long as you want.

But what I'm suggesting, we ought to start, people would try to please try to stay to the 2 minutes so that people who aren't number 1 and number 2 get an opportunity to speak. There will be somebody down here with color forms or whatever they are. Again, watch the colors, please try to keep to the 2 minutes. I'm going to call the names in lists of five. Also, there are empty seats up front. If people want to try to move forward, there is probably -- you probably could get thirty people down here, and it would be a little bit more comfortable than you are back there. So please feel free to come down and give it a try. The first five speakers that we have are William Cook, George Hodgson, Donald McIntyre, Al Hayner, and Ken Duffy. Would those five people start approaching the microphones, please. And what I'll do is after the third speaker I will call the next -- by the time we get done with the third we'll call the next five. Please try to keep to the time frame. As you approach the mike, just so the stenographer can get it, spell your name, and

if you are affiliated with somebody, who you are affiliated with.

Thank you.

WILLIAM COOK: Good evening. My name is William Cook and I'm the Director of Government Relations for the National Audubon Society in New York State. National Audubon Society represents over 50,000 members dedicated to the protection of birds, wildlife and their habitat. Audubon strongly supports the Environmental Protection Agency's PCB cleanup project for the upper Hudson. After 20 years of studies and debate the time has come to take action. The removal of the PCBs in the hot spots in the upper Hudson River is long overdue. PCBs in the sediment hot spots are slowly being redistributed through the entire river ecosystem. The only way to achieve further cleanup in the Hudson is to remove them from the river. On the dredging of the hot spots, technology now exists that contains sediments and particles during the operation. The famous dredging that GE has used in its campaign is at least grossly

misleading. A vacuum-contained system of dredging is proposed for this cleanup project. As for the disposal of contaminated sediments, you heard this evening that they would not end up in the Hudson Valley, and, in fact, would not end up in New York. There have been claims that science is needed to justify the PCB hot spots in the river being remediated. GE has called for science. Studies have indicated that 1500 year flood events which will certainly continue to occur will further resuspend the PCBs in the sediment spots throughout the river. National Audubon supports provisions that make General Electric Corporation financially responsible for the clean up. The PCBs in the Hudson were put there by GE, and nobody disputes that. Audubon strongly supports the proposed EPA PCB cleanup proposal in order to safeguard the health of our birds, wildlife and their ecosystems. Removal of PCBs hot spots is critical. PCBs are a significant public health risk to the Hudson Valley especially those who eat fish out of the river.

MR. CASPE: I appreciate your support.

WILLIAM COOK: Thank you.

MR. CASPE: You have a good evening.

George Hodgson.

I could just say, for those of you that have written statements, if you would like to summarize them and give us the written statements, that would be fine as well. Thank you.

Mr. Hodgson.

GEORGE HODGSON: Good evening, my name is George Hodgson. I'm Director of Saratoga County's Environmental Management Council - SCEMC. The Saratoga County Environmental Management Council is a citizen advisory council to the Saratoga County Board of Supervisors. The council has been actively involved in reviewing and commenting on the science being utilized in EPA's Hudson River PCB superfund reassessment since 1992. We have reviewed and commented to EPA on all their Phase 2 reassessment work plans and

technical reports since that time. Based upon our review of both GE and EPA reassessment information generated to date it is our opinion that existing reassessment science does not support "targeted" dredging of hot spot PCB areas to be an effective remediation technique to reduce water level concentrations of PCB's in the upper Hudson. It is unfortunate that the massive amounts of highly technical information generated as part of Hudson River PCB reassessment has prevented the public from evaluating important reassessment science used in the decision making process. Instead I see what I describe as a lot of knee jerk emotionalism of anti-dredge versus pro-dredge most of which is not based upon any scientific evaluation of where the PCBs are in the river and how they behave there. The mindset of many proponents of dredging the river clean, that PCBs must be removed from the river because they are there, can be a highly flawed premise, especially in a dynamic river system such as the Hudson. Sure they shouldn't be there, and there are

human and ecological health concerns related to exposure to PCBs. However, the basis of reassessment's decision making should rely on valid PCB data and transport and bio-accumulation modeling which identifies where the PCB sources are in the river -- are in or coming to the river while identifying the PCB transfer mechanisms which allow for the release to the water and the resultant bio-accumulation within the river's food chain. In a net depositional river such as the Hudson -- that's the two minutes? Okay. I just have a couple of questions. Will you answer questions tonight? Are you here to answer questions?

MR. CASPE: Well you have used your two minutes -- (Crowd is making a lot of noise.)

WILLIAM COOK: One quick question.

MR. CASPE: Sorry. Sir, if you would -- hold it. (Audience making a lot of noise.) In fairness if you would like to fill out another card, you can come back around the

next time around.

Now, thank you.

WILLIAM COOK: Thanks for all that good time. I appreciate it.

MR. CASPE: You're welcome. Donald MacIntyre. And the next five speakers will be Todd Campbell, Brad Cushing, Aaron Meier, Ennio Ruggi, and Roger Gray. So if they could start moving down to the mike as well. Thank you. I'm sorry.

DONALD MacINTYRE: Am I on?

Thank you, Mr. Chairman.

My name is Don MacIntyre and I am from the upper reaches of the Hudson River. Lake Champlain is really home to all of you who have the PCB problem right here. We are here because we represent a very small community, the Chamber of Commerce of Westport. Westport, you know, is one of the lake communities. We are really a part of your river system and we want to be with you. We are here to learn, to find out, and to try and deal with this problem in the best way that we can. We're -- I notice in the back of

the room where I was sitting there are lots of people that really feel vibrant about this problem of dredging. We are here to learn. We are not sure that dredging is the way to deal with this problem. We want to be with you. We want to be on the right side. We are here to learn. We think that you should take more than a second look at this problem of dredging. I just want to thank you for the time to be here, and thank you very much.

MR. CASPE: Thank you.

Is Al Hayner here?

Okay. And what about Ken Duffy? Okay. Sorry.

KEN DUFFY: Thank you.

My name is Ken Duffy. I am Executive Director of the Rensselaer County Environmental Management Council. Like my counterpart from Saratoga County I have been involved in this issue for ten years. I would like to share with you tonight the thought process and the review process that we went through before we reached our recommendation.

First, we needed to determine if

PCBs were actually harmful to your health and to wild life. To determine that we undertook a two year study which involved literature review, peer review, expert testimony, public forums and basically a comprehensive review of everything we could get, we could read, we could understand. At the end of two years we published a report, PCBs Harmful or Harmless. We concluded in that report that PCBs are indeed narmful to wildlife, endocrine disruptors, as we heard, hormonal disruption, behavioral problems, developmental problems, wild life and humans both. PCBs are bad. We had to minimize exposure to PCBs.

The second, we needed to test GE's theory that clean sediments were covering these PCBs, and isolating them from the water column, isolating them from exposure pathways. That is not the case.

The GE ads show a chart that shows dramatic drops in the level of PCBs. Basically that chart shows that PCBs in the column have dropped dramatically, but PCBs in fish, as you pointed out tonight, have stayed

constant over the last five years.

We are not going to minimize exposure pathways by letting PCBs stay in concentrated hot spots of the Hudson. We need to minimize exposure. Third, we need to test the claim that the river would be shut down for 10 to 20 years if dredging were ordered. That is not the case. There's not one shred of credible evidence out there that supports the claim that this river will be shut down for 10 to 20 years. The last concern that we have is about the farm land and that's been taken care of. So I just want to tell you we support the project proposal here tonight.

Thank you very much for your work.

TODD CAMPBELL: My name is Todd Campbell. I'm simply a resident of the area here. I live about four miles outside of town.

I haven't done any extensive studies and analysis that some of these gentlemen have done, but I do share with respect to the remediation of the PCBs in the Hudson Assemblyman Prentiss's concerns and

skepticism over the value of the dredging program.

In just looking through the report there's a number of alternatives presented. It seems that the preferred alternative, while providing benefits in terms of the decrease in contamination levels of PCBs in the fish and in the water, also by comparison to other remediatior programs, namely, your alternative number two, which is the control at the source, provides only a slight differential in the time it takes to remediate the problem.

Second point I'd like to make is that institutional controls are the main focus today in preventing health concerns or risks to the public. This is a problem that's primarily focused at anglers and people who eat the fish of the upper Hudson River.

If you notice -- in fact, the slide's still up -- in the preferred alternative, the institutional controls remain in place. So you've done a big dredging program, you've disturbed a lot of material, you've disturbed the community, you've

destroyed wildlife and habitat and the institutional controls stay in place when you're all done.

My final point is, I share the skepticism over the time period it would take to perform the targeted dredging under the preferred alternative. If you do a straight-line extrapolation, it will take probably 19 years compared to the previous dredging programs that have been done.

Thank you.

MR. CASPE: I would just point out that all institutional controls aren't the same. The institutional controls we're referring to in the preferred alternative we believe would be considerably relaxed from the institutional controls which are eat none today.

The next speaker is Brad Cushing.

BRAD CUSHING: Believe it or not, I have a question and not a statement.

I'm Brad Cushing, C-U-S-H-I-N-G. I'm an environmental engineer with Applied Environmental Management.

My question goes to the implementation of this program.

It's clear that you've proposed a dredging program unprecedented in scope and are predicting that it will be done in five years. Can you tell us how many dredges at a time will be operating?

Let me just ask several parts.

How many dredges at a time will be operating?

What production rates have you assume?

And how many shifts a day do you plan to operate the dredges?

And then the related question is what is the split you've assumed between hazardous and non-hazardous waste? In other words, TOSCA and non-TOSCA waste?

Thank you.

MR. CASPE: Can you just give me that third part again?

I got dredges, production rates. The last one is --

BRAD CUSHING: How many shifts a

day will be the dredges operate?

MR. CASPE: Okay. Gotcha.

Okay. I think we can give you answers to all four questions, actually.

Depends on what type of dredges you're using. If you were using environmental clam shells, we would expect four to five, four to five operating at the same time.

If you're using hydraulic dredges, it would be fewer. Production time of a hydraulic, of a large hydraulic dredge would be up to 250 cubic yards per hour, whereas the production rates of the clam shells, the large clam shells, which is a four cubic yard bucket was around -- do you remember? -- around 70 cubic yards an hour. And if it was a two, a smaller clam shell of two cubic yards bucket, then it would be -- 45 was the number? -- something around 40, 45 cubic yards per hour. So those are the production rates.

Roughly two-thirds of the material we expect to be non-TOSCA material, non-hazardous waste. One-third would be hazardous waste.

As far as the shifts, it would be a seven-day -- well, six days a week actually is the way we do it. Six days a week for, what, eight months a year, roughly? Six months a year, 24 hours a day.

BRAD CUSHING: Twenty-four, six.

MR. CASPE: Three shifts.

AUDIENCE MEMBER: Three shifts?

MR. CASPE: Yes.

(Comments from audience members.)

BRAD CUSHING: Just one follow up.

The 250 cubic yards an hour is quite a bit larger than we've seen at any of the previous dredging projects to date.

Can you tell us what assumptions you've made that makes you expect you can produce those rates with a hydraulic dredge?

MR. CASPE: One of the critical items is figuring out -- and when you're figuring out a production rate from a hydraulic dredge is the water treatment plant, because you're pumping a lot of water, obviously, with it. So we would have to size

a fairly large water treatment plant, which is in the footprint that I spoke of earlier when I said a 15-acre dewatering facility. That's what -- we would need that to accommodate the water treatment plant, which would be fairly large in order to accommodate that type of a production.

Thank you very much.

BRAD CUSHING: Thank you.

MR. CASPE: Next speaker was Aaron Mair.

Aaron Mair, not there.

Ennio Ruggi.

ENNIO RUGGI: My name is Ennio Ruggi. I'm from the group CEASE, which is Citizens Environmentalists Against Sludge Encapsulation. I'm from Fort Edward. Thank you for the opportunity.

I have a question.

On page 23 of the proposed plan it says, "Work areas in the river will be isolated, meaning access restricted."

My question is: EPA has said this project is going to be done with no disruption

to the community. I would like to know how many work areas will be of this type, and what does -- how does that restrict our boating community?

MR. CASPE: I think -- you want to answer that, Alison?

MS. HESS: In that portion of the proposed plan, we're referring to the areas of the river where the dredges would be in place. So, depending on the number of dredges, three or four, so dredges would be restricted to the personnel in the dredging operation itself. Of course, we would not want to have members of the community in those particular areas. However, as I mentioned, the design of the proposed alternative includes allowing the normal flow of river traffic so that we would be able to accommodate the boats passing by, whether commercial or recreational boats, in the river.

ENNIO RUGGI: Will it restrict swimming?

MS. HESS: There would be -- currently, we've evaluated there is no

unacceptable health risk for swimming or wading or boating in the river currently. Of course, in the immediate vicinity of the dredges, that would not be a wise place for anyone to swim, but the normal swimming in other parts of the river would not be a problem.

MR. CASPE: Thank you.

ENNIO RUGGI: Thank you very much.

MR. CASPE: The next five after the next speaker are Laura Haight, Ken Fish, Rayna Caldwell, Fred Stein, and Matt Levin.

The next speaker is Roger Gray.

ROGER GRAY: I'm Roger Gray. I'm from Albany, New York.

I just want to say that I understand that GE, as one of the wealthiest corporations on the planet, has a responsibility to its stockholders. What GE doesn't seem to understand is, as a corporate citizen, they have a responsibility to the community.

I want to thank EPA for making them

face up to the responsibility to clean the poisons that they left in the river.

GE's ads have tried to make us believe that the river's cleaning itself. When I was a kid growing up on the river, it was an sewer. You could see human waste floating in the river, you could see the different colored water from the different industrial sites that were pumping effluents into the river.

That all changed in the early '70s when the Clean Water Act required municipalities to build sewage treatment plans and prevented industries from dumping their waste in the river. This was a government action that caused the river to clean. The river didn't clean itself. We need another government action to finish the job.

And I want to thank you very much for making that happen.

(Applause.)

MR. CASPE: Next speaker is Laura Haight.

LAURA HAIGHT: Yes, hi. My name

is Laura Haight.

MR. CASPE: Hi.

LAURA HAIGHT: I'm Senior Environmental Associate with the New York Public Interest Research Group, and I'm based in Albany where I live. NYPIRG firmly supports environmental dredging of PCB hot spots in the river. I will be submitting formal comments on the plan at a subsequent date. So some of my comments here will be more personal. I have spent my entire life living within a few miles of the Hudson River, and I have been fighting for a PCB cleanup of the Hudson River since the mid-1980s. Like many people in this audience I have waited a long time for this moment and I am relieved and elated that the EPA has finally recommended cleanup of the river. But I am also sobered by what our future has in store for us in terms of making our way from this moment in time to a final disposition that will result in a cleanup.

However, I am gratified that there's so many people here and I think that

we are unified by one common issue. I think all of us love the Hudson River, and I think that's something we need to hold in our hearts and our minds as we proceed further with this, that we are talking about something that we all care about. And as several of the speakers had mentioned before, a lot of the improvements to the Hudson River really are the result of sewage treatment plants that have been required under the Clean Water Act. And it's because of that that we have come back, the river's fish populations and wild life populations. That's why now many people choose to swim and boat in the river. However, we still can't eat the fish from the river, and that's what this all about. This is about cleaning up the PCBs so that the fish will be safe for us and for wild life to enjoy.

I also want to say that this is an issue that has inspired many of our student campus chapters, and there are a lot of people in this room who were born years after this issue surfaced in the public mind. And they

understand this in a very simple, black and white way, which is GE made the mess, GE should pay to clean it up.

Thank you very much.

MR. CASPE: Thank you.

The next speaker is Ken Fish.

KEN FISH: There are several ironies in life. As most of you know I worked for the General Electric Company, and I am proud that I work for the General Electric Company. The first irony I would like to indicate to you is that my last name is Fish. That's spelled F-I-S-H. And I have spent 10 years looking at fish data on the Hudson River. The second irony is that my parents live just a few miles from Model City, one of the places that you are potentially recommending that the dredge material goes to. An alternative is Texas. Regardless of where it ends up being sent to there is community opposition outside of this area, outside the Hudson River Valley. In other words the concern over where the dredged materials go does not end at the Hudson River shores. What

are you doing to address the social and economic issues related to toxic substances going into other communities?

MR. CASPE: Thank you.

In response to the question I would just -- I would point out a couple of things. I mentioned Texas and the Buffalo-Niagara Falls area. I mentioned two areas that we had used for pricing out. You have to use something to price out something to figure out, well, what might it cost. So we looked at those things. That is not necessarily where any of this material is going to go. What would happen here is that this material will go to licensed facilities some place in the United States. We are saying outside of the Hudson Valley.

KEN FISH: My question is --

MR. CASPE: And those license -- let me just finish, please.

KEN FISH: My question is there's community opposition no matter where it goes.

MR. CASPE: That's not true. That's not true. We ship a lot of ways, a lot

of different places on regular basis.

KEN FISH: There is already community opposition in Western New York. It's obvious.

MR. CASPE: Wherever it goes it will go to a licensed facility where there will be bids placed, where people -- there will be opportunity for people -- there's money, quite frankly, involved in this. This is an issue of trade. This is an issue of putting this material some place where somebody is looking to make a profit on it. So that's largely where it ends up going.

Thank you.

The next speaker is Fred Stein.

The next five speakers are Manna Jo Greene, Pete Sheehan, Bob Gibson, Stephen Davis, and Robert Henrickson. Fred Stein?

FRED STEIN: Yes, good evening. PCBs are a long term threat to human beings. The organization I represent, Rensselaer County Environmental Action, has been spending the last several years trying to determine what the facts are about PCBs and health. We

heard some of the other facts tonight. But based on those findings we support the cleaning up of targeted hot spots very strongly. What we have come to know is that there is a long term cancer threat, but one that is hard to prove in individual illnesses or death. Just like smoking and cancer. PCBs slowly concentrating in the human being result in disruptions of the endocrine system, in sexual dysfunction and in reduced fertility, but that too is hard to prove in individual cases of malfunction just like smoking and lung cancer. PCBs in body fat and in mother's milk create developmental and behavioral and learning problems in children and maybe in adults too. How many of you have kids with ADHD or other learning or behavioral problems and you are wondering where it came from? Of course these target disabilities are hard to link to PCBs just like smoking and throat cancer. Two weeks ago some GE talking head on t.v. stated that there is no credible evidence that PCBs cause health effects in people. What an irresponsible and incredible

statement. Granted how difficult it is to prove in individual cases that PCBs are harmful to human health, but I know, and I take comfort in the fact that the public knows now that the eleven tobacco executives who stood before Congress and swore that tobacco was not addictive were lying. Remember this, the longer the best possible clean up is delayed the more PCBs will spread throughout the world. The more the PCBs are spread and accumulated in people, the more harm is done to human beings of all ages. Thank you.

MR. CASPE: Thank you.

My apologies. The next speaker is Rayna Caldwell.

RAYNA CALDWELL: Thank you.

I just want to thank the EPA for a thankless and grief laden job, but I also hope that those who have concerns about the dredging have their concerns adequately addressed.

My question is what powers the dredges? Is it diesel power, are these diesel powered machines? If so, has the EPA factored

in the environmental impact of the -- on the atmosphere and the air quality particulate matter and greenhouse gas condition? And, thirdly, would you consider using a bio-deisel, if it's a diesel powered -- if these are diesel powered dredges?

MR. CASPE: No, we haven't. At this stage of the game -- at this stage of the game we have not considered that factor but that's something -- that's a good point to raise, and is something we will consider in our studies.

Thank you.

Next speaker is Matt Levin.

For those of you standing in the back, there's lots of seats up here now. There's plenty of seats. There's no reason to be standing. It's going to be a long night. Matt.

MATT LEVIN: My question is in your report here you mentioned there's an estimated PCB mass to be removed of 33,000 kilograms. My question is why does 33,000 kilograms of material translate into 1,732,000

cubic yards of material? That seems to me a drastic difference in quantity of materials removed that we are looking to remove. Everybody here wants it gone versus what is actually in our river, what is our ecosystem, what our plants and life that we want to keep in the river.

MR. CASPE: Okay. Well let me just -- I'm not sure the quantities -- they are a little bit different than the quantities that we spoke of, but it's still the same issue. The PCBs unfortunately don't stay pure in the river. What they do is they mix with clean sediment and create contaminated sediment. So you may have sediment that may average something like 30 parts per million of PCBs, which means that for every million parts of clean sediment there's only 30 parts of the dirty -- of the PCB's within it. So when you -- in order to remove those PCBs you have to remove a lot of clean with it in order to get -- because it's all mixed together.

MATT LEVIN: I assumed that, which leads me to my follow up question. The

dredging process, as the last person mentioned, seems to be an old and hard and fast way of cleaning up rivers. It seems on several other projects you have spent 10 years trying to determine whether or not PCBs are a problem. Why can't we find a way to spend ten years finding a better way to get them out of our river?

MR. CASPE: Thank you.

Next speaker is Manna Jo Greene.

MANNA JO GREENE: I'm Manna Jo Greene. I'm the environmental director for Hudson River Sloop Clearwater. And on behalf of Hudson River Sloop Clearwater, I congratulate the EPA on its proposed plan to actively remove PCB contaminated sediments from the hot spots in the upper Hudson River.

Clearwater supports a rigorous remediation, which minimizes impacts on the river ecology and human health.

General Electric has perpetuated the misleading notion that the Hudson River will somehow clean itself. This has not happened in the past 50 years, nor in the last

23 years since PCBs were banned in 1977.

PCBs are persistent. To break the toxic cycle of bioaccumulation, evaporation, and atmospheric transport, PCBs must be carefully removed by environmental dredging techniques which use vacuum suction and are designed to prevent resuspension of contaminated sediments.

The river is not cleaning itself. PCBs are moving down river, out of the ocean and into the biosphere. A small percent are transformed by bacterial activities slowly to less chlorinated forms, which are still toxic and more mobile. Dilution is clearly not the solution to pollution. Remediation is.

Tonight I would like to enter into the public record Clearwater's video which documents the human health and environmental impacts, which have been listed here tonight.

Many people in the Hudson Valley have not been persuaded by GE's intentionally misleading multimillion dollar advertising campaign. GE needs to take responsibility for the problem it created and dedicate its vast

resources to cleaning up the river, rather than trying to sway public opinion with spurious advertising and delay remediation by endless lawsuits.

Thank you.

MR. CASPE: Thank you.

Next speaker is Pete Sheehan.

PETE SHEEHAN: My name is Pete Sheehan. I am the chairperson of the Sierra Club's Hudson Mohawk group. I'm speaking on behalf of approximately 2300 members, local members from Albany to the Adirondacks.

First of all, I would like to commend the EPA for addressing the serious public health risks associated with PCB contamination of the Hudson River.

Because of these health risks, we feel strongly that the PCBs must be removed from the Hudson River by use of the best available and most environmentally sound technology. Those of us that live downstream from the most contaminated areas are concerned for the health of our families and the health of the ecosystem.

We understand that there might be some short-term disruption during the clean-up phase, but we believe the long-term risk to those of us living downstream far exceed the temporary inconveniences of the long, overdue clean up of the Hudson River. Your proposed clean up is a good start in protecting the health and livelihood of Hudson Valley residents.

After we review your plan in full, we will submit a formal statement about the specifics of the clean-up plan. We believe that the time for action is now and that there has been enough study on the Hudson River.

Thank you for your time and commitment to clean up the Hudson River.

MR. CASPE: Thank you.

Next speaker is Bob Gibson.

BOB GIBSON: Thanks. Last name G-I-B-S-O-N. I work for General Electric and am involved in GE's clean-up programs at their plant sites and the Hudson River.

Mr. Caspe, earlier tonight you had mentioned that PCB levels in fish in the

Thompson Island Pool have remained stable in the last couple of months. In your document you released last week the preferred remedy summary piece, you indicated that remediation was necessary because PCB levels in fish had not changed significantly over the last decade.

Mr. Tomchuk earlier tonight presented some of the fish data and showed, among other things, the concentration of 21 parts per million in large mouth bass in the Thompson Island Pool in 1999. What he didn't tell you, what he didn't tell the audience was that in 2000, the concentrations of large mouth bass PCBs, were less than half that, at eight parts per million.

Now, if you look at all of the PCB data that the DEC has collected over the years you do, in fact, see significant declines in the fish concentrations. In Thompson Island Pool, PCBs have declined an average of nine percent per year in the last six years, from 1994 to the present. If you look at over time periods from '93 to '95 and compare them to

the most recent data, you see declines of over 50 percent for brown bullhead and 46 percent for the large mouth bass.

Both GE's and EPA's models predict that declines occur natural conditions.

I just I can't understand how you can make those statements when the data itself shows these declines.

Thank you.

MR. CASPE: Thank you.

Well, we, obviously, have a difference of opinion. Our review of the data, when we take into account the fat content, the lipid based, shows, we believe shows a level, a level amount of contamination in the fish.

BOB GIBSON: The results I just indicated are lipid based values as well.

MR. CASPE: Okay. Thank you.

If you do me a favor, the speakers, please, when you come up to make your question or your statement, please get close to the mike so everybody can hear.

Next speaker is Stephen Davis.

STEPHEN DAVIS: My name is Stephen Davis. I'm from Fort Edward, home of the Sludge Water Derby.

Back in the '70s, we had a dam taken out, and I assume that there was a tremendous amount of PCBs in that sludge. And I often wonder what happened to that. That might be worse than what's in the Hudson right now.

And when you remove, when you do the dredging, there's bound to be leaks in pumps, pipe joints, etcetera. And I was wondering how much is going to escape during the dredging process?

And earlier you made a comment about, only about one-half, you're going to have about a one-half reduction in PCBs going over the dam in Troy. That almost doesn't sound like it's worth the effort, that maybe something else needs to be done.

(Applause.)

MR. CASPE: Well, we believe a 40-percent reduction is worth the effort. We wish we could do more, but we can't come up

with something that will do that.

The next speaker is Robert Henrickson.

ROBERT HENRICKSON: Good evening. My name is Robert Henrickson I'm the president of the Nassau Union of Concerned Citizens, Incorporated. My organ --

MR. CASPE: I'm sorry. I forgot to name the next five speakers.

The next five are Judy Schmidt-Dean, Lee Coleman, Scott Smith Chris White, and Beret Pinyoun.

I apologize.

ROBERT HENRICKSON: No problem.

The last name is H-E-N-R-I-C-K-S-O-N.

With two minutes, I'm just going to cut right to the chase.

From the research and study that I have done so far on the subject of dredging these compounds from the Hudson River, I have reached the following conclusions:

Number one, the compounds involved do present a clear danger, both to ourselves

and, because of their longevity, to future generations.

As the flow of information has accelerated, particularly over the last five years, it has become obvious that we need to adopt a precautionary principle that we err on the side of caution with chemicals until they are proven safe.

The fact that GE openly and casually dumped PCBs in the Hudson during the last century, during our mad rush to live better through chemistry, should sadly support this position.

Number two, the river can be safely hydraulically be cleaned in the planned targeted fashion, as has been demonstrated at other sites.

Additionally, Governor Pataki and New York State Department of Environmental Conservation Commissioner John Cahill, who have shown commendable courage and wisdom in supporting this remediation, have stated that the EPA process will be carefully monitored. The EPA has stated unequivocally that PCBs

will be safely disposed of and not along the banks of the Hudson.

I think it's safe to say the EPA heard your concerns several years ago.

Is it also obvious that this remediation can be done not at taxpayer expense but at the expense of the responsible party, GE, and that GE's bottomline will hardly notice the difference.

I would also recommend the following to tonight's audience: That if you do nothing else when you leave the meeting tonight, that you go to your library and take a look at a book called *Our Stolen Future*. If you're on the web, it's ourstolenfuture.org. Secondly, support Governor Pataki and John Cahill. Third, I'd like to say more. Let's all boycott GE products.

Thank you.

(Applause).

MR. CASPE: Next speaker is Judy Schmidt-Dean.

JUDY SCHMIDT-DEAN: Hi, my name is Judy Dean. My husband, Phil, and I --

MR. CASPE: Excuse me, Judy, could you get closer, please?

JUDY SCHMIDT-DEAN: Closer? My name is Judy Dean. My husband, Phil, and I own the Schuyler Yacht Basin in Schuylerville. I am also Chair of the EPA's Reassessment Community Interaction Program Citizens Liaison Group. We find this decision by the EPA to dredge the Hudson River as remedy for the PCB contamination and the fish to be irresponsible. The manner in which it was announced demonstrated the agency's disregard of the public, and specifically disrespects the community surrounding the site. It was in fact contemptuous. We feel the decision is also premature. It has come before the National Academy of Sciences has issued it's report. In this report the Academy will be looking specifically at the effectiveness of dredging as remediation. Their findings cannot be ignored especially as the EPA has yet to conduct a proper study on the science of dredging themselves. The decision ignores the recently released report of the

reassessment by the General Accounting Office. They concluded that after an objective examination of the two computer models presented, one by the EPA and one by GE, that the differences were few. The models were similar enough to warrant more investigation. This comparison of the two models is something we have repeatedly asked the EPA to do, and which they have refused to do. The GAO has now told us why, and this also cannot be ignored. Finally, and we cannot stress this enough, the level of remediation must be in direct proportion to the level of risk. To try and lower the level of PCBs in the fish, levels which are coming down each year and now hover above the legal 2 parts per million with a massive dredge project is utterly ridiculous.

And on a personal note after 10 years of involvement in this reassessment do you honestly think that all I didn't want was a landfill? Obviously you haven't heard a word I said about what life on that river is really like. None of you live here and none

of you know. And just briefly, like Ken Fish, I also have ties to Western New York in Buffalo, and as Representative -- Congressman Quinn has said, you are not bringing PCBs to Buffalo.

MR. CASPE: The next speaker is Lee Coleman. Is Lee Coleman there? No -- okay.

LEE COLEMAN: My name is Lee Coleman. I'm a reporter with the **Daily Gazette** out of Schenectady. I just have a couple of questions. Will you in any way use the Saratoga County landfill, a new landfill in the Town of Northumberland for any of the refuse from this dredge project?

MR. CASPE: No.

LEE COLEMAN: The other question is the land based dewatering areas, could you be more specific about those? You said one was going to be north of what Moreau landfill?

MR. CASPE: We were looking -- I mean we have not selected areas specifically so -- but for costing purposes the area considered was what's considered the old

Moreau landfill which was where spoils were placed in 19 -- 1977 after the DOT dredging.

LEE COLEMAN: Is that off the West River Road?

MR. CASPE: Yes.

LEE COLEMAN: So then the other dewatering site would be the Port of Albany?

MR. CASPE: Yes.

LEE COLEMAN: Will that barge down? They would barge the materials down?

MR. CASPE: Yes, the materials would be barged down to that Albany location.

LEE COLEMAN: Thank you.

MR. CASPE: Sure.

Next speaker is Scott Smith.

SCOTT SMITH: I'm Scott Smith from the Town of Hudson Falls. I have some questions that I would like to ask. If you undertake this project, have you attempted to quantify the risk to the public if the contaminated sediment is disturbed, if it is staged? And as this dewatering facility is being built, would there be risk to existing public or private water supplies? If you

undertake this project, what fraction of the PCB mass would end up resuspended in the river? And would that actually result in increased PCB levels in the food or the fish life? And is there any risk of accelerating the downstream migration of PCB if it is disturbed?

MR. CASPE: We didn't quantify the risk directly from the facilities, the exposure from there is not quantified. But it should be a fairly short term so that cancer risks would not be, you know, over a 40 year life time exposure or three year life time exposure would not be an exceedance, I do not believe. There would have to be considerations for water supplies to make sure they are protected, you know, intakes in the upper Hudson such as Waterford. At the same time most filtering type processes do remove the particulate bound PCBs. And then as far as the percentage of mass resuspended, we did -- we do an analysis of that and we found that the -- with fairly conservative assumptions that the resuspension would not be

a significant gain in the amount of PCBs that are currently going -- being transported from the system. So we do not feel that that will add significant risk. I would also like to add that, you know, from events such as in the 1993 with the Allen Mill increase of PCBs we saw that fish levels do decline quickly after there are upsets in the system such as that.

Okay. The next five speakers, before we call the next one are going to be John Connelly, Patrick Shannon, Bruce Carpenter, Joe Gardner and David Hunt. After those five speakers we are going to take a 15 minute intermission. And then we will reconvene after that. The next speaker is Chris White from New Paltz. I'm sorry.

CHRIS WHITE: Good evening. My name is Chris White and I'm from New Paltz, New York. My comments are more personal in nature than some of the preceding comments. I'm a life long resident of the Hudson Valley. I grew up with -- my father was a shad fisherman from Garrison. He was also a striped bass fisherman, and the last one to

actively, commercially fish out of Garrison, New York. His father taught him how to fish, and I grew up racking nets, and trying to get that smell of fish off my hands after working with my Dad. The PCBs, as we all know, have shut down that fishery which was once a vibrant $40 million a year industry. People like my father lost their business because of the PCBs. We had crab pots that were piled up, we had eel pots that were piled up. Our boat just ended up being abandoned where we used to fish. My grandfather had done it, my father had done it and my brothers and I could not do it. I would like to see that my children would have the option to do that in the future again. A lot of us ate the fish in the Hudson while we were growing up. Luckily I didn't because I hated fish, but my parents ate a lot of fish, and, you know, I have just have to wonder what that had to do -- if it had anything to do with the fact that my Mom died of breast cancer. We grew up eating an awful lot of fish, and you just have to -- you don't like to have those questions about "did

this effect that", and I have to think that it had some kind of contribution to that. I don't think we want to have that legacy hanging over us. We have a historic moment here. We could really do something to improve the river. I think the EPA has been fantastic with their science. I support your proposal for dredging, and I think we need to clean up the river.

Thank you.

MR. CASPE: Next speaker is Baret Pinyoun.

BARET PINYOUN: Yes. Hi, my name is Baret Pinyoun. I live in Saratoga Springs and I work for the Sierra Club. The Sierra Club commends the EPA for coming out with a plan to clean up the Hudson River once and for all. We feel very strongly that the PCBs plays a serious human health risk to people living in the Hudson Valley, and the PCBs need to be removed from the river. And on that note General Electric made the mess, General Electric should clean it up. That's the law. Polluter pays.

That said, I would like to read something that I think a lot of people in this room will identify with:

"Twas two weeks before Christmas and along the Hudson River the creatures were sick because GE wouldn't deliver. The EPA said clean it up and GE said, we'll sue. And the people stood by deciding what to do. Most people knew their voices could force a big change before it was too late and all the fish were deranged. They had had enough lies, enough denial and delay. They wanted GE to clean the Hudson today. So they went to the meeting and they stood up to talk. They demanded that GE walk the cleanup walk, and EPA heard their concerns for their health, and said to GE, clean it up with your wealth. But GE spent their money on propaganda widely heard. With their misleading ads they turned dredge into a dirty word. But we know the truth that cleanup is good. We would start it now if we only could. So we are here

with a message for the EPA: We need a clean river so start cleaning today."

Thank you.

MR. CASPE: Thank you.

Next speaker is John Connolly.

JOHN CONNOLLY: Hi. My name is John Connolly, C-O-N-N-O-L-L-Y. I'm with Qauntitative Environmental Analysis. I'm an environmental engineer.

First thing I wanted to do was correct what I perceived to be a confusion based on comments from some of the other speakers, that dredging gets fish concentrations to a level that could not be achieved by source control.

The Agency's analysis shows that dredging and source control get the fish to the same point. The difference is in the timing.

And the question that I have relates to the issue of timing. The perceived benefit of dredging is that it gets you to this level quicker than source control and it's predicated on the ability to dredge the

river quickly, the five-year assumption, which is very quick relative to what has been achieved at other sites.

The question I have is: Have you looked at the benefits you would achieve by dredging if you were not able to dredge at such an aggressive rate, if it took 10 years or it took 20 years, as it has indicated it would based on other projects?

How much benefit is derived by dredging relative to source control if, in fact, you can't dredge at the rates that you've assumed?

MR. CASPE: I'd respond to both questions. First I would say that, and as the -- actually, we have a chart in the back that shows one example of it. As you're walking out, perhaps you all may want to take a look at it. But that dredging and source control are not mutually independent items. The two of them -- we're not saying that one is better than the other. We're saying they're both necessary and we're looking for both of them to be accomplished.

Source control gets you halfway there. Dredging gets you the other half of the way, from our perspective.

Second item is speed. You asked whether we've looked to do it faster. We may have, but the truth of the matter is there is not need to look to do it faster. We know we can do it in five years. You know, this job can be done in five years and the ideas that, again, that we said people have put out about, well, look at what you've done here on a much smaller site and say, well, let's scale it up and multiply it by factors. You know, well, again, if it's 10 times as much, it's 10 times as long. That's not the case, we know that's not the case, and we're convinced we can do it.

Thank you, John.

JOHN CONNOLLY: Just to respond.

Source control doesn't get you halfway there and dredging doesn't get you the other half. They both get you to the same place, which is what the chart shows. It's just a matter of time.

(Applause).

MR. CASPE: Next speaker is Patrick Shannon. Patrick Shannon, Sierra Club.

PATRICK SHANNON: My name is Patrick Shannon. I'm from Saratoga Springs. And I have lived my whole life with the Hudson River polluted with PCBS. And for 20 years, over two decades of that time of my life, the river has been polluted with PCBs and the EPA has known that PCBs cause cancer in humans -- I'm sorry -- cause cancer in animals, that they probably cause cancer in humans, and that there are other health effects, including endocrin disruption. And that some day I would like to go to the Hudson River and fish and come home and eat my fish. And I would also like to take my kids some day to the Hudson River to fish and come home and eat and fish -- and eat them.

So my request is that the EPA use this plan to the fullest to insure that the safety and the health of the citizen in the Hudson River Valley are protected for the

future.

Thank you.

(Applause.)

MR. CASPE: Next speaker is Bruce Carpenter.

BRUCE CARPENTER: My name is Bruce Carpenter. I'm the Executive Director of New York Rivers United.

My organization's mission is to conserve, protect, and restore the rivers of New York State.

We couldn't have a more appropriate thing for my organization. The Hudson River, it's a legacy that we all share in. Rivers are a public resource and they're a source of pride for all of us.

The Hudson River opened up America. Isn't it time we returned some of her glory back to her?

For the last 20 years, we've waited. If this were a site in your backyard, rather than the river, everybody would be screaming to get it cleaned up, but because it's under the water, we want to forget about

it. The precedent that we could set here, could go across the country. Our nation's rivers are at risk, and it starts here at the Hudson. We need to clean it up.

We applaud the EPA's decision to move forward with an aggressive clean up and we look forward to working with you on the plan.

Thank you.

MR. CASPE: Next speaker is Joe Gardner.

Let me just say that the next five speakers after the break are going to be Mel Schweigerge, Barbara Thomas, James Kudlack, Allen Mattison, and Dee Carroll.

So after the break, those will be the five.

Thank you.

JOE GARDNER: Joe Gardner, G-A-R-D-N-E-R. I live in Delmar.

I've conducted a Hudson River PCB campaign the last three years. It's been funded by Hudson River Improvement Fund in New York City and the Appalachian Mountain Club

Mohawk Hudson Chapter and the Central Office over in Boston on Joy Street.

What we're really talking about is corporate welfare. Jack Welch, 17 percent increase this year. The Board of Directors of GE ought to be shamed for the dedication they give to the big buck. Human welfare makes no difference.

I read about women in their 40s and 50s that die every day in *The Schenectady Gazzette* and *The Times Union.*

And in contrast to a few folks that are against dredging, I sat in on most of the scientific studies and peer reviews and I'm with EPA a hundred percent.

And one other thing, ask GE where they send their PCBs from Hudson Falls and Fort Edward.

Thank you.

MR. CASPE: Next speaker is David Hunt.

DAVID HUNT: David Hunt. I live in Grafton, one of the 60 towns that oppose dredging in the words of my elected official,

who I did not elect.

In someone who spends time on and in the river, studying its plants and animals, I've been disheartened by the numerous impacts we've imposed on the river, including alterations of flows coming out of Indian Lake and Sacandaga Lake, impoundments in the Adirondacks, the barrier to anadromous fish posed by the Troy Dam, prevention of natural floods in the Poplar and Silver Maple flood plane forests with hard banks along Menands and Watervliet, the large declines in three native mollusks species by factors such as zebra muscles, which have been brought in by boat traffic, the scraping of the river sediments over tens of miles for navigational dredging and, lastly, the poisoning of native animals of the Thompson Island Pool by PCBs.

The title portion of the Hudson River is essentially unique in this state and probably has a good chance to being restored to one of the few best examples of this river type along the east coast in the U.S. if we reduce some of these major disturbances that

exist now.

The prospect of dredging concentrated PCBs from a few pools gives hope to those like myself most connected to the river, who have long experienced the despair which comes from feeling these disturbances.

So, while I strongly support dredging in selected areas, I think it's unfair not for me and others to share in the cost of clean up with GE. No one ever asked me what I want to do with my tax money, and I'm told that about two-thirds of it goes to supporting military efforts. And I would rather, much rather have my tax money going all to this and paying more than that to clean up the Hudson River than to see it go to the killing of brothers and sisters around the world and production of weapons of mass destruction.

Thanks.

MR. CASPE: Thank you.

It's now a little after 10 after 9. I'd like to reconvene promptly at 9:25.

Thank you.

(Break.)

MR. CASPE: Okay the next speaker is Mel Schweigerge.

MEL SCHWEIGERGE: Mel Schweigerge, S-C-H-W-E-I-G-E-R-G-E. I have a question. In your reports you have said that cohesive sediments are the primary source of PCBs. If so, why are you proposing to dredge as much or more core sediments than cohesive sediments in the Thompson Island pool?

MR. TOMCHUK: The PCB concentrations -- or the PCBs that come out of the cohesive sediment, the fine sediments are the predominant source. However, it's not saying that that's an isolation. There are PCBs in non-cohesive areas that do contribute to the water column and we believe that those areas need to be targeted as well to help reduce the PCB loads to the fish.

MR. CASPE: Thank you.

The next speaker is Barbara Thomas.

BARBARA THOMAS: My name is Barbara Thomas and I'm the co-president of the League of Women Voters of Saratoga County.

Tonight I'm speaking not only for my local league, but on behalf of the 7,500 members of the League of Women Voters of New York State. The League worked for passage of and continues to support the Clean Water Act, the Clean Drinking Water Act, the Resource Conservation and Recovery Act, the Superfund Program, and full program funding for the U.S. Environmental Protection Agency. Because we believe in a strong federal role in formulating national policies and procedures to protect our environment. We believe in a strong federal role first because the identified PCB pollution in the Hudson effects more than the local portion of the Hudson. These waters flow into the Atlantic Ocean where it could effect not only the shell fisherman on Long Island, but fisherman along the coast of other states.

Second, having and enforcing nationwide standards protects all citizens and prevents companies from threatening to take their business to a state where standards are lower.

Third, having and enforcing nationwide standards for the protection of our public health protects us both personally and financially. We will all pay for these potential health problems in time lost from productive work in the payment of medical fees whether they are paid for out of pocket, or by health insurers or by government, medically funded programs.

I'm going to go right to my closing statement. The League does not support that there will be a high price to be paid by river boarder communities. Rather we believe that a clean river would allow environmentally compatible development to occur that is now prohibited by contamination. The League wants the cleanup to proceed so that we know the river is getting as clean as scientifically possible, as quickly as possible. We want -- we have all been harmed by our loss of a great natural resource and we want it restored.

The full statement is here.

MR. CASPE: Thank you.

The next speaker is James Kudlack.

JAMES KUDLACK: I'm James Kudlack a former agriculture advisor to Congressman Solomon, retired, at last. We have heard time after time --

MR. CASPE: Excuse me, Mr. Kudlack. Could you stand a little closer?

JAMES KUDLACK: We have heard time after time to dredge, not to dredge. We listen to very elaborate discussions on how hazardous PCBs are on fish and humans, and discussions that there is no proof of PCBs being a hazard. I have heard nothing of alternatives to dredging. The ideal method would be the solar crystal refractory system which can break PCBs down by subjecting PCBs to very high temperatures. To explain the solar crystal refractory system mechanics briefly, it will consist of refractory tubes, the hot spots would be coffered, sledge would be constantly stirred and circulated through the system by pipe line. No mess, no fuss.

To supplement and to defray some of the PCB clean up costs I highly advise for the Hudson River Research Institute to be

established in the Fort Edward area. Let's stop trucking PCBs. Let us properly dispose of them once and for all.

Thank you.

MR. CASPE: The next five speakers will be Paul Doody, Jeff Jones, Tom Echikson, Robert Davis and Jeff Kelly.

The next speaker is Allen Mattison.

ALLEN MATTISON: Hi, my name is Allen Mattison. I'm a member of the Sierra Club and I want to applaud the EPA for the work that they have done to come up with this plan in the face of tremendous opposition.

Let's cut to the chase. GE dumped cancer-causing chemicals into the Hudson River and GE has to pay to clean up this mess.

That's not just American law. That's the American sense of fairness. The polluter should pay. That's why Governor Pataki supports this plan, and that's why Americans all over support cleaning up of the Hudson River. We are witnessing the poster child of all corporate propaganda wars to duck responsibility. But all the lawyers, PR

flacks and scientists that GE can buy can't change the fact, GE dumped PCBs into the Hudson, the river is not healing by itself, and the EPA is proposing a way to clean it up safely. GE has spent millions to distort the facts and pollute the air waves, but facts are facts: It's time for GE to step up to the plate and clean up America's biggest toxic waste site to protect the Hudson Valley's families and our future.

Thank you.

MR. CASPE: The next speaker is Dee Carroll. (No appearance.)

Okay. The next speaker is Paul Doody.

PAUL DOODY: Hello, my name is Paul Doody - D-O-O-D-Y. I actually had a number of questions about a topic you really didn't cover tonight, but I did see it in the proposed plan and that is, as I understand it, after you have completed the dredging, you are proposing that certain areas be backfilled. And I had a couple of questions -- actually four questions I was

hoping you could answer for me.

First of all what material do you plan to use for backfilling those dredged areas? What's the basis for selecting that material? Are you trying to match existing conditions with the material you are going to replace?

Secondly, how much material are you expecting to use as backfill, and where is that material going to come from? How do you plan to transport. handle and place the material as the dredging is completed, and secondly, when you look at the scale of that, how does that compare with the largest backfilling volume that's been used elsewhere in environmental dredging projects?

Did you get all those questions?

MR. CASPE: Yep.

MR. TOMCHUK: The material that we are planning to backfill would be sand or gravel or a combination of both, and the purpose of the backfill is not only to restore the river bottom to the original topography, but to also to provide a suitable habitat for

replacing the existing habitat in the dredge locations. We would place up to one foot of backfill in the areas dredged, and in some areas, specifically the navigation channel, we would not place any backfill.

MR. CASPE: The next speaker is Jeff Jones. Jeff Jones.

Next speaker is Tom Echikson.

TOM ECHIKSON: It's Echikson, E-C-H-I-K-S-O-N.

I have a question.

From the materials that have been presented so far, it looks like you've examined, essentially, two options; either do source control or you do an extremely large dredging project, a project that's larger than all the other projects EPA's done previously.

Based on a comparison of these two options, you conclude that the dredging project will lead to certain benefits, for example, some reduced level of advisories that result as compared to source control.

There didn't appear to be, at least from the material so far, any examination of

smaller projects, more discrete projects. For example, you say that the Thompson Island Pool is the major source of PCBs.

Was there an examination of dredging just in the Thompson Island Pool?

And if you hadn't done it, why not?

And if you have, what do those results show?

MR. CASPE: I think, as we tried to lay out, certainly, let me start that, at the beginning of the program, the remedies were selected on each of pools based upon a specific goals for each pool. There certainly was a remedy looking at just the Thompson Island Pool or a part of the remedy that would look just at the Thompson Island Pool, that would have an impact on, certainly, on the fish in that six-mile stretch of the river, a significant impact on the fish in that six-mile stretch of the river, was roughly 1.5 million cubic yards of dredging that we were looking at for that part alone.

So we did look at a variety of different options. We looked at combinations,

permutations, different things were screened out earlier on, other things were carried through to complete engineering analyses. But we did look, as you'll see, I guess as the feasibility study becomes available and as you review the feasibility study, that those things are in there.

I would ask the speakers to please identify, if they have an affiliation, who the affiliations are.

Next speaker is Robert Davis.

Next speaker is Jeff Kelly.

Before I get to Jeff Kelly, I'm sorry, the next five speakers are Adam Ayers, Rich Schiafo, Ivan Vamos, Chris Walbrecht, and Marshall Secunda.

Sorry, Jeff.

JEFF KELLY: That's all right.

My name is Jeffy Kelly. I'm not affiliated with any group. I live here in Saratoga Springs. I was the editor of *Adirondack Life Magazine* for four years. And I am concerned about the environment. I'm also an avid kayaker.

In 1991, for five days, I battled up the Hudson from Albany to New York City. I was pleasantly surprised, I didn't see one dead fish in the entire 130 miles, the water was clean and clear.

Now, north of Hudson, north of Albany, rather, today you can swim in the Hudson, you can drink the water, if you choose. It's not dangerous. We are advised not to eat the fish. And the fishermen I've spoken to told me they throw the fish back.

I say keep this policy in effect regardless of PCB levels. Even if the fish show no traces of PCBs, throw the fish back. Problem solved. If, in fact, in a perfect world no one ate the fish, my understanding of what you've explained to me tonight, there'd be no PCB dangers to humans. Problem solved.

North of Albany, for all eternity, when you fish, throw the fish back.

I'm sure there's another meeting going on tonight down in the Hudson River, at the bottom, and it's among the fish. And, I assure you, they want to be thrown back. You

know? Choosing PCBs in their system or being thrown back, they'll take being thrown back.

(Applause.)

Now, according to one study I've read, a human being would have to eat pounds of Hudson River fish every day for decades to endanger his or her health to a cancerous level.

Now, one thing I'd like to read. In an EPA's legal announcement of it's remedial alternative, this was in today's *Saratogian*. This was in the legal advertising section. Here's what they say. Here's what they printed so you can be sure they chose their words carefully.

(Applause.)

JEFF KELLY: Wait a minute.

MR. CASPE: Hold it. Hold it. Hold it. Come on.

JEFF KELLY: I'll be done in a minute. In one minute, literally.

"Some of the dredged areas will be backfilled and approximately one foot of clean material to isodate -- isolate residual PCB

contamination."

So that tells me two things: One, they're not taking all the PCBs. So, after they do the largest and costliest clean up of its kind ever, they're admitting there's still going to be tons of PCBs down there.

Number two --

MR. CASPE: Okay. Hold it. Okay. Thank you.

JEFF KELLY: I really have -- is my time up?

Okay. I got you.

Number two, they're putting mud back over what they had there. The same thing that was already there.

MR. CASPE: Okay. I would just point out that our fish consumption data that says fish become very unhealthy, and our .05 concentration number is based upon one fish meal a month, a week, excuse me, one fish meal a week, that's one-half pound meal a week is what could cause significant problems. So I wouldn't advise anybody to be eating this fish or think that you have to eat pounds of it a

day in order to get sick.

AUDIENCE MEMBER: That's for the whole State of New York; right? Just about. It's not just the Hudson. It's --

AUDIENCE MEMBER: Go to Price Chopper.

MR. CASPE: Okay. We're talking about a consumption number --

AUDIENCE MEMBER: The environmental conservation book on fishing and hunting, you'll see that almost every body of water in the State of New York, except for Saratoga Lake and some lakes, almost every river you can eat.

MR. CASPE: Okay. I'm going to regain control here now.

Okay. The next speaker is -- we have to get through this thing. I'm sorry -- Adam Ayers.

ADAM AYERS: Hi, my name is Adam Ayers. I'm a biologist with GE.

MR. CASPE: Sorry, I can't hear you. Can you --

ADAM AYERS: Sorry. My name is

Adam Ayers - A-Y-E-R-S. I'm a biologist with GE. I'm concerned that there's been absolutely no information or discussion concerning the benefit of EPA's dredging proposal versus the ecological cost to the ecosystem in the river. As you guys know, this is an unprecedented project in it's size. It is my understanding that most of the dredging would occur in submerged aquatic vegetation beds in the Thompson Island pool which I believe you are aware those are some of the most diverse habitats there are, provide a lot of habitat for fish, feeding for wild life and things of that nature. Has there been any evaluation of the ecological benefit versus the cost of dredging? And if not, when are you going to discuss that? When will you present that to the public and how have you evaluated that?

MR. CASPE: I believe that information is in the feasibility study, I guess copies of which have just been transmitted to the General Electric Company, that type of information as far as how we

evaluated that. But, yes, we do -- we haven't looked at those impacts. And I don't know whether -- Alison, do you want to pick up on that a little bit?

MS. HESS: I just want to add that the Environmental Protection Agency did not do a cost benefit analysis. We don't look at the ecological effects versus cost. But we did evaluate and consult with experts about whether the dredging activity would pose a problem to the environment, to the ecological receptors in the area and we learned that it would be a very short term, transient risk that would not prevent the population of fish and other species from returning.

MR. CASPE: Thank you.

The next speaker is Rich Schiafo.

RICH SCHIAFO: Good evening, my name is Rich Schiafo - S-C-H-I-A-F-O. I'm an Environmental Associate with Scenic Hudson, a Hudson River Valley environmental organization with over 10,000 supporters. Scenic Hudson supports the aggressive removal of PCB contaminated sediments. We believe that a

timely and effective removal of PCB contaminated sediments will have tremendous short and long term benefits to the river, and can be accomplished safely. We want to thank the EPA for this opportunity to comment tonight and we also commend EPA for meeting it's December deadline thereby keeping it's promise to residents of the Hudson River Valley. We also commend EPA for making this decision based on the exhaustive and extensive scientific analysis that has undergone unprecedented peer review by independent scientists from around the world. Science that has clearly found that the Hudson River is not and will not clean itself up; science that has found that PCB contaminated sediments are not being buried and that Hudson Valley residents face significant health risks from the consumption of PCB contaminated fish. It is admirable that the EPA has drafted a proposal that is based on sound science and seeks to protect public health and the environment despite tremendous pressure from the likes of GE, it's PR firms, and high

powered lobbyists to ignore this public health threat. No other superfund site has endured the technical and political scrutiny that the Hudson River PCB site has endured, and we strongly encourage the EPA to keep this process moving forward, stay on track, and issue it's final record of decision by June 2001. We encourage the EPA to hold public meetings along the entire stretch of the Hudson River, this 200 mile superfund site, including meetings in New York City so that all effected communities have the opportunity to make public comments before the agency. Scenic Hudson will thoroughly review the proposed plan and feasibility study and submit more extensive comments. While on face value the removal of 2.6 million cubic yards and 100,000 pounds of PCBs sounds fairly extensive, we are concerned whether this goes far enough.

Our -- just real quickly our three concerns is that to keep the 2000 deadline; we are concerned about the three year design phase, that we need to accelerate that; and

does this removal go far enough. Thank you.

MR. CASPE: Thank you.

The next speaker is Ivan Vamos.

IVAN VAMOS: Thank you for the opportunity to comment on the Hudson River PCB Reassessment Project.

I am personally been involved with Hudson River issues for over 35 years going back to the days of the Hudson River Environmental Commission. I view with concern the increased impact of pollutions, exacerbated by the removal of the Fort Edward Dam in 1973. My experience with state parks on the State's Canal Board as a consultant and as a member of several organizations has given me an excellent perspective on the issues and the related science pertaining to PCB clean up. I have often observed fish being taken in our parks and other places, and I'm sure eaten by people that don't even speak English let alone read English signs. I have also been quite concerned with the recent propaganda that has been dredged up by GE on this issue.

The National River Network has

listed the Hudson as one of the ten most endangered rivers for the past four years, and PCB impacts were one of the major reasons. I also note that this week a U.N. treaty was enacted by 122 countries banning the "dirty dozen". They are the twelve most highly toxic chemicals they consider. The press indicated that this was because they break down slowly, the travel easily in the environment and they have been linked to cancer and birth defects.

I have been working on the Hudson recently for practically all my summer. I see the need. I urge you to move ahead with this program.

Thank you.

MR. CASPE: Thank you.

The next five speakers are going to be Maureen Ferraro-Davis, Neal Herr, Charles Hanehan, Andy Esperti and Susan Lawrence.

MARSHALL SECUNDA: Excuse me. You called my name, Marshall Secunda.

MR. CASPE: Yeah, I'm getting up to you. That's -- I'm getting there, I'm getting there. Those are the next five.

MARSHALL SECUNDA: Oh, okay.

MR. CASPE: The next speaker is Chris Walbrecht.

CHRIS WALBRECHT: Hello. Yes, my name is Chris Walbrecht - W-A-L-B-R-E-C-H-T, and I am Program Director with Citizens Campaign for the Environment. Citizens Campaign for the Environment has four offices in New York State. I am representing our Executive Director tonight who is a water quality expert, and I am -- I travelled up from our White Plains office in Westchester County where I live. Our organization has been steadily watching the results of the studies come in. We commend the EPA for their long and hard work in identifying a clean up that we feel is fair for the citizens of New York State to protect water quality and public health.

I want to keep my comments very brief tonight as we will be putting together extensive written comments, but I thank you for the opportunity for giving us the chance to speak to you and support the plan for the

cleanup.

Thank you.

MR. CASPE: Thank you.

The next speaker is Marshall Secunda.

MARSHALL SECUNDA: That's S-E-C-U-N-D-A. I was wondering what would Henry David Thoreau say tonight if he were with us. He would say simplify, simplify, simplify, and if we reduce the entire confrontation, keeping his words in my mind, what we have is the EPA should have as a goal justice for all the people living along the Hudson River. Justice for the Sierra Club people, and justice for the people some of whom I had the opportunity to speak with tonight. Because I wanted to learn -- I'm a Sierra Club member, I wanted to learn what was really going on in the minds of the people opposed to dredging. Let me tell you they have legitimate concerns. Now let's see who the EPA represents. If the EPA fulfills it's mandate, it will represent the Sierra Club, but it will also safeguard all the concerned

citizens, some boaters who stand to lose. All their concerns. And -- you are welcome.

The only party here that is not really offered justice is General Electric. They are out for the virtue of selfishness. I think in the spirit of the holiday season they need to learn the golden rule. I hope that we can all come together on this, both the Sierra Club, and other environmental organizations, and the people that this issue really matters to the most, the people living along the Hudson River that get their pleasure, that have a monetary involvement in the issue, and I hope -- and I'm addressing you, the EPA, to safeguard these concerns of those people because if you do, then everyone will be united with you, and the only opponents you will have are the paid people of General Electric who have money as their primary goal in life.

Thank you very much.

MR. CASPE: Next speaker is Maureen Ferraro-Davis.

MAUREEN FERRARO-DAVIS: My name

is Maureen Ferraro-Davis. I'm a resident of the Hudson River Valley. I live on the banks of the upper Hudson River, in the Town of Schagticoke, at approximately river mile 158 from looking at your map, just below Campbell Island.

I've always supported the EPA's decision to actively remediate the upper Hudson with environmental dredging. I do, however, have a concern, the Arbor Hill Environmental Justice Center recently initiated the testing of salt samples in my neighborhood. Samples taken from my yard, not river sediment, came back 380 parts per million and another 780 parts per million. Both samples identified the type of PCB as Aerochlor 1242, which, I believe, is used by GE. It's my understanding that anything over 50 parts per million is considered toxic. But I see in your report that the EPA has just determined that my family's exposure to these elevated levels through daily living activities represent an acceptable risk. I'm sorry, but I have a problem hearing that

adverse health effects to my family are acceptable risks.

Nonetheless, I believe it is time to send GE a message that social responsibility important as a bottom line.

MR. CASPE: I would just like to say in response to that that this remedy that we're dealing with here is dealing with the river bottom really and the contaminated sediments there. If you're having a problem on your property as well, you can contact the Department of Health or you can contact us directly as well and we'd be glad to look into it with you and with the State.

Next speaker is Neal Herr. Is there a Neal Herr here?

Charles Hanehan.

CHARLES HANEHAN: Good evening. My name is Charlie Hanehan.

My two brothers -- that's H-A-N-E-H-A-N.

My two brothers and myself own Hanehan Family Dairy, milking 650 cows in the Town of Saratoga. Okay. We milk -- There you

can hear that -- 650 cows in the Town of Saratoga. Part of our farm consists of 110 acres of the finest and most productive soil in New York State. This land is mostly in the flood plane of the Hudson River just south of Schuylerville in Coville. It's a beautiful and historic area. In fact, this very tract of land was pictured in the *National* Geographic March 1996 article entitled "Herr of the Hudson." There's the picture. That's my land.

And I am extremely concerned about increased PCB sedimentation on my land due to EPA's ill-advised proposed dredging project in the Hudson, just up river from my land.

I have neighbors who irrigate the land throughout the growing season who are also very concerned about this problem. We are in the process of hiring an environmental engineering firm to do baseline testing of the soil and to monitor PCB levels as the dredging proceeds. We will hold EPA Scenic, Hudson, and the Sierra Club responsible if these levels increase, as I believe they will.

Thank you.

MR. CASPE: The next five speakers are going to be Bill Koebbeman Pauline Boehm, Louis Marchaland, Frank DeCocio, and John Nicholson.

The next speaker is Andy Esperti.

ANDY ESPERTI: This one right here?

MR. CASPE: Wherever you like.

ANDY ESPERTI: Hi. I'm Andy Esperti from Fort Edward. And that's spelled E-S-P-E-R-T-I. I live on Rogers Island, right along side the river. I've lived there over 30 years.

I've listened to a lot of rhetoric on both sides for a long time now. I've listened to GE's propaganda. I know many people who are involved with and against all this. I feel that a lot of it is personal reasons, business reasons.

I've tried to be impartial tonight and not say that my mother worked for GE and five of her co-workers died with her from liver cancer. Can't make the connection, but

a good friend of mine who ate fish for over three years, three times a day, every day, died of liver cancer.

Now, this can't be proven. But I will say this: I've listened to both sides tonight. I listened to the answers and I listened to the rhetoric in the back, people trying to disrupt it. I feel that the EPA has given us some good answers and I feel that the one way to clean up the river is to dredge it.

I have no affiliation with GE. I have a brother that's worked there 20-some-odd years. My father worked for GE for 32 years. But that means nothing to me, except that GE is responsible for putting it there, they have to take it out.

Thank you.

MR. CASPE: Next speaker is Susan Lawrence.

Susan Lawrence.

We're halfway to a hundred.

Next speaker is Bill Koebbeman.

BILL KOEBBEMAN: Thank you.

Bill Koebbeman from Halfmoon.

I support the plan to dredge PCBs from the Hudson River.

This is obviously a very controversial issue. Some on both sides have good points. I think to find a workable solution we need to cooperate with -- from both sides. And I would like to suggest a small step in tna+ direction.

I think reasonable people on both sides would agree that both the river and the fish in the river would be better if they didn't contain PCBs. Even GE agrees that some clean up is necessary, since they are currently cleaning up along the shoreline in some areas.

To dredge or not to dredge, that is the question.

One side says a lot of dredging is required. The another side says none. Who is right?

How about a third alternative? A closely monitored pilot project to prove the concept out, a pilot project to large enough to prove the proposed technology is safe and

effective under actual conditions, but small enough that the project can be revised or even terminated as the results are assessed.

The cost of this project would probably be less than GE is currently spending for lawyers and ads.

In 30 years working as an engineer in industry, I've learned that when decisions have to be made, there will always be more questions than answers and there is often as much risk in doing nothing as in taking action.

Sometimes you have to move ahead with less than perfect knowledge, but you want to do it in a way that controls the known risks to the greatest extent possible.

Will dredging have a significant effect on recreational use and devastate the environment for communities along the Hudson?

These are reasonable questions.

I believe a closely controlled, monitored pilot project would safely answer these questions.

Will dredging improve the health

and quality, the quality of health for humans and other creatures along the Hudson?

A pilot project would be another good low-risk step towards an answer.

Thank you.

MR. CASPE: The next speaker is Pauline Boehm -- we'll get somebody. Somebody is on their way. (Speaker having trouble lowering microphone.)

PAULINE BOEHM: My name is Pauline Boehm - B-O-E-H-M. I'm from Clifton Park and I just had a very short little spiel, but I have heard so many things tonight that it brought some other things to mind.

One of the things I hear a lot of disagreement with people and I would like to think that some of the people that are against dredging are against it because they are misinformed. And I also think I hear concern about river traffic, and I'm not saying that's not a legitimate concern. And I hear people who are concerned about where the waste is going to go, and I'm not saying that's not a legitimate concern. But a lot of people who

have spoken against this don't say much about the health risks, and I would think that would be the most important concern. Not only for the people living here now, and not just for the people that live on the upper Hudson, but people who live on the lower Hudson where the PCBs travel to, and for our children and our children's children.

And it is also my understanding that when PCBs begin to break down through bacterial action, that they can become even more dangerous because I believe they can then be vaporized and travel through the air? At least this is some of the stuff that I have read and heard about, which is also very important.

But, anyway, I just want to say that I do agree with what you are going to do, and I hope you are not swayed by the, you know, the popular whatever, you know, by popular -- the popular thing here. Because I think even though there are people right now that are against this, in the short run, I think in the long run that most people will

believe that this will turn out to be the best thing for New York State, for the Hudson River.

Thank you.

MR. CASPE: Thank you.

The next speaker is Louis Marchaland.

LOU MARCHALAND, JR.: Lou Marchaland, Jr - M-A-R-C-H-A-L-A-N-D, Town of Greenwich, Easton. I have heard a lot of things about your dredging. All the talk about the PCBs getting disrupted, disturbed. What about all the other contaminants and pollutants in that sediment? I mean there's been pollution in that river for a lot of years. There would be heavy metals, maybe some arsenics, everything is going to get disturbed, everything is going to be moving around. You do a hydraulic dredge, you definitely get spill over. Two hundred fifty ton a hour you are going to have a lot of spillage. That's going to go downstream. I don't care how you try to contain it, it will be moving around. The river is cleaner now

than it's been in my life time. Because of the 70's everything got stopped, the PCBs, the sewage. It will clean itself. It has been cleaning itself. And since PCBs are so volatile that half of them are going down here and half are here, they should all have been gone several years ago.

One of your previous speakers called the Hudson a great fishery. That must have been several 100 years ago before there was any environmental damage from any progress. Unfortunately progress did destroy a lot of environmental conditions. It has to be repaired, but it will repair itself slowly and gently without destroying everything again.

MR. CASPE: Thank you.

I would like to respond. The issue that comes up is the issue of resuspension loss. Now there are other contaminants that your concern was, but how much -- the question is when you dredge -- you came up earlier, how much -- and I didn't give an answer to it. It was how much of the PCBs are released as you

dredge. And whether we had an estimate for it. And, in fact, we do have an estimate for it. Somebody gave it to me during the break. The estimate is at the resuspension loss. Remember I had spoken earlier that there are 500 pounds a year moving down the river. Our estimate of the resuspension loss, uncontrolled, that's without the silt screen, would be 20 pounds per year. When we put controls on that, we think that would be significantly less. So the amount of resuspension that we are expecting here is extremely small. I would just point that out. (Question from the audience.) 20 -- that was 20 pounds of PCBs a year versus 500 pounds a year that are currently moving over the Troy Dam.

The next speaker is Frank DeCocio. (No appearance.)

Okay. The next speaker is John Nicholson. (No appearance.)

Oh, I didn't get a chance to call the next five speakers. The next five speakers are Stephanie Van Allen, Richard

Bonnabeau, John Van Deloo, Richard Orsi, and Kim Gamache. Give me the next five after that because maybe people are thinning out a little bit and there may not be all the speakers. The next five speakers after that are going to be Kempton Randolph, John Adams, Ernie Martin, Jackie Donnelly, and Paul Lilac. So I'm calling 10 at a time now.

So the next speaker is Stephanie Van Allen.

The next speaker is Richard Bonnabeau.

We're halfway.

The next speaker is John Van Deloo.

JOHN VAN DELOO: My name is John Van Deloo, that's V-A-N-D-E-L-O-O.

I was Born in Albany, New York and I'm a family physician from Schenectady, New York. I'm also an avid fisherman and have fished the Hudson as my ancestors did for over 300 years.

My uncle and my father ate fish the Hudson River when they were young. My uncle died at 45 years of age in 1966 from stomach

cancer. And my father died from a very rare kind of leukemia, called stem cell leukemia. The incidence of cancers, especially breast and lymphomas, is extremely high in Hudson estuary. PCBs affect all parts of the body, the nervous system, the blood system, the immunological system, the endocrin system, just about everything.

I've reserved as much as I can PCBs and dredging and listened to GE's point of view. This year, they were dredging in the Mohawk River where I fish, between Lock 8 and 9, with a cutter head. This was navigational dredging, but they dredged five days a week. On the Saturday morning we were there catching, within 15 feet of this dredge, an unbelievable number of bass. They were not affected by it at all, up to four pounds. And I saw no serious environmental problems or damage being done by this dredging.

I believe it is imperative that dredging to remove as much of the contamination as possible be started as soon as possible.

In spite of health advisories, I have seen people catch and take home these fish and know that there are people who eat these fish.

It has been established that GE has been spending -- it has been estimated that GE is spending up to $2 million a year -- or a day in this repulsive and insulting public relations campaign that we've been bombarded with, filled with disinformation, misleading information.

Refusal to take responsibility for this problem is driven not by concern for human beings or the environment, but by monetary concern and concerns about the areas throughout New York and the U.S. that they are responsible for contaminating.

Thank you.

MR. CASPE: Thank you.

Next speaker is Richard Orsi.

RICHARD ORSI: My name is Richard Orsi, O-R-S-I. I'm a family physician. I'm also the treasurer of the Capital District Chapter of Physicians for Social

Responsibility.

My family and I live on the river in Selkirk, New York, in the Town of Bethlehem. We've been there 18 years. My family and I also boat and fish the river, so I have many reasons to be here.

As a member of Physicians for Social Responsibility, for the past 10 years I've been involved in educating local communities on the dangers of waste incineration, a process that produces dioxins.

Therefore, I'm aware of the health effects and environmental effects of PCBs, and the EPA's proposed remedy is the best way deal with this issue at this time.

Ideally, pollution should be prevented in the first place. And given this lesson, we should be shutting down waste incinerators across the country.

I live on the shore of the Hudson River in Bethlehem. Almost in my backyard is a water treatment plant, a water recovery plant from aquifer on the side of the river, which goes primarily to feed BE's plastics

plant in Bethlehem. Several times they've had to dredge the river to keep this plant in operation, which directly benefits GE. The hypocrisy of GE complaining about dredging, whereas they don't complain about dredging that benefits their facilities, is germain to this issue.

Certainly, the amount's not the same.

I also live on a property that used to be an open pit sand mine a hundred years ago. It had deep water access. When navigational dredging was done in the '20s and '30s in this river, massive amounts of dredging, which would dwarf whatever you're going to be doing, that water access was actually covered up. There were mounds, mountains of sand. And I appreciate you coming and taking it away so I can get my deep water access back. You can use it to put down on the new bottom that you're going to need.

Thank you very much.

MR. CASPE: Next speaker is Kim Gramache.

KIM GAMACHE: My name is Kim Gamache. I'm the mayor of the Village of Schuylerville. Spelled G-A-M-A-C-H-E.

Decision has been made that's going to have far-reaching implications for our area.

The EPA has ruled that GE must dredge the Hudson River.

This debate has been ongoing for years with both sides working hard to convince the public that their opinion is the correct one. I have read a great deal of information on the subject, listened to various viewpoints, and reviewed numerous opinions in the newspapers. I have come to the conclusion that this drive by the EPA to dredge the Hudson River has taken on a life of its own. Scientific fact, evidence, or success in similar types of operation is certainly not driving it.

Dredging the Hudson River would be a massive undertaking, unprecedented in the history of dredging projects. Millions of yards of material need to be deposited

somewhere. Economic devastation for riverfront communities, many of whom have worked hard to revitalize their waterfront areas, many natural habitats would be distributed or destroyed. The effect of this project will be felt for many years to come.

The EPA has been unable to convince me that this huge project is needed or will be successful. And many projects conducted throughout the country, projects that are a fraction of the size, results have been very disappointing. PCBs levels were barely diminished, or in some cases were higher than before, despite massive amounts of money spent.

I have lived on the river my whole life and I have seen a miraculous recovery take place. Recreational use of the river in Schuylerville has greatly increased and the wildlife is thriving. Even EPA admits that PCB levels in fish would be acceptable by 2015.

Is there even a chance that this massive dredging project would be complete by

then?

Mother Nature is cleaning the river and doing a far better job. Dredging is simply not the answer.

I would also take a moment to point out that in your own report you're stating that your target concentration in fish, .05 parts per million, would take 67 years with no action, 67 years with your massive dredging project.

Thank you.

MR. CASPE: Thank you.

You want to respond?

Yeah. All right.

MS. HESS: In response to that comment, I'd just like to point out that in the proposed plan, it might appear to some people that the 67 years is the same for all alternatives. But you'll notice under the no action alternative, we don't even get down to .04 parts per million within the 67 years. Under the preferred alternative, we estimate that we'll get down to about .009 or about .01 parts per million. That's significantly lower

under the preferred alternative.

MR. CASPE: I guess I would suggest that you -- guess the point I would just make is that we've put out a large -- this is the first public meeting, first of many. And we're certainly all giving opinions here. But we think we've put out a massive amount of information in the last few days and we're going to put out a little bit more yet in the next couple of days. Please try to take the time to listen to that information, understand it, and then we certainly can have the discussion and try to clarify for you and discuss with you what we believe and what you believe.

MR. CASPE: Thank you.

The next speaker is Kempton Randolph.

KEMPTON RANDOLPH: Hi. I'm Kempton Randolph. I represent the Skidmore Greens.

I'd just like to point out the fact that PCBs, they do disrupt the endocrin system. They have been proven to cause

cancer, but they also act as an estrogen mimic.

We all know they accumulate in fat and are released during pregnancy to the fetus. As the baby's in the womb, the mother breaks down her fat reserves and gives these PCBs to her child.

Natural estrogen acts to direct development in the fetus, such as the brain development and reproductive system. Estrogen acts on the levels of parts per trillion, but the babies are exposed to parts per million of PCBs because of the contamination that we have in the Hudson.

Brain development and reproductive development are negatively affected by these PCBs acting as estrogen mimics. This is seen in children as learning disabilities, hyperactivity, lower sperm count, and infertility.

It is imperative that we do all we can to reduce our lifetime exposure to PCBs, not just for the health of us but to the health of generations and generations to come,

which is why I and the Skidmore Greens support your decision to dredge.

MR. CASPE: Okay. Thank you.

Let me call the next 10 speakers now.

Kevin Larkin Aricoli, Margot Amman, M. Harkness, Brian Mayes, Rebekah Tanner, David Viale, Patrick Shannon, Gerry Meehan, Chris DePoy, Andy Nolte and Mark Behan.

The next speaker is John Adams.

Thought somebody was getting up.

Next speaker is Ernie Martin.

Next speaker is Jackie Donnelly.

Next speaker is Paul Lilac.

Paul.

PAUL LILAC: My name is Paul Lilac. I'm the Supervisor of the Town of Stillwater, a community which has the beautiful Hudson River as it is entire eastern boundary.

Some people might recognize me as being in the very first anti-dredging commercial. I wasn't paid to do that commercial. I haven't received a thing from

the General Electric Company. In fact, I have no ties to that company whatsoever.

What that commercial did was give me the opportunity to state my opinion on this very crucial issue, it gave me a chance to tell the world I love this river. I've seen this river cleaning itself in the past 20 years.

In my humble opinion, any dredging of PCBs from the bottom of the river would set back the natural cleansing of the river for many, many years, regardless of what dredging technology is used.

For the past 25 years, I have been an outspoken advocate of using the Hudson River for recreational purposes. I lobbied for lifting DEC's ban on fishing in the Hudson River by requesting that a catch-and-release fishing program be allowed in the upper Hudson River. After careful and thorough evaluation by the New York State DEC, Governor George Pataki, with State Senator Joseph Bruno and DEC Commissioner Zagada at his side, in 1995 stood on the banks of the Hudson River in

Stillwater, New York and declared the upper Hudson, from Fort Edward south to Federal Dam in Troy, open for cash-and-release fishing. In doing so, Governor Pataki stated that the Hudson River has never been so clean and that the fish have never been so healthy.

It was obvious then, and it is more obvious now, to dredge this river would be a mistake that would have a major, negative impact on the communities which are dependent on the Hudson River as not only a source of recreation but also as an important source that enhances the economic development of these communities.

I serve on the Saratoga County Board of Supervisors, and that legislative body passed a unanimous resolution opposing dredging. That Board represents nearly 200,000 people, and those voices need to be heard.

I also served as vice chairman of the United States Environmental Protection Agency's Governmental Liaison Committee, and that Committee opposes dredging.

When are you going to start listening to the people of the upper Hudson River region?

I am absolutely convinced that dredging of any kind will set back the natural cleansing of the Hudson River for at least 20 years, and probably more. I urge you to reconsider your proposal.

And, by the way, when you make another announcement of this magnitude, try to come north of the George Washington Bridge to do it.

MR. CASPE: The next speaker is Kevin Larkin Aricoli. (No appearance.)

The next speaker is Margot Amman. (No appearance.)

Next speaker is M. Harkness.

MARK HARKNESS: My name is Mark Harkness. I'm an environmental engineer. I live in Troy. I do work for GE, but I don't work on the river project. I have a question. It's been mentioned several times tonight that the original release of PCBs into the river were 1.3 million pounds. Your plan proposes

to treat or remove 100,000 pounds of that. That's 7% of the material originally removed. The difference is 1.2 million pounds. My question is how much of that 1.2 million pounds will be in the sediments of the upper Hudson River after dredging, and how much of that material is in the sediments of the lower Hudson River which will not be treated at all?

MR. CASPE: We believe our remedy will remove approximately 50% of the PCBs in the upper Hudson River sediment. Thank you.

MARK HARKNESS: And how much is in the lower Hudson?

MR. CASPE: The rest of it.

MARK HARKNESS: So you're saying that your remedy is going to treat, like, 10% of the PCBs in the river?

MR. CASPE: The estimate of 1.3 million pounds is just that, there is an estimate. There are no real records of what GE discharged into the river. Estimates actually range from 209,000 to 1.3 million not including any releases from the Hudson Falls plant site, you know, that are seeping out

from the plant site there. So there is no full mass balance of what was discharged to the river, but the materials that went into the lower river and out into the harbor are quite dilute concentrations.

MARK HARKNESS: I think if you are going to spend that kind of money and disrupt the community, you might want to do the mass balance.

MR. CASPE: Thank you.

Next speaker is Brian Mayes.

BRIAN MAYES: My name is Brian Mayes - M-A-Y-E-S. I am a toxicologist with the General Electric Company. I have heard an awful lot of health effects discussed here tonight many of which I would like to address, but unfortunately in a forum like this that's certainly not possible.

What I do have is a question for the panel. In your proposed plan you have a remediation of 0.05 ppm in fish fillets, and in your own models -- basically I'm following up on a question from a previous gentleman. In your own models you project that within 67

years you still will not have reached a level that protects the reasonably, maximally exposed individual. And my question is how does the EPA on sound scientific grounds responsibly request a project of this magnitude be conducted when you know up front that your stated goals will not be met?

MR. CASPE: What I would like to point out is the reason we don't achieve the 0.05 parts per million is due to the continuing load of PCBs that would remain from the GE-Hudson Falls plant that continue to seep PCBs into the Hudson River. We do estimate that with some additional source control that that load could be reduced, but as long as there is some amount still leaking into the river we don't expect to get to 0.05 parts per million in fish. Despite that we would substantially reduce the concentration in fish and thereby reduce the risks to human health and the environment.

Thank you.

(Comments being shouted from the back of the room.)

You want to fill out a card you can come and speak.

The next speaker is Rebekah Tanner. (No appearance.)

Let me give the next 10 names: John Kaufman, Derrick Zeh, David Mathis, Paul Logeman, Christine Bonds, Margaret Stein, M.J. Delmonico, Marian Nerr, Marilyn Pulver, Michael McLaughlin.

The next speaker is David Viale. David?

DAVID VIALE: Ah, yeah, it's David Viale - V-I-A-L-E. I have been a resident of Hudson for over 22 years now. And as someone who, you know, grew up on the river, I just want to say I definitely support the preferred remediation.

Secondly, as someone who has followed this issue for quite some time now, I studied it in school, I received a Bachelor of Science degree in Biology and Environmental Studies. I fully support, like I said before, the preferred remediation. Thirdly, as an activist who knocked on doors, 50 to 60 doors,

every day for three months over the past summer, I talked to hundreds of people who support this. Obviously I can't speak for them, but you can look forward to hearing from them because I know that they support this.

And finally and most importantly I am here to support and represent the students. I am here representing students for a clean Hudson, a statewide coalition formed, over 60 student groups have signed onto this coalition. It's growing every day. And on behalf of the students who are going to be our future leaders, representatives, scientists I just want to say that they fully support this remediation. And that we ask the EPA to stick to their guns, especially when the new administration comes in, whenever we get our new president because, you know, this thing has been peer reviewed to death. It's been a long time coming and we can't afford to put our health on the back burner anymore.

So thank you.

Next speaker is Patrick Shannon.

(No appearance.)

Jerry Meehan. (No appearance.)

Chris DePoy. (No appearance.)

Andy Nolte.

Mark Behan -- oh, Andy Nolte?

ANDY NOLTE: Yeah, I appreciate the opportunity to speak tonight. When I was a kid, I learned to swim in the Hudson River. And there was a time when -- it goes to -- go back to when there was still a bridge on the one side where there was a wooden floor on the bridge, you know. That's a lot of years ago, and I guess I got conflicting views here. I hear a lot of people. I know a lot of people in the community and I respect where they are coming from. I don't like the idea of dredging, but I guess from my perspective I have got a personal concern, and that primarily has to do with the medical issues. And one of the things that came available this last week, New York State Health Department posted the cancer rates, and that's scary stuff. If you look at the zip codes, in particular they have got zip codes listed all across the state, and they give the incidence

of cancer, and anybody living in the Schuylerville zip code, 12871, the incidence of breast cancer is 50 to 100% higher than expected rate. Now I don't know what the reason for that is, okay. I don't know. I don't know if it's from PCBs, heavy metals, you know, whatever, okay, but that's the reality. The other reality is that you look at Stillwater. The incidence for lung cancer in men is 100% higher, okay. So when I look at those issues, I throw it back to you guys because you are responsible. If you see something like this, you know, you have got a responsibility to the public to find out what is causing this. And then maybe it's like chemotherapy. Maybe we don't like it. Maybe we hate it. But maybe we have to go through it to cure the damned thing. Thanks.

MR. CASPE: Next speaker Mark Behan.

MARK BEHAN: My name is Mark Behan. It's B-E-H-A-N. I'm here on behalf of the General Electric Company. Just a question. I'm just trying to understand the

agency's position so I have it clear. Are you planning to start dredging before the source control work at the Hudson Falls GE plant is completed and evaluated?

MR. CASPE: You asked two questions. There's two parts to that question (Someone in the audience said to answer it yes or no.) The answer(sic) is do we plan on dredging before the work is done?

MARK BEHAN: And evaluated.

MR. CASPE: No. Well I have heard proposals that we might evaluate for 5, 10, 20, 50 years and then we'll decide. No, we certainly would believe that source control is something that should be taking place before we dredge, as we dredge the source has been handled.

MARK BEHAN: You have a dredging start date of 2004 in the plan.

MR. CASPE: Right.

MARK BEHAN: And as I read the plan, you expect source control to be in place by 2005.

MR. CASPE: We expect them both

to be, right -- one is the end of 2004, one is the beginning of 2005. It has to do with December 31st and January 1st dates.

MARK BEHAN: So you would not start dredging before the source control work is completed?

MR. CASPE: That is not our proposal. Our proposal is to have source control in place as we start dredging.

MARK BEHAN: So you would start dredging before source control is completed?

MR. CASPE: That isn't what I said.

MARK BEHAN: Please make it clear to me. I'm not getting it.

MR. CASPE: I said no. We would plan on having source control in place.

MARK BEHAN: Completed?

MR. CASPE: What are you -- I don't understand.

MARK BEHAN: I'm asking whether it's completed and evaluated before you start dredging.

MR. CASPE: Well you asked me

whether it's completed, the answer is yes. Evaluated? I don't know what that means. Is that a five year program, a ten year program?

MARK BEHAN: The benefits, I mean. What are the benefits of it are evaluated?

MR. CASPE: What are you proposing?

MARK BEHAN: I'm proposing that you look at the benefits of reducing the source before you begin dredging.

MR. CASPE: And could you explain -- could you just explain to me what you would propose as far as how long we would study those benefits?

MARK BEHAN: You ought to take a look at the monitoring data for a period of time before you begin dredging.

MR. CASPE: What period of time do you want me to look at? (Audience getting loud.)

MARK BEHAN: I'm sorry?

MR. CASPE: What period of time?

MARK BEHAN: What period of time?

You ought to take a look at it for probably a five year period before you start dredging.

MR. CASPE: Okay. So the question is whether we would wait five years after source control or dredging begins.

MARK BEHAN: No.

MR. CASPE: We would not.

MARK BEHAN: Pardon me? The question is still the one I asked you at the beginning and that is, do you plan to evaluate it before you start dredging.

MR. CASPE: No.

MARK BEHAN: Do you plan to start dredging before the work is completed?

MR. CASPE: No.

Thank you.

The next speaker is John Coughman.

MR. CASPE: Thank you.

The next speaker is John Coughman.

JOHN COUGHMAN: Thank you for the opportunity to address the board.

I wanted to respond to my friend Butch Lilac's remarks earlier. I expect it's a good chance that Butch, as the supervisor

for his town, speaks for his town. I think there's at least some record to indicate that, while the Board of Supervisors of this county voted unanimously to oppose the dredging that that, in fact, does not represent the, this community. Butch should be aware of the fact that at least one town, the Town of Ballston, I believe, officially -- and I'm kind of disappointed in Butch that his, his hyperbole -- indicated that they did not support the GE position. It isn't that they oppose dredging, they have no position on it at all. And I would just say that in the City of Saratoga Springs, the issue has never come to the City Council. I would be amazed if it passed. I think, in general, the Council would avoid taking any position on the issue at all.

And I would also further say that, in terms of this community as a whole, what one finds is a considerable amount of indifference to the issue, and some passion on some sides either way about it. But to suggest that Saratoga County is passionately

opposed to dredging, Butch, I am kind of disappointed. That is simply not the case.

Appreciate the opportunity.

MR. CASPE: Thank you.

Next speaker is Derrick Zeh.

DERRICK ZEH: My name is Derrick Zeh, Z-E-H.

I grew up in Hudson Falls and a good friend of mine lost an older brother to aggressive leukemia who did a lot of fishing, camping on the Hudson River. You can speculate one way or the other.

I think PCBs are a big problem and I commend your efforts. I agree with your science, I understand -- and I do know the technology does exist to effectively and safely dredge the Hudson River. There is a lot of skepticism about that technology and the impact it would have.

It's sad that people are swayed by misinformation.

I support your decision.

Thank you.

MR. CASPE: Thank you.

Next speaker is David Mathis.

Next speaker is Paul Lokeman.

Next speaker is Christian Bonds.

Christian, before you go, let me just name the next ten, please?

Donna Grover, Ed Carpenter, John Sims, Bert Heuckeroth, Tanya Posillico, Lisa Rosman, Kim Marsella, Harvey Tallman and Wayne Richter.

Sorry.

CHRISTIAN BONDS: I'll be very brief. I'm really tired, as probably all of you are, too.

My name is Christian Bonds. I grew up in Clifton Park and I now reside in Albany.

I strongly support your targeted dredging proposal and appreciate your efforts to educate us all tonight on the clean-up proposal, especially since all of us who live in Upstate New York have been bombarded by misinformation and lies through a media campaign paid for by GE, and from untruths from certain local and state politicians.

Generations of engineers in my

family have worked for GE. That doesn't mean we don't acknowledge the negative health impact of PCBs and the obvious fact that PCBs do not belong in the river bed of the Hudson.

I'm about to start my family, and that's my motivation for speaking to you tonight. I want my child to grow up in a healthy environment. I want my child to be able to enjoy the Hudson River.

It's past time to remove the PCBs.

Thanks.

MR. CASPE: Thank you.

Next speaker is Margaret Stein.

MARGARET STEIN: Thanks for the opportunity.

Margaret Stein, S-T-E-I-N. I am a member of Rensselaer County Environmental Management Council.

I support the EPA recommendation to dredge the Hudson River of PCBs. The river will not cleanse its, only push PCBs throughout the food web and disburse it throughout the environment.

I have major concerns about the

level of pollution which will be deposited, say, in a 50 or a hundred-year flood event. Also, the river must be dredged for navigational purposes. There needs to be a repository for this pollution.

The river suffers from a poor image when recreation and fish consumption is regulated due to pollution, PCB or otherwise.

If the state's emphasis is for economic development and expansion, cleaning the river is an acceptable way to accomplish this. Fishing could become a major economic and recreational activity. Currently, there are people potentially catching and eating fish containing high levels of PCBs. This is unacceptable.

My enthusiasm about the Hudson River is directly affected by the pollution levels. I wish for the dredging to take place so that fish advisories can be lifted sooner, within a possible 10-year timeframe or 20-year timeframe, as opposed to 50, without dredging.

I would like to utilize the river to its fullest within my generation, not my

child's.

One major contentious issue is over where the dredged material will go. It is in the best ecological interest of the river and wildlife for it to be dredged. Why isn't General Electric being asked to landfill the PCBs on land they own? They are willing to monitor levels in the river decades into the future. Why not monitor pollution levels on their own land, instead of an historical, economic and nationally recognized major public waterway?

Thank you.

MR. CASPE: Next speaker is M.J. Delmonica, Delmonico.

Next speaker is Marian Nerr.

Next speaker is Marian Pulver.

MARIAN PULVER: It is amazing to me that EPA says we heard you, we heard the upper river communities' concerns. There will be no landfills.

You would think the upper river communities would be just elated to hear that 2.65 million cubic yards will go to Texas.

Wrong.

We have never, ever remotely suggested that this is an issue. More to the point, EPA has obviously only heard what it wanted to hear. It forgot the rest of that resolution passed by 60-plus upper river communities. We opposed river dredging.

So the upper river communities are going to give EPA yet another opportunity. Last night the Town of Fort Edward passed a new resolution, simply titled "We Oppose Dredging of the Upper Hudson River." Tonight other communities are already meeting to pass this resolution.

Now, because we, in this room, heard the statement out of your mouth, Mr. Caspe, the EPA listened to the upper river communities regarding landfill.

Will someone at the head table tell me why you can't hear our crystal, clear message, when of the upper river communities oppose dredging. Let me repeat. Yes, we, all 60-plus communities and many inner county boards oppose dredging of the upper river.

Thank you.

MR. CASPE: The next speaker is Michael McLaughlin.

MICHAEL McLAUGHLIN: Hi, my name is Mike McLaughlin. I'm from the Town of Saratoga. I'm an elected councilman for the Town Board. I'm also -- serve on the Saratoga County Environmental Council with George Hodgson.

I'm going to give some of my time to George so he can ask some of the questions that he wasn't able to ask. I also wanted to say that our town board was against dredging. I have mixed feelings. There are people in my community that feel that dredging is necessary, and there's also people that don't feel it's necessary. Unfortunately, I have tried to look at both sides of the issue, and I don't feel that either side has enough information to continue ahead with dredging until they can do it right. Because first of all, you always hear proposed health risks, you always hear might be able to do it, you always hear possibility. It effects the fish.

Read the New York State Environmental Council Fishing Guide and you'll find out that that just about every body of water in the State of New York there are many fish that you can only eat one time a month or one fish a week. Well, okay, so let's dredge up the whole state. I don't think that's going to work. I don't think you have enough information.

Mr. Hodgson, please come forward -- oh, I have one last toast. This came out of the Hudson River tonight. I had to walk out on the ice and chopped through the ice through it. This is Hudson River water. I drank it earlier on film for a friend, and I'm going to drink it for you here. (Speaker drank a bottle of water from the Hudson River.) It tastes very good. A toast to the Hudson. You took it away for 20 years. We don't want it taken away for another 20. Money would be better spent to promote the economic development along the Hudson.

MR. CASPE: Thank you.

Next speaker is Donna Grover. (No appearance.)

Next speaker Ed Carpenter. (No appearance.)

Next speaker is John Sims.

Is that John coming down? Okay?

The next ten, while he is walking down, are Tim Havens, Shannon Belt, Robert Goldman, Chuck Fitzsimmons, Ann Herrick, Doug Reed, Nina Evans, Mary Song, Harrison Downs, and Terry Middleton.

Thank you. Sorry.

JOHN SIMS: Good evening remaining concerned citizens. My name is John Sims - S-I-M-S. I live outside of Troy. I travel to and from work roughly about 40 miles each way every day, many of those miles along the river with my ultimate destination being General Electric. In my observations as I travel along the Hudson, it tells me only one thing, that the river truly is coming back. The wild life, the abundance of wild life, hawks, I have seen an eagle, it's inspiring to see how far it's come in the last few years.

What I would like to do is emphasize a couple of things that have been

said earlier. First of all I think a lot of us picked up some of these charts. I would like to emphasize that, as I said before, both the EPA and GE models are virtually identical with the GE model being much less disruptive. And another comment I would like to emphasize was that made by the Mayor of Schuylerville that regardless of the means that's implemented to try and bring the content in fish down to the target level all options being in excess of 67 years, it doesn't warrant in any way the disruption we will have to work through.

And maybe one thing I think was said earlier in the beginning of the presentation, it kind of was made that most of the new PCBs entering the river was coming from sediment, I don't think is true. We have seen studies that show that the new PCBs is seeping in from the bed rock. And GE has many programs in place -- I have got to stop. I'm sorry.

I would like to say that I hope that, in closing, that EPA will reconsider

this very drastic proposal and let the programs in place now that are proposed to run their course.

Thank you.

MR. CASPE: Next speaker is Bert Heuckeroth.

BERT HEUCKEROTH: Good evening, and thank you for the opportunity to speak tonight. My name is Bert Heuckeroth. That's spelled - H-E-U-C-K-E-R-O-T-H. I live in Fort Edward and I have been a resident of the Hudson Valley all my life. I consider myself to be an environmentalist and I am very concerned about the Hudson River. I have been following this problem for 25 years now. I remember when the shad fisheries were shut down. I remember being very upset. Since then I have seen a remarkable recovery and I am very happy about it. All that information that I have been following over the last 25 years indicates that that recovery is going to continue. I believe that GE and other manufacturers that have in the past put chemicals in the river should do what makes

sense to clean them up. This dredging does not make sense. This dredging project will destroy the habitat of the river bottom which is very ecologically diverse and it will ruin it for years to come. There has not been sufficient scientific data collected to show that the dredging will help at all.

I would like to finish with two questions. The first question is, you mentioned that dredging would go 24 hours a day. How would you feel if somebody had heavy machinery operating in your back yard for 24 hours a day? The second question is, why won't you wait a few more years and see if the proposal to GE is made to stop the source of contaminants from the Hudson Falls site to see if that works, and if the river does indeed clean itself the way the models predict?

MR. CASPE: As far as the first question, I think the question is a good one with regard to diesel engine perhaps running and noise in your back yard, you know, as the dredges move. It's something that we certainly will take -- we have not really

figured that fully in, but we will. We will relook at the issue in that regard and we will relook at that concern.

With regard to the second issue we believe there is no need to -- we believe that what it is is just one more time we are going to be waiting and we are going to be waiting again to -- and putting off a remedy that we think at this stage of the game is the right remedy. We believe source control is part of a remedy. One way or the other we believe that dredging is required.

BERT HEUCKEROTH: Thank you for your time, and please do listen to the concerns of our community.

MR. CASPE: Thank you.

Tanya Posillico. (No appearance.)

Lisa Rosman.

LISA ROSMAN: I'm Lisa Rosman. I'm the Coastal Resource Coordinator for the National Oceanic and Atmospheric Administration, and am here to speak on behalf of the Federal Natural Resource Trustees. NOAA and U.S. Fish and Wildlife Service

strongly support the removal of PCB contaminated sediment from the upper Hudson River, and commend the EPA for it's progress toward cleaning up the Hudson River. NOAA and U.S. Fish and Wildlife Trustees on behalf of the public to restore natural resources that have been injured by hazardous substances such as PCBs. The Trustees seek permanent protective remedies at superfund sites such as the Hudson River. Sediment removal is the only clean up action that will unequivocally reduce future adverse impact to the Hudson River resources.

The Hudson River is a national historical, cultural and environmental resource. Between the late 1940's and 1977 somewhere between 209,000 and 1.33 million pounds of PCBs were discharged into the river by GE. Today PCBs continue to be released from contaminated sediments as well as through the fractured bedrocks below Hudson Falls. Many of the natural resources of the Hudson River ecosystem have been exposed to PCBs and many remain grossly contaminated. Current

concentrations of PCBs in fish remain high. NOAA and Fish and Wildlife Service agree with the EPA that without an active removal remedy PCB concentrations in fish will continue to threaten public health and natural resources for many decades.

EPA and the Trustees have complimentary but different objectives at a hazardous waste site. EPA's efforts focus on cleaning up or containing hazardous substances and protecting human health and the environment. The Trustees assess past, current and potential future harm to the resources and plan restoration action. NOAA and Fish and Wildlife have been working closely with EPA since throughout the remedial process. Since 1977 the federal and state natural resource trustees have also been conducting a natural resource damage assessment. And just to conclude we do have papers on the back table that describe some information about our national resource damage process, and that we strongly support EPA in pursuing dredging of the river.

MR. CASPE: Thank you, Lisa.

Next speaker is Bill Edelstein.

Bill Edelstein?

Next speaker is Kim Marsella.

The next speaker is Harvey Tallman.

Next speaker is Wayne Richter.

Let me give you the next 10 before I go onto this 10 first. Oh, this is the end.

Dan Colomb, Lisa Banden, Daniel Tagliento, Jennifer Ballard, Michell Stalker, Allan Foster, Sharon Festo, George Goodwin, Vincent Paul Vallone.

I'm getting -- I'm up on that next list now.

Yeah, I just was getting --

Tim Havens?

Robert Goldman? We're getting to you. We're getting there.

Next speaker is Tim Havens.

TIM HAVENS, SR.: Good evening, ladies and gentlemen. My name is Tim Havens, Senior, and I'm the president of CEASE, Citizen Environmentalists Against Sludge Encapsulation.

As a remainder, we've been a group of citizens, an unpaid group of volunteers that have been actively opposed to dredging of the Hudson River and encapsulation of PCBs and sediments for 20 years.

The Hudson River is part of my past, and today I've brought another part of my past with me here, because at the EPA meeting that you had in Albany today, a press conference, the EPA came clean and stated that two miles below the Rogers Island, in Fort Edward, they were dredging bank to bank. And utilizing both hydraulic dredging and clam shell dredging. It's kind of funny that a week ago today Administrator Carol Browner, of the EPA, very sarcastically, in her press conference announcing her plans for the river, said, "Absolutely would there be no use of Tonka toy type dredging as depicted in the GE ads. It's funny that today, a week late, you're leading out a little more information and that you are going to be using mechanical dredging.

We're very, very concerned about

this proposal and we're vehemently opposing it and we intend to for a long, long time. We're going to ask you to reconsider it. We feel that dredging of the upper Hudson River will be extremely invasive and definitely is going to cause a lot of harm, there's going to be a lot of risk to the local private land, the farm land, the small business community, and tourism.

They say that it won't be shutting down the river and it won't be making it so people can't use it to recreational purposes while dredging's going on. In this world of lawyers, I'm sure that there's no dredging contractor that's going to allow children on jet skis and old men in fishing boats to be out there fishing on the river in the proximity of dredging.

I see my time is almost up, and I've got a list of unanswered questions which you probably won't be able to address right here in the next 10 seconds.

But in closing I would like to say that dredging 2.65 million cubic yards of

river sediment to recover a hundred thousand pounds of PCBs is like buying a 747 to get free peanuts.

MR. CASPE: Thank you.

Next speaker is Shannon Belt.

Next speaker is Robert Goldman.

ROBERT GOLDMAN: Good evening. I'm Rob Goldman. I am a owner/operator of a small marine transportation and toy and salvage company located in Troy, New York.

And I'd like to tell you first hand that we're running out of water draft and we really do need navigational dredging on the north canal to the summit level. And the question comes up is why, you know, why don't we wait. Well, we can't wait. We're the people that move the equipment that takes care of your infrastructure, your bridges, your dams. We're running out of water draft. It doesn't exist up there.

And I noticed on your charts, many of the areas you show as hot spots are areas where have a really big problem with water draft. So we do support your efforts.

And I do assume, and please correct me if I'm wrong, that the remediation of PCBs, navigational dredging is contingent upon that removal. Is that correct?

MR. CASPE: Yes.

ROBERT GOLDMAN: Then we support you.

MR. CASPE: Next speaker is Chuck Fitzsimmons.

Next speaker is Ann Herrick.

Next speaker is Doug Reed.

DOUG REED: My name is Doug Reed, and I've been living in southern Washington County for the last 28 years.

I'm the director of Hudson Basin River Watch.

Hudson Basin River Watch is an association of over 100 schools, environmental groups, and water resource agencies whose goal is to improve the water quality of the Hudson River and all its tributaries through education, community involvement, and stewardship. Basically, we teach people how to -- teach people the science of water

quality monitoring and help them carry that information into action.

On Monday of last week, just two days before EPA released news of their proposed remediation plan, we convened the eighth annual Clean Water Conference at the New York State Museum in Albany, posing the question, "What should EPA do about PCBs in the Hudson River?" Two hundred and forty students, teachers, and water resource professionals attended to hear 12 presentations from middle and high school students from New Paltz to Warrensburg. There were eight statements in favor of dredging PCBs from the Hudson River, two were opposed to dredging, and two conducted surveys of their own communities which were evenly divided and mostly uninformed.

Two years ago, a sixth grader from Newburgh reported to us that he learned a lot about the Hudson River during a sampling run from Poughkeepsie to Kingston. He was especially thrilled to learn that PCBs were polychlorinated byphenals, and were not, as he

had previously reported in his journal polychlorinated byfemales.

Education is critical. Hudson Basin River Watch supports the EPA proposal to dredge PCB contaminated sediments from the upper Hudson River from Fort Edward to Waterford and is opposed to siting any hazardous waste in the neighboring river communities.

Thank you.

MR. CASPE: Thank you.

Speaker is Nina Evans.

Mary Song.

Harrison Downs.

Terry Middleton.

Next speaker is Dan Colomb.

DAN COLOMB: Hi. My name is I Dan Colomb and I live in Hudson Falls.

And I've seen all of the information that GE has put out about the situation, and I came here tonight to try to learn some more on this subject from your point of view. And just going through the publication that you put out a couple things

stood out.

One, on page 11, after over 20 years of studying the PCB situation, we still describe it as possibly causing cancer in humans.

It's an awful lot of money to be spent on something that may or may not really cause cancer.

In addition, your chart on page 19, which I think has been referred to a few times, clearly states that, no matter what happens here, you'll never get down to your target goal of .05 parts per million. That stands out. I mean, no one should ignore that. There's going to be a huge disruption here and we're not going to achieve our goal.

And if you look at the chart that you also put out, doing the source control and monitoring come down to the same level as if you haven't dredged.

So, tell me again, why are you going to dredge?

Thank you.

MR. CASPE: Okay. If I can just

respond quickly to those two comments, two of those comments, anyway.

As far as why it's called a possible or a probably human carcinogen rather than a definite one, it has to do with animal studies. That's the carcinogenicity of PCBs is really based upon impact on animals. So that's the reason for that.

And as far as the issue of reaching target levels, there are different target levels in that analysis. As you look at it a little bit further in that proposed plan, I hope you'll recognize there is a .05 target, there's a .2 target, and there's a .4 target, and they each allow different things to happen at different times. It's not really as black and white as that.

And perhaps as we discuss this further over the coming weeks and months we can get into that discussion a little further.

The next speaker is Lisa Banden.

Next speaker is Daniel Tagliento.

DANIEL TAGLIENTO: I am Daniel Tagliento. I'm a resident of Wilton, Saratoga

County. I have been a life long -- and I'm proud of it, a New Yorker. I grew up along the banks the first 13 years of my life in Rensselaer, New York. I was well aware of Fort Crailo and the Van Rensselaers, the gateway to the west being the Hudson River, and the Barge Canal. I seen it every day. We played at the river. I lived within 400 feet of it those first 12 years. We seen dead fish, human waste, debris going up and down it. It would go out with the tide and come back in. But I did see it cleared up. I seen waste treatment plants being put it; I seen chemicals not being dumped into the river. We knew it was Tuesday because it was green. We knew it was Thursday because it was reddish yellow. All that, better control of our toxic and non-toxic waste material have been taken care of. That was done in the mid-50's -- or I should say I was witness to and observed that.

I'm very thankful that you are taking action because it has been obstructed for years by our elected officials, namely

Solomon and now Sweeney. They have been taking orders for GE. GE if they understood the problem from the beginning, we wouldn't be here now. GE is not a good corporate neighbor. They started in 1983. They had a going-out-of-business sale on America. They were given tax breaks to set up all over the country. The only thing that they left behind us was their waste product because them not controlling it properly increased their budget. Today they announce a $12.7 billion profit. You would think that they would spend some of that in cleaning up the mess.

I'm telling you that tourism can be and will be a number one business. How can you tell a fisherman that comes up to Hudson Falls or to Fort Edward and says, you can touch it for one-minute-and-a-half, and then get rid of it. If you happen to be a pregnant woman or someone with a respiratory problems don't touch it at all.

We shouldn't be proud to pollute. We should clean it up.

Thank you for the opportunity.

MR. CASPE: Next speaker is Jennifer Ballard. (No appearance.)

Next speaker is Michael Stalker. (No appearance.)

Allen Foster. (No appearance.)

Sharon Festo.

SHARON FESTO: My name is Sharon Festo. I live in the Town of Moreau about a half a mile from the river. Over the last 10 years I have had occasion to be involved in Farms First in protection of farm land and learning a lot more than I wanted to know about pollutants and the movement of trash from one place to the other. I am opposed to dredging and dumping, and I'm not crazy about PCBs in the river either. But the problem with the dredging proposal is that this may be a case of where the cure is worse than the disease. There are -- what has been presented are essentially two proposals: Take them or leave them. Either dredge the river or leave it alone. We know as business people, that there is always the do-nothing solution, and there cannot be just only one other solution.

Other things that I have heard about, and I would like to know how they fit into your proposal, into your analysis in terms of evaluating what was the best method was I learned from a science teacher that there was a possibility of disarming the PCBs by using bacteria to essentially eat some of the polychlorines because it was the polychlorination that caused the problems. And if you could get them to be monochlorines that they were not toxic. And there was supposedly five years ago, at least more than five years ago, good experimentation involved in these kinds of methods of actually causing the PCBs to be less harmful.

When you dredge and dump, you are not solving a problem. You are just moving it some place else, and that's unacceptable. The other solution that I thought of, and I don't understand why it's never been evaluated, is encapsulating them where they lie by encapsulating the PCB deposits or at least some of them in concrete where it wouldn't interfere with the shipping channel. I would

like to know what the scientific evaluation is of these proposals, and the one that was mentioned by the gentleman who had worked for former Congressman Solomon and what the cost is and what the environmental benefit is to these proposals as opposed to a dredging.

MR. CASPE: Okay. I'll address one and then Doug will address the other. The issue of capping, encapsulating. The problem with encapsulating is if you are going to put something on top of it, you have to get the grade -- the bottom of the river down low enough in order to put that on without changing the hydraulics of the river and still have a channel. You don't want to fill things up, you know, within the river and so --

SHARON FESTO: In every spot?

MR. CASPE: So what you have to do first is you have to remove material in order to put the material down. So you wind up having to dredge and then put a cap down. So it really doesn't work. It winds up to some degree having the, what we refer to as, the worst of all worlds as far as that goes.

The second question you asked was about biological decontamination. I believe Doug can address that.

MR. TOMCHUK: With respect to disarming, as you refer to it, generally that has been looked at as dechlorination. Earlier I spoke about that a little bit, and it was describing that. We really investigated that, you know, the natural processes that occur. At this point we don't know of any way to increase those processes to make that remediation process, but what we really found was there is a theoretical maximum to the extent that that could occur within the system, any how, of 26% of PCB mass lost. So that it wouldn't go all the way. It wouldn't solve the problem. In addition, the statement that dechlorination would produce less toxic varieties of PCBs is not necessarily true. There are studies that have shown that, or at least suggest that, some of the non-cancer effects, such as reduced IQ points are probably due to smaller PCBs with less chlorines on them. So you may increase one

type of toxicity while you are decreasing another.

MR. CASPE: Thank you.

George Goodwin.

GEORGE GOODWIN: My name is George Goodwin. I have got kind of some simplistic questions. The first one if you did the remediation, if the dredging was done, would it be a clean river after that?

MR. CASPE: Do you have a series of questions or do you have just one?

GEORGE GOODWIN: No, I have a couple of them, but that kind of leads into a couple of others.

MR. CASPE: Okay, well if we did the dredging, would the river be perfectly clean? No.

GEORGE GOODWIN: No, I mean reasonably clean.

MR. CASPE: We would get to a point where -- it would be at a point where fish would be edible at a more acceptable level, you know, in a very short time period.

GEORGE GOODWIN: Okay. I was

also wondering are there other bad elements in there? For example, Hercules or CIBA-Geigy was probably their heavy metals and things like that. If you are setting up for dredging, would it not be reasonable to consider holistically the whole river and all of the problems so that you address removing that as well. If you are setting up the equipment for it shouldn't you look at that and share the expenses with GE, with Hercules or whoever it is who owns that so you are dealing with dredging many, many problems at one time.

MR. CASPE: You mean the other -- we believe the other contaminants -- I believe we are looking at some heavy metals?

GEORGE GOODWIN: In other words if you have had --

MR. CASPE: They are largely in the same location as the PCBs. So when you deal with the PCBs for the most part you deal with the -- you deal with metals as well.

GEORGE GOODWIN: So you would? So you would be getting rid of a lot of those

things?

MR. CASPE: Right.

GEORGE GOODWIN: So would that be shared with if you were doing other companies as well, or say it was heavy metals --

MR. CASPE: We are not at that stage yet. We are proposing a remedy.

GEORGE GOODWIN: But I mean if, yes, would that shared then, do you think, with other polluters then?

MR. TOMCHUK: I think at this point, as Rich said, we are not at that point yet in terms of making enforcement decisions with respect to the site. First we have to select a final remedy, then we will consider those things.

GEORGE GOODWIN: Then another question I had was my grandfather had a farm down in Selkirk, and in the 50's I saw that they dredged the Hudson River for navigational purposes. And his farm went from the Hudson River, there was an island, there was a big bay there and then it went up to the state road. They filled in that bay which is

probably several acres, and I know from the Port of Albany and south they did a lot of dredging even though that stuff isn't in the material -- I mean isn't in the river, it was part of the river. Should that also be addressed as a pollutant and be analyzed and looked at?

MR. CASPE: We are having discussions with the State of New York, State DEC on just how we might accomplish an analysis of things like that.

GEORGE GOODWIN: Okay.

MR. CASPE: The first thing we looked at were flood plains on Rodger's Island where we found some problems, you know, and some places where there weren't problems. But there are other issues with regard to the flood plains of the river as well as where dredged material may have been placed that we and the state are in discussion of how we might proceed with analysis of that.

GEORGE GOODWIN: And I guess the last question is, is the technology to break down the PCBs so it's kind of an inert thing,

or is that too complex, or could the technology be there in the future to be able to do that?

MR. CASPE: We haven't been able to find that technology. Nobody has at this stage.

GEORGE GOODWIN: Thank you.

MR. CASPE: You are welcome. Next speaker -- actually the last scheduled speaker is Vincent Paul Vallone.

VINCENT PAUL VALLONE: Good evening and thank you for having us. This is probably one of the best approaches towards finding a decent resolution to a problem involving the communities that are most concerned with it.

My name is Vincent Paul Vallone, former resident of Northumberland, Harris Road, West River Road. The river very much was in my past and is still in my future and my children's future. We swam, and did a lot of good activities in there. We did a lot of fishing, a lot of duck hunting. We also abided by laws and regulations. Something

that you are supposed to be taught, if it states "do not eat fish, "do not take fish", then don't do it. We need to address the problem with the PCBs. It is a concern. It's there. I don't know all the facts that some of these people know and that you know about if it causes cancer in people, and how many pounds of fish we need to eat. I do know that if we set up a system of dredging consisting of what you spoke of hydraulic clam shell, whatever, operating three shifts a day, you addressed you may look into that, okay. Three shifts a day, some of these communities now days have set ups where they don't even allow noise, you know, at a certain time. You are just going to step in here because you feel that this is the best thing, and you are going to do this, and you are going to make us do it. We use cell phones that cause cancer and everything. Are we going to stop that? It's all our country. Why do we want to take it out of the river and then figure out a way to haul it off and put it somewhere else? The river is not cleaning itself. No, maybe it's

not cleaning itself. It's covering itself. It's got to be covering itself. How deep are your cores that you are conducting? That's a question I have.

MR. CASPE: Most of the cores --

VINCENT PAUL VELLONE: Go ahead, please.

MR. CASPE: Most of the cores were between two and three feet.

VINCENT PAUL VELLONE: Two and three feet. Okay.

How many fish eat two and three feet deep? I don't know. That's not a question to you. Okay, if we stop seepage, wouldn't that, again, do the 67 year plan? And that seems as though it would be a neat thing to do to try and prevent stoppage.

MR. CASPE: We agree that it's a neat thing to do.

VINCENT PAUL VELLONE: What? We beat that one to death, did you say?

MR. CASPE: No, we agree that that's a neat thing to do and we want that done as well.

VINCENT PAUL VELLONE: Oh. but you don't want it done before the dredging with the --

MR. CASPE: No, we do want it done before.

VINCENT PAUL VELLONE: Oh, okay. The last question and it really seems to be -- oh, no. On the news today with the bad, severe weather that we had, it broke several transformers in the rain, broken open on the road. Now all those oils that are inside there went -- and I saw it go into our town water ways. Okay. That brings up a good question. If GE would work a little faster, possibly, at plugging, and I think they have, is there or would we have anybody else to share this cost with? And why do we make -- I'm an independent contractor. I own and operate a farm with my wife. It is a free country so we are entitled to earn and do as we can try to do the best for ourselves. But why do we have to go solely after GE? There were so many mills in that area that dumped, as the other man stated, and would we as tax

payers, as a government, would we still go for such a drastic approach towards dredging it? That's a question, though. Would we do this if we could not lay all the blame on GE?

MR. CASPE: The remedy we have selected -- the remedy that we are proposing, we haven't selected any remedy yet, but the remedy that we are proposing has nothing to do with who the responsible party is or will be. We haven't yet named anybody as far as saying we haven't -- well we have named but we haven't ordered anybody at this stage of the game to do anything. All that we are doing is putting out a preferred remedy and that remedy is up for this discussion at this stage of the game. If we finalize that remedy in June, then at that stage of the game we have a decision to make. The decision to make is well now we are up to design. Are we going to design it ourselves or are we going to ask somebody to do it or demand that somebody do that? We are not at that stage yet. We have a long way to go between now and June.

VINCENT PAUL VELLONE: Well I

think there's a large misconception out there then because there is so much, let's get GE to pay for it. We saw it tonight. We saw people in here with shirts and all kinds of things that say BLAME GE, CLEAN UP YOUR MESS, IT'S TIME. We even had a nice little, sweet little poem. I think we are really throwing out there that we have to blame GE. Can we as EPA and as American people maybe try to change that a little bit and still see if we want to go for such a --

MR. CASPE: Well GE has been named as a responsible party.

VINCENT PAUL VELLONE: Was it legal when they dumped it? I don't know, was it? Was it legal when they dumped it?

(Someone shouted something from the audience.)

MR. CASPE: Well he is the last speaker anyway. You don't have to hold that.

VINCENT PAUL VELLONE: Thank you. I do appreciate that.

I did overdo but --

MR. CASPE: Was some of it illegal, yes. Was all of it illegal, it's

hard to say. Did some of it come out from other sources beyond legal discharges, perhaps. Okay. It's probably not quite that simple of an answer.

VINCENT PAUL VELLONE: All right. So then to say prior to the 70's when we stopped it, to say that it was illegally done -- (Someone in the audience talking over speaker.)

MR. CASPE: Do you want to speak? Let him finish.

VINCENT PAUL VELLONE: Step right up here when I'm done, please. To say that it was illegally done, like we used to see in movies and things when EPA did get this going, and I'm glad they did because it's needed, it needs to be investigated, but we used to see trucks backing up to ponds and pools dumping and things like that and then they would research it and then they would find the guy was illegally doing this and they would go and the would get him if they could. Was that done to the extent of what we want to dredge? That it was not a legal process? I mean I do

a lot of building. I have building codes that I follow.

MR. CASPE: I can't -- that's not an issue that I really can debate at this thing here.

VINCENT PAUL VELLONE: So it was legal then? The PCB dumping into the Hudson River --

MR. CASPE: I kind of answered before. It's not really an exact answer. Some of it was legal, some of it may not have been within the bounds of a permit. A permit would be what makes it legal, but it's really irrelevant to this discussion right now.

VINCENT PAUL VELLONE: It's irrelevant.

MR. CASPE: If I can -- thank you very much.

VINCENT PAUL VELLONE: So -- all right. I appreciate it.

MR. CASPE: If I can, at this stage of the day we have gone through all the scheduled speakers. If there's anybody left --

MIKE ELDER: I filled out a card. I don't know why my name wasn't called.

MR. CASPE: Sorry.

MIKE ELDER: My name is Mike Elder. I do work for the General Electric Company. I spell my name E-L-D-E-R. One point of clarification that I think ought to be made relates to this reference to the Tonka toys. The machinery that is shown in the General Electric ad is known as the cable arm bucket mechanical dredge. That is the same dredge that is being used by the U.S. Army Corps of Engineers in the Saginaw River dredging project. The U.S. Army Corps of Engineers, I think you would acknowledge, is the United States government's expert on dredging. So to say that the machinery shown in the GE ad is a Tonka toy is to say that the U.S. Army Corps of Engineers sponsors Tonka toys.

MR. CASPE: I actually haven't seen the ads, but I would just ask the question, is the cable arm that's shown in that ad is that an environmental dredging

project or is that a navigational dredging project?

MIKE ELDER: Absolutely. This was actual footage taken of the Army Corps project.

MR. CASPE: No, was it a navigation dredging or and environmental dredging?

MIKE ELDER: Yes.

MR. CASPE: Well if it was a navigation dredging they use a --

MIKE ELDER: I'm sorry. I'm sorry. I misheard you.

MR. CASPE: Well, okay, I would have to look at it to understand it myself. I haven't seen it.

MIKE ELDER: Let me be clear. It was an environmental dredging project, okay. And I would ask that you look at it, and if you determine that what I'm telling you is accurate, I think it's a point of clarification that ought to be made at the next meeting that you have, and the reference to -- derisive reference to Tonka toys and

that sort of thing ought to be clarified.

MR. CASPE: Okay. Fair enough.

MIKE ELDER: I do have a couple of questions. I'll try to be brief, everybody is tired.

MR. CASPE: Do we have a copy of it? We don't get those ads down in the lower --

MIKE ELDER: The administrator says she saw it, but we'll --

MR. CASPE: The administrator and I don't necessarily share everything we have.

MIKE ELDER: Just a couple of brief questions, and then I will sit down. I assume that the information that Ms. Hess referred to as providing support for the duration projection that you made for the prospective length of the project, those assumptions and any calculations that support those assumptions are set forth in the feasibility study, is that correct?

MR. CASPE: Yes, that's correct.

MIKE ELDER: Okay. I guess the last question I have in the interest of

letting everybody go home, I assume that at least one of the reasons for the use of rail transportation is to reduce the amount of truck traffic or at least the perception with respect to the amount of truck traffic. First of all, is that a correct assumption?

MR. CASPE: Not necessarily. If you are moving things over long distances, and if you have a rail head, I think we found that certainly on a lot of sites when we are dealing with -- that it's a lot easier, a lot cheaper, a lot more efficient to move material via rail than it is to move it via truck.

MIKE ELDER: Well I think one of the things that should be pointed out in an affirmative way is that the material has to get from the point where it's removed from the river to the rail head. And that will involve undoubtedly the use of trucks. Have you done any projections with respect to the amount of truck trips that will be necessary to get the material --

MR. CASPE: We don't -- see things we have looked at, we'll have barges

transporting sludge and then have rail heads at the facilities themselves. We don't see a lot of truck traffic, no.

MIKE ELDER: So your plan calls for the barging of material to the rail head and removal through some sort of machinery directly onto the railcar. And that's support in the feasibility study, that supports in the plan?

MR. CASPE: Yeah, remember it's not a full design, obviously, but, yes, it's set forth, yeah.

MIKE ELDER: And there will be no truck traffic to remove the material from the point on the shore to the rail head?

MR. CASPE: Will there be none?

MIKE ELDER: Yes.

MR. CASPE: There may be some truck traffic involved. I mean there won't be anything of any major significance. That doesn't mean there won't be some truck traffic involved in some of the operation. You are asking the question as a very -- as an absolute. I don't know whether I can give you

that answer.

MIKE ELDER: Last question. It really is just a follow-up, and then I will sit down. Is this explicitly evaluated in the feasibility study or are you leaving that for the design phase?

MR. CASPE: Yes, feasibility study is, what, four to five thousand pages. We think we got a lot in there.

MIKE ELDER: Okay. Thanks.

MR. CASPE: Okay. Well thank you all -- oh, I'm sorry.

UNIDENTIFIED SPEAKER: That's okay. I wanted to thank you all for the honorable decision that you have made just recently. And I also want to state that I myself am a breast feeding mother, and this is my little girl Lela. And I'm hoping that with my future generations through her, her daughter or her son, she won't have to worry about the risk of PCBs being spread through her womb or her breast milk. So I want to thank you for helping me and my future generations to breast feed safely.

Thank you.

MR. CASPE: Thank you.

Okay. Well, thank you all for your time and your patience. I would just emphasize again this is the beginning of a dialogue. It's far from an end.

Thank you.

(Adjourned at 11:30 p.m.)

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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

SANDRA L. CAMPOLI

Mary Louise Stasolla, CSR

MARY LOUISE STASOLLA