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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
HUDSON RIVER PCBs REASSESSMENT PROJECT

Public Meeting on EPA's Proposal
to Clean Up the PCB Contamination
in the Upper Hudson River

Saddle Brook Marriott
Saddle Brook, New Jersey

Wednesday, March 7, 2001
7:00 p.m.

MEMBERS OF THE EPA HUDSON
RIVER TEAM IN ATTENDANCE:

- ANN RYCHLENSKI, Community Relations, EPA
- BILL MC CABE, Deputy Director, Superfund, EPA
- DOUG TOMCHUK, Project Manager
- MARIAN OLSEN, Environmental Scientist
- DOUGLAS FISCHER, Counsel, Member
- MEL HAUPTMAN, Team Leader,
Contaminated Sediments Team

Reported by:
Tabitha R. Dente, CSR

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REF:40437

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2 MS. RYCHLENSKI: Good

3 evening. Thank you for coming out here
4 tonight. My name is Ann Rychlenski and I'm
5 the Community Relations Coordinator from
6 USEPA for the Hudson River PCB Superfund
7 Reassessment and the proposed plan. We are
8 here tonight to talk to you about the
9 proposal that EPA has put out on the street
10 to clean up the PCB contaminated sediments
11 of the Upper Hudson River north of Troy,
12 New York.

13 This evening there will be a
14 brief presentation on what the proposal is
15 about, some of the more salient features of
16 what we found out about the river, why we
17 believe this is the right course of action
18 and exactly what it is that we are
19 proposing.

20 We will then open the mics to
21 the public because we are taking public
22 comment. That is part of the proposed plan
23 and feasibility study process. Before EPA
24 can make a decision on the Superfund site,
25 they have to put their proposal out for

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2 public comment and that is where we are
3 right now.

4 We've held a number of
5 meetings up and down the Hudson Valley, we
6 are pleased and happy to be here tonight in
7 Saddle Brook and we'll be taking public
8 comment on this proposal until April 17th,
9 so make sure you get your comments to us by
10 then.

11 Tonight there is a
12 stenographer present and I'm going to ask
13 you if you come up to the mic to make a
14 comment or ask a question, please speak
15 clearly, please give your name, if you have
16 any affiliation and you want to give that
17 to us, and where it is that you're from, so
18 that we can get a clear legal record of
19 what happens here tonight, because the
20 public comments that are taken tonight are
21 a part of the permanent legal record on
22 this proposed plan and constitutes many of
23 the questions and comments which we have to
24 answer in our responsiveness summary before
25 we make our ultimate decision, which is

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2 scheduled for August of this year.

3 We have a number of ways you
4 can comment, you can comment tonight, go on
5 the record verbally. We have comment boxes
6 that are outside, you can write a comment
7 on a big index card and put it in there and
8 we'll get it in the record. Just put your
9 name and address on it and we will enter it
10 in. You can write your comments in by
11 April 17th and you can send them to Doug
12 Tomchuk or Allison Hess at EPA and their
13 addresses are in the proposed plan. Make
14 sure you get one before you go home if you
15 don't have one already. That's where the
16 information is.

17 In addition, we have a web
18 site where you can comment directly and
19 that is at w-w-w, dot, Hudson comment, one
20 word, dot, region two, one word, with an
21 arabic numeral two, at EPA, dot, gov -- oh,
22 I'm sorry, I'm from New York. I talk so
23 damn fast, I am really sorry. Well, you
24 just yell at me and I will slow down.
25 Well, PCBs will do that to you, you know

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2 that.

3 Okay, should we go back to
4 the web site? Okay. If you want to
5 comment via e-mail at Hudson comment, which
6 is one word, dot, region two, one word,
7 arabic numeral two, at EPA, dot, gov.

8 We also have a web site. You
9 can get loads of information, including all
10 of the documents that we have that make up
11 this entire study, which is voluminous and
12 exhaustive and excellent, and you can find
13 that at EPA, dot, gov slash Hudson, a
14 little simpler than the other one.

15 What we're going to do
16 tonight is we are going to do the
17 presentation, then we'll open up to
18 comments. I'm going to ask you to please
19 keep an eye on the two ladies behind me.
20 Everyone gets two minutes at the
21 microphone. They will make sure that you
22 get two minutes. They are nice, they are
23 lovely and kind. They are gentle. Until
24 you exceed your time limit. Karen has a
25 green, that means go, even in New Jersey.

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2 Yellow, you got thirty seconds left. Red,
3 end of the story.

4 Now, like I said, we're nice
5 and we're kind, but just don't push the
6 envelope.

7 I just want to acknowledge a
8 couple people here that are here tonight
9 who I know some of whom are going to make
10 statements.

11 Philip Corado and, also, Evan
12 Krieger from Congressman Rothman's office.
13 Just want to say hi. Okay. And Tom
14 Meyers, Councilman representing the Borough
15 of Fort Lee is here this evening, as is
16 Eugene Martin Leff who is with the Attorney
17 General's office from the State of New York
18 with Elliot Spitzer's office and I do know
19 they will be coming to the microphone to
20 make some statements, some of them, and I
21 guess that's about it.

22 I'm going to turn it over to
23 Bill McCabe and he's going to talk about
24 this proposal that we have and then we'll
25 go on to your questions and comments.

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2 Thank you.

3 MR. MC CABE: Thanks, Ann.

4 First I'd like to introduce
5 the other folks here.

6 We have Marian Olsen who is
7 our toxicologist who deals with our risk
8 assessments; Doug Fischer from our Regional
9 Council Office who is your attorney at the
10 cite; Doug Tomchuk, one of our Project
11 Managers for the site.

12 The Hudson River site is one
13 of those sites that you can either talk to
14 folks about for four or five hours, which
15 I'm sure you don't want to hear, or you can
16 give a brief presentation of the results in
17 like a twenty-minute presentation, so
18 that's what I'm going to do tonight and
19 we'll save the rest of the time for your
20 questions. Any kind of details which I
21 won't be getting into that you'd like to
22 hear about, of course, we'll be happy to
23 answer them.

24 The Hudson River Reassessment
25 was a ten-year study. At \$25 million I

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2 might add. It is certainly the largest and
3 most extensive study we've done in Region 2
4 and probably in the country, so it's not
5 something that we -- this is not a decision
6 that we've arrived at in any kind of a
7 quick manner. We've been very studied
8 about it. We have had it peer reviewed by
9 five different panels of independent
10 scientific experts on topics such as
11 geochemistry, risk assessments and
12 mathematical modeling.

13 So what you see here in the
14 first picture is, is what we consider the
15 site, the Upper Hudson and the Lower
16 Hudson. The Upper Hudson is 40 miles and
17 the Lower Hudson is the rest, the other 160
18 miles. We've concentrated on the Upper
19 Hudson because that's where the highest PCB
20 contamination is, but someone asked me
21 before from Channel 12, well, why are you
22 here, and first it took me back a little
23 bit.

24 And I said, well, the Hudson
25 River Fishermen's Association in the New

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2 Jersey Chapter asked us to come here
3 and... (applause)... and that's a good enough
4 reason, but then I thought further and
5 said, well, it's just not a New York issue,
6 obviously the heaviest contamination is up
7 river, but it doesn't stay there, it comes
8 down river and that's one of the problems.
9 We've estimated that about half of the
10 surface sediment contamination is from
11 upstream, is from the Upper Hudson River.

12 Also, I know from folks,
13 friends of mine, I happen to live in New
14 Jersey, that live in the Lower Hudson area,
15 let's say, without naming towns, that there
16 are people who fish the Hudson River for
17 subsistence purposes, to eat the fish. In
18 fact, one of the people told me that some
19 of -- one of the towns even has a station
20 where they provide washing services for the
21 fish that are caught, so it's important.
22 It does affect down here. Is it as much as
23 Upper? Of course not.

24 What I'll be discussing, as I
25 mentioned, was the Upper Hudson River.

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2 We've divided it into three sections. The
3 first section, which is about 6 miles, that
4 goes down to the Thompson Island Dam. That
5 is where historically -- I would say
6 historically that's the most studied
7 section of the river. That's where New
8 York State found about twenty hot spots out
9 of the forty that they discovered in the
10 mid-seventies, so that's why it's been the
11 most studied area and, as I said, that's
12 about 6 miles.

13 The average -- the
14 approximate sediment concentration for the
15 surface is about 42 parts per million PCBs.
16 Section 2, which you can see there, another
17 short section goes down to the North
18 Umberland Dam, that's another 5 miles, and
19 there's about fifteen hot spots there from
20 New York State, so, again, twenty and
21 fifteen, thirty-five of the forty hot spots
22 are in that short section of the river.

23 The rest of the river, which
24 is 29 miles, Section 3, all the way down to
25 the Troy Dam, that has five of the hot

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2 spots. Obviously that has not been studied
3 that extensively. Oh, and by the way, in
4 Section 2 the average is 26 parts per
5 million in the sediment, so you went from
6 42 to 26 and in Section 3 you're down to
7 about 9 parts per million.

8 Next, Doug. So what I'd like
9 to tell you about is the results.

10 PCB -- what we have learned
11 from this ten-year study about PCBs in
12 general, their toxicity, about the PCB
13 contamination in the water column, in the
14 fish and in the sediments and, of course,
15 what our plan is to remediate it and why we
16 think that will be effective.

17 PCBs cause cancer in lab
18 animals and are probable human carcinogens.
19 This is what EPA says; however, there are
20 other agencies that agree with us. This is
21 not EPA alone saying these kinds of things.
22 The National Institute of Environmental
23 Health Sciences, the National Institute of
24 Occupational Safety & Health, the World
25 Health Organization all agree with us.

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2 There are also serious
3 non-cancer health effects such as low birth
4 weights, learning and memory problems,
5 thyroid disease and immunological
6 deficiencies. This is further supported by
7 a long-awaited National Academy of Sciences
8 report. Actually, we do not have the
9 report yet; what we have is the executive
10 summary. This is a report commissioned by
11 Congress a few years ago at this point.
12 Everyone's been waiting for it as the
13 answer of the Hudson River and, perhaps,
14 for other sediment sites.

15 Perhaps they're a little bit
16 disappointed, but it's more of a generic
17 report about how you should do things, the
18 kinds of risks that should be looked at at
19 sites, but in any event, the National
20 Academy of Sciences echos what I've just
21 said about the cancer and non-cancer health
22 effects of PCBs.

23 And, coincidentally, we
24 believe that all of their recommendations,
25 at least that we've seen so far, and we

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2 believe that's all there will be, we will
3 be able to handle during this comment
4 period. However, the report comes out, it
5 should be out...within a few days, so we'll
6 be seeing that and be able to see what
7 backs up all those recommendations they
8 have in their executive summary.

9 So what does this mean? What
10 we believe is that you should continue to
11 follow the New York State fish consumption
12 advisories. There are a lot of different
13 advisories, basically women of child
14 bearing age and children under the age of
15 fifteen should eat no fish from the Hudson
16 River and above the Troy Dam, no one should
17 eat any fish from the Hudson River. It's a
18 catch and release program now. There used
19 to not even be a catch and release program
20 until about a year or so ago.

21 This isn't the answer, of
22 course. We don't believe that fish
23 consumption advisories are a long-term
24 management plan or a strategy that you can
25 follow for the rest of time. We believe

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2 something has to be done with the river.
3 It's a great national resource. It
4 ignores -- as I mentioned before, in the
5 Lower Hudson, also, there are people in the
6 Upper Hudson and elsewhere who are actually
7 eating the fish, there are subsistence
8 fishermen.

9 And, in fact, in the 1996
10 Department of Health and New York State
11 Department of Health survey showed one in
12 six people that they interviewed had fish
13 and one in ten had more than one fish.
14 Some say they're not eating it. I think
15 that's highly unlikely.

16 Next, Doug. I'm sorry, go
17 back to the other one.

18 What this will show you here,
19 you can see in the early years, I don't
20 know, 1977, '78, '79, you've got some very
21 high levels and so what we've heard from a
22 lot of people is, well, look what happened,
23 it's down to next to nothing, it's like a
24 90-percent drop.

25 Well, on one hand you can say

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2 that's true. On the other hand, what you
3 have to know is that in this time period
4 and around here, the Fort Edward Dam was
5 removed, General Electric stopped the
6 emission or the leak -- well...discharge,
7 that's the right word, Doug, the discharge
8 of PCBs from their two facilities up river,
9 and the last -- in 1979 navigational
10 dredging was ended, so what you really see
11 since that time is very much since, oh, '85
12 or in this neighborhood, very much a
13 leveling off here. Not a whole lot has
14 happened and this is in the water.

15 Next.

16 So where does that come from?
17 What this chart shows you, and this is -- I
18 don't know if you can read it, but this is
19 PCBs on a homologue basis. That just means
20 -- it's a different way of looking at the
21 number of chlorines attached to the
22 biphenyl molecule, but what it essentially
23 shows you is that Rogers Island is
24 upstream. The Thompson Island Pool, that's
25 in that first section that I referenced. A

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2 whole lot more is coming into the river
3 from the Thompson Island Pool than what
4 came into it from above it, from Rogers
5 Island.

6 And the reason we know it
7 comes from the sediment, as you can see in
8 this next chart, that, again, these are
9 homologue patterns, it shows you
10 essentially an almost identical pattern
11 between the sediment and the water column.
12 So, in other words, we know that what's in
13 the water column came from the sediment
14 and, as I just mentioned, it increased at
15 least threefold over that sediment.

16 Next.

17 I'm going to show you a few
18 for the PCBs in the fish, the PCB
19 contamination in the fish. I'm going to
20 show you a few charts, so -- I think it was
21 about four fish charts, but essentially
22 they're going to show you the same thing.
23 You got this early on and then as you can
24 see here, this is black bass from
25 Stillwater, still we're in the third

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2 section.

3 Essentially it's leveled out
4 here around Bullhead, Stillwater Pool
5 essentially leveled out, so, in other
6 words, there's not some sort of decline
7 that goes from here and just keeps coming
8 down. It's pretty much leveled out here.
9 Large mouth bass, what you'll notice here
10 in the '91, two, three area, there is a
11 jump and this kind of...kind of confused
12 the issue for a while.

13 What happened here was that
14 there was a mill that's known as the Alan
15 Mill, under the GE Hudson Falls facility,
16 in which a gate structure collapsed and
17 released a tremendous amount of PCBs into
18 the water column. As a result, this is
19 what happened, the fish levels went way up.
20 So what we're looking at since then, after
21 it kind of calmed down a bit here is,
22 again, it's a bit up and down, but it's
23 essentially a leveling off pattern, again.

24 And then the last one, the
25 Brown Bullhead from the Thompson Island

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2 Pool, again, Thompson Island Pool in
3 Section 1. Same thing here, the Alan Mill
4 event, this area and then pretty much a
5 leveling off here.

6 Now, as far as the PCB
7 contamination in the sediment, we've
8 learned that natural dechlorination
9 processes are not sufficient to solve the
10 problem. That was a theory that was put
11 forth a while ago. We've discovered that
12 that will result in less than 10 percent
13 mass loss in the PCBs. Basically they
14 changed the type of PCBs, but the mass of
15 PCBs is still there.

16 Also, we found little
17 evidence in the Thompson Island Pool,
18 again, in Section 1, of any widespread
19 burial of PCB contaminated sediments by
20 clean sediments. That was another theory
21 that was put forth, that the river's
22 cleaning itself, the sediments are -- clean
23 sediments are covering the dirty sediments,
24 therefore, just leave it alone and
25 everything will be fine.

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2 What we've found in our
3 coring program was that more cores showed a
4 loss of inventory than showed a gain in
5 inventory and in 60 percent of the cores,
6 the highest PCB levels were found in the
7 surface sediments or what was the top 9
8 inches. And in 1999 there's still about
9 500 pounds of PCBs going over the Troy Dam,
10 so that's what's coming down river.

11 Now, having shown this, I
12 mentioned that some folks say that, well,
13 the river's getting a lot better, you know,
14 it looks a lot better, it looks a lot
15 cleaner, you know, why don't you just leave
16 it alone, just do some source control and
17 let's see what happens to it.

18 Well, it's certainly true
19 that aesthetically when you look at the
20 river it does look a lot better, because it
21 is a lot better. The Clean Water Act has
22 funded about \$200 million in improvements
23 to sewage treatment facilities above the
24 Troy Dam. That has cleaned up the river.
25 That doesn't mean that the PCBs have gone

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2 away. Obviously you can't see the PCBs in
3 the fish and in the sediments. They're
4 still there.

5 As far as source control,
6 General Electric has proposed that they
7 just take care of the source, their sources
8 at Hudson Falls particularly. They're
9 doing a great deal of work at both Hudson
10 Falls and Fort Edward, but they just
11 proposed they take care of that and let's
12 see what happens.

13 We believe that source
14 control is necessary, also. It's -- while
15 not directly a part of our plan, it is part
16 of our remedy. We believe that it is
17 absolutely necessary. And in that light,
18 they have submitted a feasibility study, a
19 plan, to New York State very recently which
20 they hope and we hope will eliminate the
21 remaining source of PCBs from their plant
22 site into the Hudson River.

23 But you have to remember, as
24 of the latest numbers we have is about 3
25 ounces a day of PCBs coming from Hudson

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2 Falls, from the source, and we're coming up
3 with about a pound to a pound and-a-half a
4 day of PCBs from the sediments, from the
5 Thompson Island Pool, so there's a big
6 difference there. Three ounces versus a
7 pound to a pound and-a-half. We think it's
8 very important that the source be
9 controlled and that they get rid of it. We
10 fully support it. Obviously, New York
11 State does, also, but it's not the only
12 answer.

13 So what does that leave us
14 with?

15 What we have proposed for a
16 remedy and it's probably -- and I'm sure
17 it's a little bit hard to see here, there's
18 also some graph outside that shows it in a
19 little larger form, I believe, but in any
20 event, the remedy selected is up here, this
21 rem 310 select. What it amounts to is
22 about 1.5 -- is the dredging of about 2.65
23 million cubic yards in the upper 40 miles
24 of the river.

25 In the first section that I

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2 mentioned down to about the Thompson Island
3 damn, as you can see, there's a lot here in
4 red, remediation areas, that's a pretty
5 concentrated dredging effort. That's about
6 1.5 six million cubic yards, so 1.5 out of
7 the 2.6 approximately. The entire dredging
8 program is in this area and that's in that
9 6-mile stretch. It's very concentrated.

10 What you'll then see to the
11 North Umlerland Dam from here as you
12 progress up this way, in that 5-mile
13 stretch there's another about .58 million
14 cubic yards, so, again, less concentrated,
15 but still a decent amount of dredging in
16 that area, the red areas.

17 Then when you go for the rest
18 of the river, the Section 3, you can see
19 here there's not a lot of red, there's just
20 a couple of areas that are in red. That's
21 about .51 million cubic yards in river
22 Section 3. That's why we consider this to
23 be, we've called it -- oh, I'm sorry,
24 there's also about 340,000 cubic yards in
25 the navigational channels, some of that

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2 which is contaminated and some of which we
3 need to remove to get to the rest of the
4 contamination, so that's a side benefit of
5 this action, obviously, is that some of the
6 navigational channels will have -- will be
7 dredged, which -- and they need it.

8 That's why we've called this
9 targeted dredging. We are dealing with or
10 are dredging about 500 acres out of the
11 3,900 acres that are in this 40-mile
12 stretch. That's about a 12- to 13-percent
13 of the entire area, so it's not like we're
14 going in and just dredging the whole river.
15 As I showed, River Section 1 is pretty
16 heavy, less so in 2 and very little in
17 River Section 3, so that's why we consider
18 it targeting dredging.

19 What we're also doing is
20 adding one foot of backfill in those areas
21 that we dredged. That will serve a couple
22 of purposes. One is for habitat
23 restoration and another is to deal with any
24 residual PCB contamination that's left
25 behind.

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2 This will result in 100,000
3 pounds of PCBs being removed from the river
4 system. We believe there's in the
5 neighborhood of 200,000 pounds there now,
6 so we'll be removing about half of it.

7 Another point to remember is
8 that the river remains open to navigation.
9 This is an effort that's probably even
10 harder to see, but it's trying to show, and
11 Doug is pointing out in the red or whatever
12 that color is, this is what the -- well,
13 what it says here "typical mechanical
14 equipment dispersal in Thompson Island
15 Pool."

16 In other words, people have
17 said, well, you're going to be in the river
18 and you're just going to clog the whole
19 thing up, we're not going to be able to get
20 around, we're not going to be able to have
21 any recreational activities, boats won't be
22 able to get by, the navigational channels
23 won't be open. And we're just trying to
24 show that in the typical equipment
25 dispersal, this is what it would look like.

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2 It's not as if they're all over the place.

3 Some of these are dredges,
4 others of barges, et cetera. It's hard to
5 read the legend over here, but that's what
6 we're attempting to show here, that there's
7 a lot of room in the river, it's a big
8 river, and we're not going to impact
9 navigation.

10 Also, something very
11 important to the folks upstate, there will
12 be no new local landfills built for this
13 contamination for the disposal of the
14 contamination. It will all be going out of
15 the Hudson Valley. That's not very
16 important down here, but it's very
17 important upstate. People have expressed
18 that concern. We listen to them and we
19 have assured them that that is the way it
20 will be going.

21 For costing purposes, we've
22 used some facilities well out of state like
23 in Texas and Upstate New York. I should
24 say out of the Hudson Valley area, but, in
25 any event, that's something that would be

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2 dealt with later on during the construction
3 phase exactly where they would be going.

4 There will be two dewatering
5 and transfer facilities built, one in the
6 north and one in the south, to handle the
7 dredging operation, to dewater it, et
8 cetera. We haven't decided -- in fact, we
9 have not selected whether it will be
10 mechanical dredging or hydraulic dredging.
11 That's something that will likely -- what
12 we've said all along is it will be dealt
13 with either in design or preconstruction.

14 And the point being normally
15 when you go out to construction, you don't
16 want to limit someone. It's probably going
17 to be a combination of the two. We don't
18 want to tell somebody you must use this or
19 you must use that because you want to leave
20 it open so the industry can come up with
21 that which is best.

22 There would, of course, be
23 strict performance specifications to guide
24 that effort, but it's likely that that is
25 the point when it will be decided. A lot

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2 of people have said to us, why can't you
3 pick one, why don't you just do it this way
4 or that way. There are advantages to
5 disadvantages to both kinds of dredging.

6 The only assurance I would
7 give you is that it will be done in an
8 environmentally conscious manner. This is
9 not navigational dredging. A lot of people
10 have seen pictures of that and that can be
11 pretty sloppy. That's not the intent here
12 and, certainly, not what we would allow and
13 it certainly would not be in the
14 specifications.

15 We would also use -- a lot of
16 folks were worried about a lot of trucks in
17 there in their area. Again, a concern for
18 the upstate communities. We intend to use
19 rail and barge to the maximum extent
20 practicable. There would be minimal truck
21 traffic. Obviously, there can't be zero,
22 there's gotta be some supplies coming in,
23 but for all the dredge material and any
24 major supplies, backfill, et cetera, would
25 be going by barge or by dredge -- I'm

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2 sorry, by barge or by rail.

3 The cost for all of this is
4 \$460 million present worth. It's a lot of
5 money, it's a big problem, it's a big
6 river. You're talking about a three-year
7 design and a five-year implementation.
8 We've done a lot of research, talked to a
9 lot of folks, we're still doing research
10 and talking to experts, but we believe,
11 we're confident that we can do both of
12 those in the three years and the five
13 years. It's been a major issue, again, in
14 the Upper Hudson, but we believe that we
15 can do it, we're confident that we can do
16 it.

17 So what will this remedy
18 actually achieve?

19 Obviously the main point of
20 it all is to reduce the PCB levels in the
21 fish. Of course it will do that. We
22 believe the fish consumption advisories
23 will be reduced, at least a generation
24 sooner; it'll reduce the amount PCBs over
25 the Troy Dam by 40 percent; of course, it

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2 will reduce the PCBs levels in wildlife. I
3 failed to mention that before. Obviously
4 wildlife can't deal with or can't -- aren't
5 impacted by fish consumption advisories,
6 they don't read too well.

7 And it will substantially
8 reduce the risk of those that eat fish, the
9 subsistence anglers that I mentioned
10 before, and it will eliminate a significant
11 mass of PCBs from the river system. As I
12 mentioned, the 100,000 pounds of PCBs will
13 be removed from the river system.

14 So that's a brief summary of
15 the results and I guess before we take
16 questions, there were a couple folks who
17 wanted to make a statement.

18 And the way we're going to
19 handle this there are two statements that
20 will be made, first by Councilman Tom
21 Meyers and then by Eugene Martin Leff from
22 New York State AG's office. Then we're
23 going to -- I'll call up five folks at a
24 time so you can get ready at either mic and
25 we'll continue to do it that way.

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2 SPEAKER: I represent the
3 Borough of Fort Lee and Meyer Jack Alter
4 and all Council people, but Mayor Jack
5 Alter also is a Bergen County Freeholder
6 and Loretta Weinberg is also represented in
7 our resolution. She is working on a
8 corresponding resolution for the cleanup in
9 the state legislature. Our resolution was
10 passed unanimously January 25th and we have
11 public comment on it.

12 Fort Lee is a river town
13 despite what many people think. They look
14 at high-rises. Point in fact, many of us
15 came from working class backgrounds
16 including myself. Well, the fact is that
17 the river needs to be cleaned.

18 (Brief interruption.)

19 SPEAKER: I don't have a
20 fleet of attorneys from GE, so I'm here on
21 my own, so...

22 The fact is we grew up along
23 the river. We swam in the river, believe
24 it or not, right under the George
25 Washington Bridge. We fished and crabbed

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2 under that same river. Fort Lee,
3 Edgewater, all those river communities. It
4 is part of our lives and always has been.
5 Our grandfathers and great-grandfathers
6 grew up on that river. Some of them made
7 their living on the river. Some of the
8 people here today, I guess, still make
9 their livings on the river. It's very
10 important in Fort Lee.

11 This is our roots and we want
12 to make sure that with the people of Fort
13 Lee, when we come to the table with a
14 resolution, we at least are in equal
15 footing with General Electric. I don't
16 think we are. I think this is a PR game.
17 What we understand in Fort Lee is that
18 General Electric has bombarded upstate New
19 York with fallacies, lies and that's to be
20 nice. I won't use the language we normally
21 do in council meetings.

22 But the fact is that GE is a
23 multinational corporation. Their interest
24 is not our interest. They're not
25 interested in cleaning the river. They're

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2 interested in spending millions and
3 millions of dollars to confuse the issue.

4 We have a change in
5 administration in Washington, we realize
6 this. The former EPA Director Carol
7 Browner was very much in favor of this
8 cleanup. We hope our Governor, Christine
9 Todd Whitman, continues what Carol Browner
10 did and the EPA was in favor of a massive
11 cleanup of the river upstate.

12 It affects us downstate, it
13 really does, and I'll end by saying the
14 people of Fort Lee support the EPA and are
15 totally against General Electric and we
16 will do whatever we can in support of this,
17 thank you.

18 MR. MC CABE: Thank you.

19 Now, Gene.

20 SPEAKER: The Attorney
21 General Elliot Spitzer of New York State
22 submitted a lengthy written statement to
23 EPA and I'm going to read at his request
24 the beginning of that statement. The
25 complete statement's available on the table

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2 outside.

3 "As Attorney General of New
4 York, I strongly support the United States
5 EPA's decision to dredge sediments from the
6 most contaminated areas of the Hudson
7 River. Fish throughout the Hudson River
8 from Hudson Falls to the Battery are
9 contaminated with PCBs. Wildlife is
10 contaminated. Humans are exposed and are
11 also contaminated with PCBs. It is time to
12 address that problem.

13 "I applaud the EPA in
14 Washington and here in Region 2 for the
15 care and thoroughness they exhibited in
16 reaching this conclusion and I applaud
17 Department of Environmental Conservation
18 Commissioner John Cahill and his staff for
19 the time and effort, that's the New York
20 State Department, that they have expended
21 in studying the river and reviewing EPA's
22 proposal.

23 "Congress made a decision
24 twenty years ago and has repeatedly
25 reaffirmed it since then that there is a

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2 compelling need to clean up toxic waste
3 sites. Companies responsible for the
4 contaminants must clean them, preferably by
5 removing them. States around the country,
6 including New York and New Jersey, have
7 made similar judgments, passing similar
8 toxic waste cleanup laws. The Hudson
9 River, after decades of study, is long
10 overdue for a cleanup.

11 "Based on the extensive
12 evidence in the record, EPA's technical and
13 scientific staff have made four critical
14 determinations with which the DEC in New
15 York agrees. These four points amply
16 justify EPA's proposed remedy.

17 "According to the EPA, one,
18 PCBs cause harm to humans and wildlife,
19 including harm to the immune, reproductive,
20 nervous and endocrine systems. PCBs are
21 probable human carcinogens.

22 "Two, PCBs in the Hudson
23 River, sediments are available to fish and
24 other animals and from there can be
25 ingested by humans. We know that people

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2 are still eating contaminated fish from the
3 Hudson River.

4 "Three, the Hudson River is
5 not cleaning itself of PCBs. While the
6 river is cleaner now than it was thirty
7 years ago, that is largely because the
8 State of New York has expended tremendous
9 resources to reduce sewage and other
10 industrial discharges with federal help.

11 "EPA found that the PCBs that
12 remain in the river, however, are
13 invisible. The PCB levels in the fish have
14 decreased only marginally in the over
15 twenty years since GE stopped using PCBs at
16 its Hudson Falls and Fort Edward plants.
17 Over the last seven years, PCB levels have
18 remained essentially stable. Unless the
19 PCBs are removed from the river, the fish
20 will remain contaminated.

21 "And, four, dredging the hot
22 spots in the Hudson River will remove large
23 quantities of PCBs and in conjunction with
24 control of the continuing discharges from
25 the Hudson Falls plant, will lead to major

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2 improvements to the river.

3 "This remedy will
4 dramatically decrease human health risks,
5 particularly in the Upper Hudson Valley.
6 It will also cut almost in half the flow of
7 PCBs over the Troy Dam, significantly
8 assisting the recovery of the 150 miles of
9 the Lower Hudson River. These long-term
10 benefits far outweigh the limited
11 short-term impacts that may result.

12 "In addition to these
13 scientific findings by the EPA, a
14 well-established body of law supports
15 requiring GE to clean up its PCBs from the
16 Hudson River. For twenty years, companies
17 big and small have cleaned up their toxic
18 discharges under the Federal Superfund
19 Program and its state equivalents. There is
20 no reason to treat GE differently.
21 Moreover, contrary to the common
22 misperception, GE's discharges were not
23 always permitted or legal.

24 "To taxpayers who will have
25 to pay for the cleanup if GE does not, to

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2 those towns and industries which have done
3 their share to clean the river and to New
4 York and New Jersey residents who long for
5 a cleaner Hudson River, fairness demands
6 that GE remove its toxic waste from the
7 Hudson River. We save the river by
8 cleaning it, not by leaving it polluted.

9 "Finally, the cleanup of the
10 Hudson River has been delayed too long.
11 Several years ago EPA committed to issue a
12 proposed remedy in December 2000. I
13 congratulate EPA for meeting its
14 commitment. EPA and DEC personnel used the
15 time well to gather additional years of
16 data, do additional studies, refine the
17 models and obtain further peer reviews.
18 Now is the time to deliver. It is time to
19 start the cleanup."

20 Thank you.

21 MR. MC CABE: The first five
22 speakers are Walter Weglinkski, Tom
23 Siciliano, Jim Bemis, Tom Guine and Andy
24 Wilner, so if you could come up to the mic.
25

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2 (Brief interruption.)

3
4 MR. MC CABE: Walter, go
5 right ahead.

6 SPEAKER: Just want to make
7 sure my time's slotted.

8 I'm a member of the Hudson
9 River Fishermen's Association of New
10 Jersey. I really came down to this meeting
11 to see what's going to happen here. I
12 really applaud what they've done over here.
13 I mean, this is something that should have
14 been years ago, but being it's being
15 considered, we really appreciate what's
16 being done.

17 I fished the Hudson River for
18 many years, ate a lot of fish, my children
19 have eaten fish, my grandchildren have
20 eaten fish. I think it's a shame that they
21 even allow this stuff. I mean, this is
22 something that should have been done.

23 I hope that this is done and
24 very soon that they do this. I mean, it's
25 something that you can't let go any longer.

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2 I think the sooner they make up their minds
3 to do this, the better off we'll be.

4 I mean, to start selling fish
5 out of the Hudson River when they have all
6 these problems, I mean, this is ridiculous.
7 I mean, how do they come up with
8 something like this. Where do these people
9 -- I'm missing something here. I mean, how
10 can they sell fish when they tell you
11 everything's contaminated? I mean,
12 somebody answer these kind of questions. I
13 mean, I don't understand. I mean,
14 something's missing here.

15 Thank you.

16 MR. MC CABE: Thank you. Tom
17 Siciliano.

18 SPEAKER: Thank you. My
19 name's Tom Siciliano and I'm here
20 representing the Jersey Coast Anglers
21 Association and the New Jersey State
22 Federation of Sportsmen Clubs and we fully
23 support the USEPA in their recommendation
24 to remove the PCBs from the sediments in
25 the upper regions of the Hudson. We agree

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2 with the EPA that the delays have gone on
3 long enough, you've got enough test
4 results, you have enough scientific
5 evidence, the study's been going on for
6 twenty-five years, it's time to make a
7 decision.

8 If left in the river,
9 sediments, these PCBs will continue to
10 affect the fish and the wildlife that
11 surrounds the estuary for generations to
12 come. Hudson River is the second largest
13 spawning estuary for striped bass on the
14 east coast. It's also a nursery area for
15 many other species of fish that are used
16 for personal consumption or are the prey
17 for larger fish. As environmentalists,
18 conservationists and fishermen, we insist
19 that this critical estuary be cleaned up
20 and cleaned up now.

21 It's not just a Hudson River
22 problem, either. Striped bass that spawn
23 in the Hudson travel widely along the
24 coast. We need to consider that the
25 striped bass that you caught off Montauk or

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2 many other areas along the east coast may
3 have spent up to five years of their life,
4 the first life, in the Hudson. Tagging
5 studies have shown that striped bass
6 spawned in the Hudson migrate all the way
7 from Maine to North Carolina.

8 The other issue is menhaden,
9 which is a popular prey species and that
10 occurs in the base and estuaries of the
11 Hudson River. They're vital in the food
12 chain for the entire coast. They are
13 contaminated with PCBs and everything that
14 consumes them is then contaminated,
15 including weak fish and blue fish.

16 Menhaden are also harvested
17 by a reduction industry and then they are
18 turned into fishmeal and fed to chickens,
19 livestock and fish raised in aquiculture,
20 so the impact goes far beyond just the
21 Hudson River, so the impact of menhaden is
22 very wide reaching and dangerous.

23 In conclusion, we
24 congratulate the EPA for putting together a
25 very comprehensive plan to clean up the

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2 Hudson. They do not belong there and the
3 best and fastest way to restore the quality
4 of the Hudson River and the wildlife that
5 surrounds it is to remove the PCBs using
6 the safe -- environmentally safe methods of
7 removal.

8 Thank you very much.

9 MR. MC CABE: If you folks
10 wouldn't mind, we would -- in addition to
11 you folks listening to it, we would like to
12 be able to see them and listen to them a
13 little better, too, especially if there's
14 any questions, so if you could use the mic
15 over there, we'd appreciate it.

16 Jim.

17 SPEAKER: I'd like to first
18 thank everybody for coming down and for the
19 presentation you've given. My name is
20 James Bemin, I live in Highland Borough in
21 New Jersey and I am on the receiving end of
22 the PCBs as they come down the river from
23 the upper river to the lower river to upper
24 bay and lower bay. I'm at Sandy Hook Bay.
25 I'm the last stop and we see it in the fish

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2 we catch, that our people catch and where
3 we swim and I support the EPA in their
4 conclusion.

5 GE made a lot of money over
6 the years, I've sailed the Hudson and it's
7 a pretty deserted place until you get up
8 around the Albany area and they're still
9 thriving and I think it's time for GE to
10 put some money back into what they took out
11 of the river.

12 Thank you very much.

13 SPEAKER: My name is Jim
14 Guine. First I'd like to thank the EPA for
15 holding public comment.

16 I've worked doing a million
17 research for the Smithsonian and also the
18 Field Institute and done some limnology
19 work and somebody who's lived through a
20 cancer scare and don't particularly like
21 carcinogens and hope nobody else has to
22 live through a cancer scare.

23 I'd like to do something
24 unpopular and thank GE because, you know,
25 although it seems clear to me that they

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2 broke the law and got really rich doing it
3 and helped really kill the fishing industry
4 and put the public safety at risk and also
5 put the environment at risk, by dragging
6 their heels, they did provide the EPA with
7 a long, long time to do an incredible
8 well-researched -- come to an incredible
9 well-researched decision about their
10 dredging, which I fully, absolutely
11 support, so thanks GE, for helping this
12 dredging proposal be so obviously wonderful
13 and good.

14 I'd also like to mention I
15 spent the last four days in Washington DC,
16 the last two days on the hill talking to
17 Congress people and discovered the EPA's
18 proposal has wide bipartisan support from
19 the members of Congress both in New Jersey
20 and in New York, and that's it.

21 Thank you.

22 SPEAKER: My name's Andy
23 Wilner and I'm from -- I live in Keyport,
24 New Jersey. I'm the baykeeper for the New
25 York, New Jersey Harbor.

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2 I'll tell you a story about
3 the tragedy of the commons.

4 When one fisherman fishes too
5 much to the detriment of all other
6 fishermen, the common suffers and we all
7 suffer. GE is the big bad fisherman in the
8 Hudson River, they own all the fish because
9 they polluted all the fish to the detriment
10 to all the other users of the Hudson River.

11 The Hudson doesn't belong to
12 GE; it belongs to all of us. What we've
13 done, unfortunately, is we left the
14 ownership to GE for many, many years by
15 default, by allowing them to continue to
16 pollute, by not pushing our agencies to
17 bring more rapid and higher damages claims
18 against them.

19 I endorse the EPA's proposal,
20 however, it goes nowhere near far enough.
21 The next local step is for EPA to work with
22 the Department of the Interior, Department
23 of Commerce in New York State and New
24 Jersey to bring natural resource damage
25 claims against GE for the billions of

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2 dollars that they've stolen from us and to
3 put it back into the river for its cleanup.
4 The half a billion dollars that this
5 dredging will cost goes nowhere near to
6 compensate us for the loss that's been --
7 that's been incurred by GE's unlawful acts.

8 So to finish up, we endorse
9 this proposal, however, we don't think it
10 goes far enough and we believe that the
11 next step is to have the citizenry, the
12 true owners of the river, let EPA know in
13 no uncertain terms that we're not going to
14 stand for idleness and want them to move
15 forward very quickly with the natural
16 damage -- natural resource damage claim
17 against the polluter.

18 Thanks.

19 MR. MC CABE: I'd just like
20 to clarify one item there.

21 The natural resource damages,
22 that's something EPA is specifically
23 excluded from or precluded from. However,
24 the trustees for fishing and wildlife in
25 New York State are working on that and

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2 doing assessments of that. However, we are
3 specifically precluded from dealing with
4 that part of the problem.

5 The next five commentators,
6 Bill Sheehan, Charles...looks like Stamen,
7 Elliot Eisenbach, Alfred White and Sharon
8 Rugey.

9 SPEAKER: Hello, everybody.
10 I am Bill Sheehan and I am the Riverkeeper
11 for the Hackensack River. The Hackensack
12 River is kind of like a little sister to
13 the Hudson River, but the Hackensack River
14 has its problems, also.

15 I'm here to support the EPA's
16 decision to dredge the Upper Hudson. I'm
17 here to support the EPA in any way that I
18 can to make sure that GE doesn't get off
19 the hook on this one.

20 What I'm looking at this
21 process for and hoping that this process
22 will be able to do is set some precedents
23 because we've got contaminants in our river
24 system that need to be dredged, that need
25 to be cleaned, that need to be removed and

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2 we need to hold certain parties responsible
3 for that, such as Diamond Shamrock. And if
4 we can get GE to come up to the table and
5 pay what they're supposed to pay, then
6 maybe the EPA will be able to get off of
7 GE's back for a while and get on the backs
8 of the polluters that have been having
9 their field day with the Passaic and the
10 Hackensack.

11 And while we're at it, I'm
12 glad that there's someone here from the
13 State Attorney General's office, because
14 after all is said and done and we finally
15 do get GE to pay up for dredging the river
16 and get a natural resource damage
17 assessment against them, I think there are
18 some high level executives at General
19 Electric that probably belong in Federal
20 Prison or at least in State Prison and then
21 you can solve your disposal problem by just
22 putting some of this PCB contaminants in
23 the cell with them, all right.

24 Thanks.

25 SPEAKER: My name is Charles

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2 Stamm. I'm with -- I'm Director of the
3 Hudson River Fishermen's Association here
4 in New Jersey.

5 I would like to thank the EPA
6 for holding one -- and scheduling one of
7 these hearings here in New Jersey.

8 The PCBs which remain in the
9 sediments of the river continue to place
10 health restrictions on the striped bass and
11 other fish of the Hudson estuary. The New
12 Jersey Chapter of the Hudson River
13 Fishermen's Association fully supports the
14 EPA in their recommendation to remove the
15 PCBs from the sediments of the Hudson
16 River.

17 We agree that the delays have
18 gone on long enough. We have enough test
19 results. We've studied this problem long
20 enough. We have enough scientific
21 evidence. We have been dealing with this
22 problem for twenty-five years. It's time
23 to make a decision.

24 If left in the river, these
25 sediments will continue to affect the fish

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2 and the wildlife that surrounds this
3 estuary for generations to come. Health
4 restrictions on human consumption of these
5 fish will continue. The Hudson River is
6 the second largest spawning estuary on the
7 east coast for the striped bass. As
8 fishermen, we insist this critical estuary
9 be protected and cleaned up and cleaned up
10 now.

11 This is not just a New York
12 problem, this is not just a Hudson River
13 problem. As I said before, the striped
14 bass that spawn in the Hudson River travel
15 widely up and down the east coast of the
16 United States. Our tagging studies show
17 that the striped bass spawned in the Hudson
18 River spend the first five years of their
19 lives in the Hudson River. After that,
20 they migrate up and down the east coast and
21 return each spring to the upper sections of
22 the Hudson River to spawn. The time that
23 these fish spend in the Hudson River makes
24 them susceptible to accumulating these
25 toxins.

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2 One solution to this problem
3 promoted by the General Electric
4 Corporation is to let the PCBs remain in
5 the sediments. General Electric claims
6 that the river is cleansing itself. I like
7 that term, 'cleansing itself.' What does
8 that mean? It means that a portion of
9 these PCBs leave those areas and they come
10 down to Jersey. The problem doesn't go
11 away, it just comes down to us and we get
12 it. The solution, although more
13 economically sound for General Electric, is
14 unacceptable to the citizens of New Jersey.
15 If you give me just a minute, okay.

16 We feel the PCBs do not
17 belong in the Hudson River and that they
18 don't belong in any river and we would
19 support the cleanup of this river as soon
20 as possible.

21 Thank you.

22 SPEAKER: My full name is
23 Elliot Eisenbach, not E.E. This is a very
24 different meeting than the one I went to at
25 the new school in Manhattan four or five

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2 weeks ago.

3 I'm not a fancypants
4 pharmaceutical chemist. I worked thirty
5 years as an industrial formulating chemist
6 closely allied with factories and factory
7 workers. I admire and respect those who've
8 worked with their hands here that have
9 spoken tonight and I'm at somewhat of a
10 loss in a minute and-a-half to discuss the
11 mathematics which the EPA has not suggested
12 to you.

13 It stuns me that the people
14 at EPA have not told the people down river,
15 and I'm speaking strictly off the cuff and
16 I wish I had a better presentation, but to
17 reduce the PCBs flowing over the damn at
18 Waterford for two and-a-half, three pounds
19 a day to one, one and-a-half pounds, don't
20 have exactly the figures, to divide that
21 difference with a two-pound difference over
22 the tens of thousands of acres from
23 Waterford Town to Albany, to Kingston,
24 Poughkeepsie, Haverstraw, Fort Lee, down to
25 Sandy Hook, absolutely stuns me.

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2 Take off after GE? Fine. I
3 have no problems with that, but to think
4 that dredging below there is going to in
5 any way change the situation downstream is
6 beyond my imagination and I'm really
7 stunned that the EPA people have not been
8 honest or straightforward with you.

9 MR. MC CABE: Thank you,
10 Elliot. Just one comment on that.

11 I'm not sure about the
12 honesty or openness or whatever, but I
13 mentioned there's about 500 pounds a day --
14 or a year going over the Troy Dam and that
15 we would reduce it by about 40 percent.
16 I'm not sure what part wasn't honest, but
17 those are the facts that we have.

18 Alfred.

19 SPEAKER: My name is Alfred
20 White. I'm a concerned citizen, a
21 fisherman and affiliated with the Hudson
22 River Fishing Association and I live in
23 Tenafly, New Jersey. I'm here to support
24 the EPA in their efforts to get the Hudson
25 River cleaned up. I'm concerned that

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2 nothing has been done with the lower
3 section of the Hudson River.

4 As the EPA knows and is
5 aware, there's PCBs down in our area, too.
6 It affects our lifestyle, et cetera. Once
7 again, I'm here to support your efforts in
8 the Upper Hudson, but I would like to know
9 when we will get some relief down in the
10 Lower Hudson, too.

11 Thank you.

12 MR. TOMCHUK: I'd like to add
13 just a statement about that.

14 One of the things that you
15 can look at the -- one of the ways you can
16 look at the proposed plan that we, you
17 know, have put out is that it would be a
18 source control for the Lower Hudson.
19 Basically the natural recovery processes of
20 sedimentation and burial can be enabled to
21 start in the Lower Hudson when the 500
22 pounds per year contributed from the Upper
23 Hudson is reduced.

24 So basically a remediation of
25 the Upper Hudson is the first step in

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2 seeing a cleaner Lower Hudson as well.

3 MR. MC CABE: Thanks, Doug.

4 And, Sharon, before you get up, let me just
5 mention -- please get up, I'm sorry.

6 Before you speak, let me just say the next
7 five.

8 Marilyn Pulber, Craig
9 Michaels, Wayne Tomasi, Glenn Blank it
10 looks like, Tony Evangelista.

11 SPEAKER: Thank you very
12 much.

13 Good evening. My name is
14 Sharon Rugey. I am a resident and
15 Department Supervisor in the Town of Fort
16 Edward.

17 I have spent the better part
18 of the last twenty years fighting for a
19 cleaner Hudson, but without dredging. For
20 the last ten years, I've been a member of
21 the EPA's Environmental Liaison Committee.

22 This evening I do have one
23 question first, and that is, upon reading
24 the feasibility study, I'm trying to
25 understand what percent of suspension did

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2 you calculate for your model.

3 MR. MC CABE: How much
4 resuspension?

5 SPEAKER: Yes.

6 MR. MC CABE: Do you have the
7 figure, Doug, or...

8 MR. TOMCHUK: You're
9 referring to the dredging operations?

10 SPEAKER: Correct.

11 MR. TOMCHUK: Okay. I think
12 it's approximately .3 percent resuspension
13 from the dredges.

14 SPEAKER: Now, as I read the
15 documents, it looks like the best that has
16 been done at any site is 2.2 percent.

17 MR. TOMCHUK: There is one
18 paper that is -- that I guess you're
19 referring to, the Fox River USGS just out
20 in December.

21 Basically that's the highest
22 that we've ever seen, though, we know of no
23 other site that has that type of
24 resuspension and the models that had been
25 developed by a professor at the University

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2 of Utah, who is a consultant and consulting
3 for us, but his models were based on other
4 sites.

5 I have to find out the
6 details of that, but, you know, obviously
7 he had developed the models for the data
8 that was available for resuspension at
9 other sites.

10 SPEAKER: Well, when studying
11 the other sites, it looks like all sites
12 ran between 2.2 percent and 10 percent. If
13 you go as low as 2.2, which was the lowest
14 reported, that would possibly subject us to
15 up to one ton of PCB being resuspended and
16 I'm wondering how you calculate that into
17 fish recovery.

18 MR. TOMCHUK: Basically --
19 okay, first of all, put into perspective
20 that would be a doubling of -- actually,
21 there's more than that going over the damn
22 every year, but a flat hundred pounds, so
23 if you're talking about four hundred pounds
24 a year by resuspension by your calculation,
25 are about the same amount. I don't believe

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2 that that is an accurate figure. I'm not
3 sure where those other numbers came from.
4 If you have studies here, I'd gladly take
5 them.

6 We have not calculated that
7 into the fish at this time. I would expect
8 we'd see increases in resuspension. If
9 that was the case, that might be similar to
10 what came out of the Hudson Falls plant
11 site in 1991, just because that was about
12 700 hundred pounds per year in 1992. So
13 that release -- it's smaller than that
14 release on a yearly basis and what we see
15 now is the fish numbers recover fairly
16 quickly from an increase like that.

17 So basically if we did see an
18 increase, it will be fairly local to the
19 environment that it happened such as you
20 see at -- in the Upper River. You don't
21 see those numbers propagated down into the
22 lower river and you would see decreases
23 falling off shortly after that operation.

24 Plus, they would fall off
25 even further than they are now because the

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2 source material would be gone, so you
3 wouldn't have that constant load of 500
4 pounds a year.

5 MR. MC CABE: And as Doug
6 said, Sharon, if you have some information,
7 I'm not familiar with the information
8 you're sharing with us, but we'd like to
9 see it, obviously, and be able to comment
10 it on.

11 SPEAKER: Yeah, I didn't
12 bring it with me, but it is available and
13 I'll make sure that you get it, but I have
14 -- because of this crowd being very
15 concerned about the fish, I think that we
16 have to look very seriously at the
17 resuspension and to know if we're actually
18 going to make the problem worse with the
19 proposed dredge.

20 Thank you.

21 MR. MC CABE: Thanks, Sharon.

22 I think as Doug mentioned,
23 any -- we obviously have not calculated
24 numbers as Sharon has cited and we
25 certainly expect any of those numbers to be

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2 far less than what is currently being
3 contributed to the river by the sediments,
4 but, in any event, whatever happens during
5 dredging, which we will minimize as much as
6 possible, will be a one-time deal and will
7 be dissipated quickly over time as opposed
8 to leaving it there forever, so...

9 Marilyn.

10 SPEAKER: Hi, I'm the Fort
11 Everett Town Supervisor. I became involved
12 in this dredging proposal back in the late
13 seventies, early eighties. Site 10 was
14 adjacent to my dairy farm, basically going
15 to put the farming community out of
16 business. That's why I stood up and became
17 involved. We won at all levels of the
18 State Court system and in 1984 EPA's
19 decision was a record of leaving the river
20 alone because it would be devastating to
21 the ecological system of the river.

22 Today I'm here as a
23 supervisor of a community that will be most
24 dramatically impacted by the proposed EPA
25 plan. I am here tonight as that supervisor

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2 because I wanted to put a face, a real face
3 of the people of the Upper River, I wanted
4 to put a face on the communities that are
5 going to be most dramatically impacted, the
6 communities that have joined hands with the
7 Town of Fort Edward in opposing the
8 dredging of the Hudson River.

9 Mr. McCabe, I have several
10 questions that I feel EPA needs to answer.
11 While reading the survey of other
12 environmental dredging projects, the
13 following questions came to mind.

14 How many dredge sites have
15 been totally successful encountering no
16 dredging problems and achieving targeted
17 fish goals? At how many sites has EPA had
18 silt curtain failures? How many sites did
19 large debris, including rocks, boulders,
20 cobbles, logs, et cetera, cause the bucket
21 to not close properly? And how many of
22 those sites did the debris have to be
23 removed before dredging could begin? How
24 many sites did EPA have to cease operation
25 to clean out areas of large debris with

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2 backhoes? How many sites did re-dredging
3 need to be required due to suspended
4 sediment settling? At how many sites did
5 EPA find the proposed dredging didn't work
6 because EPA -- causing EPA to change
7 dredging techniques? And how many weather
8 delays have caused projects to go on longer
9 than projected? And how many sites have
10 volatilization of exceeded PCB in air
11 limits causing dredging to be suspended and
12 operations to be modified.

13 Mr. McCabe, where is EPA's
14 success story? From EPA's own documents,
15 where is its success story? Every single
16 site in this document has unforeseen
17 problems. Dredging is not the science EPA
18 would like us to believe.

19 Thank you.

20 MR. MC CABE: Let me just --
21 she had a lot of questions. I'll try to
22 answer a few of them and if anyone else can
23 contribute, fine.

24 I guess the overall question
25 was are you -- do we expect to encounter

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2 any problems. Of course we do. I don't
3 think we would ever say to anyone that
4 we're going to have a perfect, ideal
5 operation. I don't believe there's any
6 such thing, whether it's in dredging or
7 building a house or anything. But to
8 suggest that this is some sort of rocket
9 science that can't be done is also, I
10 think, equally absurd.

11 Dredging is a common
12 operation. You mention where has it been
13 successful, you know, where -- have you run
14 into debris problems, volatilization
15 problems. Any of those kinds of issues,
16 add noise to that, add odor, all of the
17 things like that, we are certainly looking
18 at them because people have brought them up
19 and we intend to deal with them. We don't
20 expect to have those kind of problems -- we
21 expect debris problems, you're always going
22 to have some of that, but where have we
23 been effective? Sometimes that's a matter
24 of perspective.

25 For instance, in its

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2 publication, General Electric has cited a
3 number of sites, whether they be Superfund
4 or not, that EPA was not successful in
5 dredging. And I don't want to speak for
6 the other ones around the country, we're
7 still gathering information on those, but I
8 can speak to the one on the St. Lawrence
9 River of the General Motors site. GE has
10 cited that as being unsuccessful. We had a
11 -- I'm going to speak to it, Marilyn.

12 We had a goal of one part per
13 million in the river. That was a goal
14 reached with the input of all interested
15 parties, including the Canadians across the
16 river, the St. Regis Mohawk Indian tribe
17 right next door, the State of New York, of
18 course, and ourselves.

19 We reached a goal -- we
20 reached three parts per million at almost
21 all of the sites except for one small area
22 where they dredged a number of times and
23 they had to cap it, so it's encapsulated.

24 General Motors has said that
25 they removed 99 point...I don't know, eight

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2 or some percent of the PCB mass from the
3 river. We look at that as very successful.
4 General Electric, on the other hand, points
5 out that we did not meet that specified
6 goal, again, it's a goal, therefore, it was
7 unsuccessful.

8 Well, I told you what I felt.
9 I'll leave the rest to you as to how you
10 feel about such a removal. Personally I'd
11 be very happy with it if we could
12 accomplish that everywhere, but...

13 As far as -- I don't know,
14 did you want to mention -- address any of
15 the other issues, Doug, at any of the other
16 sites?

17 MR. TOMCHUK: There are a lot
18 of things here.

19 MR. MC CABE:
20 Volatilization...

21 MR. TOMCHUK: Yes.
22 Volatilization, I think, was most
23 predominantly studied at the New Bedford
24 Harbor site where they were dredging
25 material that was over 4,000 parts per

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2 million PCBs, really oily, it was actually
3 in a fairly sandy material, not associated
4 necessarily with the finds.

5 Basically they had oil that
6 came up every time they moved through the
7 dredge material and actually had to put
8 booms out along the -- to catch the oil, so
9 oil PCBs can volatilize a lot easier than
10 PCBs bound tightly to a clay particle or
11 fine grain sediment, which is more typical
12 of Hudson River sediments.

13 Sites such as at General
14 Motors, I'm fairly certain, but that was
15 more -- highly concentrated, but the Fox
16 River Manateek Harbor, the air monitors got
17 nothing, no hits whatsoever.

18 Volatilization losses, I mean, we've done
19 the study there basically in very similar
20 conditions. We would not expect to see
21 large volatilization losses in the Upper
22 Hudson.

23 Some workings around the
24 plant site, you might want to measure those
25 real closely, though, you know, with some

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2 of the removal action right at the Hudson
3 plant site, there's a lot of oil there that
4 I would be concerned about.

5 Silt curtain failures. Silt
6 curtains are not a cure-all, they're a
7 secondary line of defense, they help slow
8 down some of the particles. I think the
9 operation of the dredge is the key thing to
10 preventing resuspension, so basically you
11 have to make sure that the operator is
12 working under specific orders to make sure
13 that he's not creating a resuspension. An
14 experienced operator is the key issue
15 there.

16 I think Bill covered most of
17 the other points, so...

18 MR. MC CABE: That's good.
19 Thanks, Doug.

20 SPEAKER: Craig.

21 SPEAKER: No, Glenn.

22 SPEAKER: Well, I'm here
23 anyways. My name is Glenn Blank.

24 I'm a member of the Hudson
25 River Fishermen's Association, New Jersey

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2 Chapter, and I live in Cliffside Park, New
3 Jersey. And I've been going down the
4 Hudson River my entire life and I've been
5 boating and everything else on the Hudson.

6 And I just want to support
7 you guys for the cleanup and I don't care
8 whether this cleanup costs 460 million or
9 460 billion, it doesn't make no difference
10 to me, just give GE the bill.

11 Now, considering...

12 (Applause).

13 Considering what General
14 Electric did to our Hudson River, if a
15 foreign government did what General
16 Electric did to our Hudson by contaminating
17 our water and food supply, our own
18 government would have declared that this
19 was biological warfare against the people
20 of this country and New Jersey and New York
21 and the people of the Hudson Valley area.

22 (Applause).

23 I'd also like to point out
24 that due to the fact due to the PCB
25 contaminations that have come down into the

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2 lower portion of the Hudson and New Jersey,
3 on the New Jersey side of the Hudson River,
4 they do not dredge the Jersey side no more.
5 And what's going on is we had this
6 continued buildup of the mud flats in our
7 area and what's happening is our membership
8 is losing access and the general public
9 also, we're losing access to our local
10 marinas and several boat clubs actually had
11 to close up due to the silt buildup from
12 not being able to dredge from the PCB
13 contaminations.

14 And I got pictures here of
15 some of the local boat clubs that actually
16 were closed up in the early nineties due to
17 the fact that they don't dredge the west
18 channel of the Hudson River no more due to
19 the PCBs and I'm getting sick and tired of
20 it. I want General Electric to start
21 cleaning this up right now and I want you
22 guys to do your job and get on their case
23 and get the job done now.

24 Thank you.

25 MR. MC CABE: Thanks, Glenn.

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2 SPEAKER: My name is Craig
3 Michaels. I work with the Hudson
4 Riverkeeper.

5 I'm glad to see the EPA here
6 in New Jersey to hear from some of the
7 fishermen tonight whose lives have been and
8 will continue to be affected by GE's PCBs
9 and what is or is not done to remove them
10 from the river.

11 You know, I think the real
12 tragedy here is that corporations like GE
13 rake in enormous profits while literally
14 poisoning communities and watersheds and,
15 you know, the Hudson River Valley, we're
16 here tonight, and Riverkeeper, we're not
17 here to go after GE. If it was the EPA, if
18 it was Exxon, Argo, City of New York, we'd
19 go after them. It just happens they're the
20 entity that is responsible for
21 single-handedly crippling, destroying a
22 century's old fishing industry and
23 river-based culture. And we're here
24 tonight because their past pollution
25 threatens the ecological integrity of

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2 Hudson River watershed, still threatens it
3 and, of course, their current activities,
4 their huge \$2 million a week misinformation
5 campaign continues to threaten the cleanup
6 and restoration of the Hudson River.

7 And GE's been very effective
8 at dividing communities and making this an
9 up river versus down river scenario and I
10 think the people here tonight realize that
11 that is simply not the case. The people up
12 river have been tremendously affected by
13 this contamination and will be tremendously
14 affected by the dredging operations, but
15 the people down river at 500 pounds coming
16 over the damn a year, you can't say that
17 doesn't affect down river communities, it
18 does.

19 So, you know, it's
20 unfortunate GE has been very effective at
21 dividing these communities and, really,
22 when it's all said and done, GE are going
23 to be long gone and it's going to be the
24 people at Hudson Falls South all together
25 who are going to have to deal with this

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2 problem.

3 So if GE really brings things
4 to life, they should really step up to the
5 plate, sit down at the table and talk about
6 how they're going to effectively work with
7 us all to clean this up.

8 You know, they're proposing a
9 20- to 30-million-dollar tunnel project.
10 All they talk about is stopping the source.
11 And as far as the EPA's peer-reviewed
12 science is concerned, the source is the
13 contaminated sediments, that is the main
14 source, not the stuff that is still leaking
15 from GE plants twenty-five years later
16 after this chemical was banned.

17 Thanks.

18 MR. MC CABE: Thanks, Craig.

19 Just for informational
20 purposes, since a lot of people have
21 mentioned the name General Electric, let me
22 just let you know what the process is.

23 Obviously what we're here for
24 now is we have a proposed plan on the
25 street and we want to sign a Record of

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2 Decision. That's a technical document that
3 has nothing to do with General Electric,
4 you know, what's right or the way we're
5 going to go out with it and, hopefully,
6 that will be in August. After that is when
7 we start worrying about General Electric or
8 anyone else.

9 And then we will attempt to
10 have General Electric or any responsible
11 party, which is basically General Electric,
12 implement the remedy, do the design and do
13 the construction. We have legal means to
14 go after them, but that's for another day,
15 obviously.

16 For now what we're really
17 concerned about is do we have the right
18 remedy and let's go forward with the
19 remedy, worry about that part of it a
20 little bit later.

21 SPEAKER: My name is Wayne
22 Tomasi. I'm President of New York State
23 Bass Federation. I live in the
24 Poughkeepsie area on the Hudson River.

25 To protect our national

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2 environment and aquatic resources, the
3 Organized Bass Fishing Organization is one
4 of the missions of the New York Bass. We
5 wonder why EPA has reversed its decision in
6 1984 to do dredging on the Hudson when they
7 said it's environmentally devastating to do
8 so.

9 We, therefore, have the
10 following question. Our position is to
11 request the EPA Supervisor in the
12 Feasibility Study to evaluate the actual
13 results of dredging on a small river test
14 site. Do one test for us and demonstrate
15 that you can do this with no detrimental
16 impacts to our fishery and we would have no
17 problems.

18 We question the use of clam
19 shell technology in your dredging because
20 of the fact that we're worried that it will
21 decrease or hurt our fish.

22 Our focus is mainly on bass
23 fishing. We question the dredging of 500
24 acres of land, especially 70 to 100 acres
25 of land which we know are prime spawning

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2 habitat for our large mouth and small mouth
3 bass and 17 miles of shore line which is a
4 primary spawning for small mouth bass.

5 We believe that the dredging
6 of causing the silt in the river by a clam
7 shell technology will actually, you know,
8 provide further silt in the system and
9 affect our bass.

10 With PCBs levels declining in
11 the river, we're very happy that the New
12 York State DEC opened up the Upper Hudson
13 seven years ago, not one year ago, to
14 fishing again. It is a catch and release
15 season as of 1994 --

16 MR. MC CABE: 1995.

17 SPEAKER: Not one year, so we
18 would like that to be corrected on that.
19 Many of our anglers now do enjoy the
20 recreational fishing in that river since
21 that was reopened.

22 Although since bass fishing
23 is our primary focus, we also support the
24 communities in the area. We worry about
25 their concerns of use of highways, et

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2 cetera, to get the equipment in, to
3 handling and installing of toxic waste,
4 which is the mud that you're pulling out of
5 the river. You're saying they're going to
6 be shipping it away, yet you have to
7 dewater it someplace, you have to place it
8 someplace before you get it in the trains
9 and the barges to get it out of the area.
10 Where is this going to be done and how is
11 that going to be controlled so that those
12 communities are not impacted?

13 Again, we thank New York Bass
14 for giving us the chance for being here to
15 talk. We just have a concern about your
16 techniques, your possibilities of causing
17 -- awakening a giant of uncovering PCBs
18 that are in the sediment and waking them up
19 to where it'll take ten, fifteen years
20 again for them to settle out and if you
21 cannot guarantee that it will not impact
22 our fishery, we would oppose this dredging.

23 Thank you very much.

24 MR. MC CABE: Thanks, Wayne,
25 a couple of comments.

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2 That was the second time, I
3 guess, that it was mentioned that the 1984
4 Record of Decision used the words
5 'ecologically devastating.' What it did
6 say was bank-to-bank dredging, 40 miles of
7 bank-to-bank dredging would be ecologically
8 devastating.

9 First of all, we're not doing
10 that, and secondly, we have a number of our
11 ecological -- of the trustees, for
12 instance, who have written us and say they
13 also don't even believe that it would be
14 true, that it would be ecologically
15 devastation. Things have changed a lot
16 since 1984. Technology has certainly
17 changed and that's one of the main reasons
18 why we're here, because technology has
19 changed and we can do things a lot better
20 than we did them before.

21 As far as doing a test site
22 first, we've had that comment before, we're
23 evaluating it, we believe that other sites
24 have accomplished -- we've done dredging at
25 other sites and they've accomplished what

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2 they were supposed to do.

3 We didn't show tonight, which
4 we have shown upstate, there is a video at
5 the General Motor's site, three years later
6 showing the re-vegetation of the bottom
7 that was without any backfill added for
8 habitat restoration, that was just --
9 there's a cap there in certain areas and
10 it's quite lush. That was after three
11 years. We know after one year, after two
12 years it's also quite good, so we don't
13 expect ten years or anything like that
14 obviously. We've seen no indication in the
15 record to show that.

16 The clam shell technology,
17 all I can tell you is that we would be
18 using environmental dredging, if we were
19 using -- well, if it were mechanical
20 dredging, it would not be like you see for
21 navigational dredging. It's a different
22 technology.

23 As for the dewatering
24 facilities, I did mention there would be
25 two dewatering facilities. It depends on

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2 the kind of dredging as to how big they
3 would be, what exactly they would
4 encompass. Obviously you're going to
5 handle a lot more water if you're doing
6 hydraulic dredging. However, we did
7 mention that we've looked at a number of
8 places, we've noted that there are a couple
9 of areas that we believe that we can do
10 that, where we could put those facilities
11 in.

12 Yes, we have to be careful,
13 yes, we have to monitor, but it's not --
14 it's a dewatering facility. It's not a new
15 technology by any means. It's very
16 standard.

17 MR. TOMCHUK: Two points,
18 Bill.

19 First of all, the dewatering
20 facilities are flow-through facilities.
21 It's not that we do all the dredging, store
22 the material until we're done and then
23 start railing it out. It's like the stuff
24 comes in, it gets dewatered and then goes
25 out that day or, you know, within whatever

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2 time the process takes, so it's not a large
3 storage facility.

4 And as far as waking a
5 sleeping giant, I think that that's a big
6 misconception that a lot of people have in
7 that the giant is awake. Five hundred
8 pounds a year going over the damn is a lot
9 of PCBs in anybody's book here,
10 so...(applause.)

11 MR. MC CABE: And just before
12 Tony -- the next five after Tony would be
13 Dr. Nina Levinson, Dr. Marvin Ovesky, Gil
14 Hawkins, Cindy Zipf and Allen Sterberg.

15 Tony.

16 SPEAKER: Yes, good evening.

17 First of all, I want to thank
18 the EPA for holding this meeting tonight.
19 My name is Tony Evangelista. I am Vice
20 President of the Hudson River Fishermen's
21 Association, New Jersey Chapter.

22 Like Glenn, I've also been
23 fishing this river most of my life. I'm
24 fifty-eight years old, I'm fishing this
25 river since I'm eight years old. I lived

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2 in the Town of Fairview, I used to ride my
3 bicycle after school down to the river, so
4 I have a lot of concern with this river and
5 I'm getting quite annoyed myself.

6 I am in favor of removing the
7 PCBs from the Hudson River. I think the
8 person responsible for removing the PCBs
9 should be the person who deposited the PCBs
10 into the river in the first place.

11 (Applause).

12 I don't think the taxpayers
13 should have to foot the bill. GE, you
14 bring good things to life, but your
15 responsibility for placing toxic waste in
16 my river? Hmm. So why don't you try and
17 clean it up in my lifetime.

18 Thank you.

19 SPEAKER: Dr. Nina Levinson
20 of Fort Lee. I chair the United
21 Homeowners, a group of 500 families, and
22 I'm a biochemist.

23 My first question is, do
24 these PCBs have a half-life? You know what
25 a half-life is?

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2 MR. MC CABE: Yes, I do.

3 MR. TOMCHUK: Now, basically,
4 I mean, we've looked at the washing through
5 in the system of a half-life, but as far as
6 breaking down, no, PCBs don't. They do
7 degrade biologically, but it's controlled
8 by the concentration and not the time.

9 SPEAKER: Okay, thank you. I
10 think -- and I thank you for holding this
11 meeting, but I do think that the discharge
12 into the river should have been stopped
13 many, many, many years ago. It should have
14 been stopped and it should be zero
15 tolerance at this time. I believe you
16 still allow some discharge into the river
17 and I think every discharge into the river
18 is too much.

19 They are very toxic
20 substances, in other words, in very small
21 concentrations they will be toxic. They
22 accumulate in the fat of the flesh of the
23 fish and everything else and as you go up
24 the food chain, of course, it increases in
25 concentration.

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2 I do think that it needs
3 cleaning up, but I think using the fifty --
4 I think you're going to clean up about half
5 of it, from what I understand,
6 approximately. I don't think that is quite
7 enough. Are there any bacteria that chew
8 it up? I think there are. I think they
9 have been discovered.

10 MR. TOMCHUK: There's
11 actually been a lot of research with
12 respect to degradation of PCBs by natural
13 bacteria and by engineered bacteria.
14 Actually, GE has done the most work in that
15 field that I know of and they did a pilot
16 study in the early nineties and that study
17 took dechlorinated sediments where a lot of
18 the PCBs had been already stripped off and
19 tried to subject it to aerobic degradation,
20 so that basically with oxygen in the system
21 to break down the PCB molecule so you don't
22 have PCBs. In the chlorination you still
23 have PCBs.

24 That was successful up to
25 about 60- or 70-percent rates, so basically

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2 you still had concentrations remaining that
3 would be considered still contaminated, so
4 it was unsuccessful with respect to that.

5 SPEAKER: Oxidation I don't
6 think is feasible within the river. I
7 don't think you can use it in the river
8 because all you'll do is stir up the mud
9 and the PCBs and send it down to us here.

10 MR. TOMCHUK: Right.

11 SPEAKER: No, I was thinking
12 of totally demolishing the molecules,
13 getting rid of the chlorine with sodium
14 chloride which is reasonably innocuous if
15 it's not too high a concentration.

16 MR. MC CABE: There are
17 technologies, of course, to destroy PCBs
18 and they've been used at other sites.
19 However --

20 SPEAKER: You have to...

21 MR. MC CABE: In terms of
22 this entire process, you would have to
23 dredge them up, obviously.

24 SPEAKER: Dredge them up
25 first, yes.

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2 MR. MC CABE: You would have
3 to put a treatment facility somewhere.
4 Obviously we're not going to put a landfill
5 in the Hudson Valley, we're not going to
6 put a treatment facility in Hudson Valley,
7 so that means you would have to truck them
8 or have them taken by rail away somewhere
9 else, destroy them there and then bury the
10 residuals there. That process didn't
11 really seem to make a lot of sense to us.

12 If, on the other hand, it's
13 very costly, we do consider cost. I know
14 someone said they don't care what it costs,
15 but we have to have cost effective
16 remedies. When licensed facilities are
17 available to take this waste, it really
18 made no sense to then go that extra tenfold
19 in cost or whatever it might be to also
20 destroy them.

21 Now, if technology were
22 available to deal with the PCBs in situ in
23 place in the river, of course, we'd be
24 interested. We have done extensive -- and
25 our consultants here have done extensive

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2 research and every meeting that we go to,
3 somebody usually comes to us and tells us
4 that they have a great idea and something
5 they've been working on and we should fund
6 it.

7 And, you know, that's great,
8 I mean, we'll look at everything.
9 Whatever's out there, we believe they've
10 looked at and if anything comes up, we'll
11 continue to look at it. For instance, just
12 as they're doing down in this area looking
13 at the beneficial use of some of the
14 dredging material, we're looking at that --

15 SPEAKER: Where are you going
16 to put it anyhow?

17 MR. MC CABE: Right now?

18 SPEAKER: Where are you going
19 to put it?

20 MR. MC CABE: Right now, for
21 costing purposes we've looked at facilities
22 outside the Hudson Valley for the waste
23 that is regulated under the Toxic
24 Substances Control Act. We looked at a
25 facility, again, for costing purposes, in

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2 Texas. For non-toxic material we looked at
3 the Niagra Falls, Buffalo area.

4 Again, this is a commercial
5 -- this is a business and at that time it
6 would be bid out and it would have to go to
7 a licensed facility. We wouldn't tell
8 somebody where to put it as long as they
9 brought it to a licensed facility.

10 SPEAKER: This brings me to
11 another point.

12 I really in a way resent
13 having to come to these meetings. I do go
14 to them because I feel it's important that
15 there is public support. However, I feel
16 that our government, our government
17 agencies like the EPA should take care of
18 us and we shouldn't have to do all this and
19 come and speak and present our views. They
20 should do it on their own and it should
21 have been done a long time ago.

22 Now, Niagra Falls and Texas,
23 I wonder what these people are going to say
24 when everything is dumped in their
25 backyard. And you're going to have another

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2 set of people who now have to come out and
3 work against that and I don't think that's
4 right.

5 MR. MC CABE: These are
6 licensed facilities that already exist.
7 They're businesses. They take this waste,
8 they want the waste, they make money from
9 the waste, so it's really not --

10 SPEAKER: Until their water
11 gets contaminated. Until their groundwater
12 gets contaminated and then they have a mess
13 on their hands.

14 MR. MC CABE: Well, they're
15 licensed and regulated facilities.

16 What you're saying, is that
17 the perfect solution? No. The perfect
18 solution, obviously, is to destroy every
19 bit of waste that's out there.
20 Unfortunately, that's economically not very
21 feasible.

22 SPEAKER: I also agree with
23 previous speakers. I think the public
24 should not have to spend the money on it, I
25 think it should be funded by those who

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2 pollute it and, again, I wish to stress
3 that I think discharge, which is now
4 permitted to -- I forget the numbers that
5 you mentioned, but discharge is permitted
6 up to a certain point. I think it should
7 be zero tolerance.

8 MR. MC CABE: Well, General
9 Electric is attempting in its plan that
10 they submitted to New York State to reduce
11 their -- it's not really a discharge. It's
12 the remaining PCBs, the residuals that are
13 in the bedrock. They are attempting to
14 reduce it to zero.

15 I mean, we haven't seen the
16 plan yet, we'll certainly look at it,
17 they've been working cooperatively with New
18 York State on both of their plant sites.
19 They've spent -- well, I don't know,
20 depends on when you talk to them, but they
21 spent a whole lot of money and they have
22 done a good job on source control and we
23 are trying to, and they are trying to with
24 the state, get rid of the rest of that.

25 If that's successful, they

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2 will help our project even that much more
3 and make it even that much more effective.

4 SPEAKER: Well, I think they
5 should not be allowed to discharge any of
6 it as of yesterday, as a matter of fact,
7 not today.

8 Thank you.

9 MR. FISCHER: If I could just
10 clarify one point, General Electric does
11 have a permit for waste water discharges
12 from its Ford Edward facility and it's my
13 understanding that the limit on that permit
14 for PCBs is non-detect, so they are not
15 authorized to discharge PCBs from that
16 discharge point.

17 SPEAKER: My name is Marvin
18 Oresky, I'm a member of the Hudson River
19 Fishermen's Association and I reside in
20 Paramus, New Jersey and I am a fisherman.

21 I wholly support the dredging
22 plan that's proposed by the EPA. I approve
23 of it based on a first stage effort. I
24 personally believe that there should be a
25 second stage which requires the remediation

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2 of every other area of the Hudson River
3 which exceeds the tolerances that are
4 established by the Environmental Protection
5 Agency.

6 On every remediation effort
7 that I've been involved with, and that's
8 with private companies, the goal has been
9 to bring the land down or the water down to
10 a certain specific level and if you had to
11 dig the whole damn site up, it had to be
12 brought down to that specific level.

13 And in this case we're
14 letting GE off easy because we're talking
15 about only the hot spots and the hot spots
16 mean that there's so much residual PCB left
17 in the river that the fish are going to be
18 contaminated forever and what's going to
19 happen is our children and our
20 grandchildren and future generations are
21 going to be subjected to these PCBs.

22 And, God forbid, if there's
23 ever anything underground that takes place
24 and all the soil and everything gets all
25 churned up, then we'll have even a worse

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2 effect than what we presently have right
3 now, or a worse effect than what the
4 remediation is going to do, so I think
5 there really has to be a second stage in
6 this thing which brings the level down to
7 what the EPA guidelines are for PCBs in
8 soil.

9 I thank you.

10 MR. MC CABE: One comment I'd
11 like to make on that, and I don't know if
12 Marion wants to expound on it, there are
13 different levels, there are different
14 exposures in soil versus in the river.
15 You're talking about the soil exposure
16 being, you know, dermal contact or
17 inhalation versus in the river where it
18 goes through the food chain as has been
19 stated by --

20 SPEAKER: No, no, no, you're
21 wrong. It's levels of soil concentration
22 where rainwater filtering through the soil
23 will get it into the water which we drink
24 and that's the levels of concentration that
25 affects how much remediation is done.

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2 MR. MC CABE: But we don't
3 have -- what I'm trying to say is we don't
4 have a specific concentration in the
5 sediment. On soil, on land, we do have
6 guidance values that we use, for instance,
7 one part per million. In the river, it's a
8 different exposure scenario and we have to
9 do the modeling, which goes eventually from
10 the sediment to the water to the fish.

11 SPEAKER: Then establish it.

12 MR. MC CABE: There's not set
13 -- well, believe me, we've been trying to
14 do that for the last ten years and we've
15 had -- there's been a great deal of
16 controversy over it, it's not a simple
17 matter. That's what we've been doing in
18 this study. It's in the reports.

19 SPEAKER: But if you don't
20 make issue of this thing right now, it's
21 going to pass by the boards later on. So
22 if you don't have it now and developing it,
23 just put a separate section in on the thing
24 that says, and when this number here is
25 established, then we'll remediate the river

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2 down to that point, whatever it is.

3 SPEAKER: My name is Gil
4 Hawkins. I'm the Environmental Director of
5 the Hudson River Fishermen's Association.
6 I'd, first of all, like to thank you all
7 for coming down here. I asked them up in
8 Haverstraw to come down and, look, they're
9 here and that's great.

10 And there's a point to be
11 made about this and that is that they are
12 receptive, the EPA is receptive to your
13 position, your position from upstate, the
14 position of the bass fishermen upstate, the
15 Hudson River fishermen here and the people
16 that fish on the banks of the river, people
17 from Passaic, all over, the EPA is
18 listening.

19 In light of the recent
20 Supreme Court ruling on the Clean Air Act,
21 it is evident that the country's highest
22 court stands behind legislation protecting
23 the environment.

24 With cries for reducing big
25 government, we lose sight of the reasons

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2 for agencies like the EPA. The General
3 Electric company has exhibited its ugly
4 American corporate face thumbing its nose
5 at all who ask it to act responsibly.
6 Riding high on profits, GE is the rich kid
7 above the law spending tens of millions of
8 dollars to buy data, spin it on upstate
9 airwaves in an effort to confuse and sway
10 what the people up there think and who are
11 -- who they think, GE thinks, are gullible
12 people. Who do you trust? It comes down
13 to that. Who do you trust?

14 We thank the EPA for standing
15 behind good science. It is their agency
16 that is entrusted with the answerable -- it
17 is their agency that is answerable to the
18 health of the river. It is time to act,
19 time to enforce, time to clean our river.

20 Thank you.

21 SPEAKER: Gil, that was
22 great. All of you from the Hudson River
23 Fishermen's Association, terrific work.

24 My name is Cindy Zipf and I'm
25 the Executive Director of Clean Ocean

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2 Action, which is a coalition of groups
3 dedicated to protecting and improving the
4 ocean off the New York and New Jersey
5 coasts known as New York Bite.

6 The ocean is also a
7 downstream victim of GE's PCBs. Twice a
8 day, PCBs from GE wash downstream with the
9 tides toward the ocean. In addition, these
10 PCBs attach to the sediments, as we've
11 heard so much about, and get in
12 ecosystem-wide, including the channels that
13 have over the last half a century been
14 dredged and dumped directly into the ocean.

15 Nearly half of the PCBs are
16 -- in the lower bay come from the Hudson
17 River and most of them are from GE. In
18 fact, PCBs have found their way into ocean
19 sediments and marine life. Since PCBs are
20 man-made compounds, any PCBs are above the
21 natural background.

22 A study conducted by the
23 National Fishery Service in 1996 called --
24 entitled "Contaminant Levels in Muscle
25 Hepatic Liver Tissue of Lobsters From the

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2 New York Bite" found elevated levels of
3 PCBs in lobsters and these levels were very
4 high, high enough for the State of New
5 Jersey to issue an advisory on the
6 consumption of the green gland from the
7 lobsters. These levels were ranging from
8 4,000 to 9,000 parts per billion in the
9 green gland.

10 After twenty years of
11 consideration, study, reconsideration,
12 assessment and reassessment, the EPA has
13 finally announced a proposal to remove the
14 megaloads of GE's PCBs from the river. As
15 an important step in the right direction
16 and with three conditions, Clean Ocean
17 Action supports USEPA's remediation plan,
18 which is a refreshing change for us. We're
19 not normally in agreement with EPA. Right,
20 guys?

21 Three of the following
22 conditions are, one, that the PCB removal
23 be conducted with the best available
24 technology to minimize resuspension and not
25 spread the PCBs downstream;

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2 The second is that PCB
3 contaminated muck be treated utilizing
4 decontamination technologies. EPA Region 2
5 is now the national leader in sediment
6 treatment technologies based on the last
7 ten years of work and these technologies
8 should be strong candidates to treat these
9 PCBs, especially when GE is going to be
10 footing the bill;

11 And, finally, GE corporation
12 must not conduct the cleanup activities.
13 The cleanup should be conducted by an
14 entity that is impartial and expert in
15 remediation.

16 (Applause.)

17 Serious efforts to clean up
18 the environment must include a polluter
19 pays policy. It does not bode well for the
20 environment if our environmental police are
21 unable to enforce penalties against
22 acknowledged polluters. It's been a long
23 time, let's clean up, get on with the
24 cleanup of the Hudson River and make GE
25 pay.

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2 And, thank you, guys.

3 SPEAKER: Good evening. My
4 name's Allen Sternberg, I'm a member of the
5 HRFA. I live in New Milford, New Jersey.

6 I'm a retired educator and
7 I'm involved in a program through our
8 organization of taking young people from
9 public schools down to the river. And it's
10 a very difficult thing looking at a nine-
11 to ten-year-old youngster and saying, gee,
12 that's a nice fish you caught, but I don't
13 think you should be eating it, or I don't
14 think you should be giving it to your older
15 sister who may have just had a young baby.
16 I think we have to get the river cleaned up
17 and we have to get the river cleaned up as
18 soon as possible.

19 Another thing that we have to
20 think about, also, is our changing
21 demographics. There are more and more
22 people coming and settling in this area in
23 northern New Jersey and southern New York
24 who, through their culture, depend upon
25 fishing, not so much as for a livelihood,

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2 but to feed their own families. Many of
3 these people don't quite understand the
4 dangers of being exposed to eating fish
5 two, three or four times a week, which many
6 of them do do.

7 Our organization has been
8 trying to inform them about these dangers,
9 but it would be very nice when somebody
10 comes to one of our meetings to say, yeah,
11 it's okay to eat the fish at least once or
12 twice a week and, therefore, I think
13 something has to be done and done rather
14 quickly.

15 Thank you so much.

16 MR. MC CABE: The next five
17 are Paul Mastromarino, James Campbell, Jeff
18 Tittel, Jim Campbell, I don't know if
19 that's different, and Manna Jo Green.

20 SPEAKER: You're not going to
21 like me. My name's Paul Mastromarina, I
22 live here in New Jersey. I'm a concerned
23 GE shareholder and I'm sure many of you
24 have GE in your mutual fund or IRA.

25 SPEAKER: No way.

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2 SPEAKER: I think it's very
3 unfair that you don't have GE here.
4 There's a lot of GE bashing here, you don't
5 have a GE spokesperson come down here --

6 SPEAKER: Why don't they give
7 us a chance to speak at their shareholders
8 meetings. We can't get in there unless we
9 own shares, but we live on the river, so
10 don't talk about fairness. GE's not fair.
11 Is it fair to speak at their shareholder's
12 meeting? When they open their doors up to
13 Hudson River people, like people at Fort
14 Lee and Cliffside and Fairview, then you
15 can speak.

16 MR. MC CABE: Hold on.
17 Please, let's have courtesy, let everyone
18 speak.

19 SPEAKER: Please, believe me,
20 I feel like a chicken surrounded by foxes,
21 so...

22 The issue here is not the
23 size of the PCB cleanup of the Hudson
24 River, but the size of GE's bank account.
25 The PCB issue is just an excuse to somehow

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2 bleed GE dry. If GE was a smaller entity
3 with little money, the PCB issue would
4 probably have not evolved.

5 The people who cry far and
6 loud for dredging carry a far more ominous
7 political agenda. That agenda strikes at
8 the very heart of American capitalism.
9 What better way to attack the epitome of
10 the American capitalist system than by
11 going after the GE company.

12 GE is only chastised because
13 they are productive, prosperous and
14 profitable.

15 SPEAKER: Seventy-six
16 Superfund sites nationwide.

17 SPEAKER: The words and ideas
18 that strike fear in the hearts of young are
19 dredging. If these people calling for
20 dredging are so concerned with the safety
21 and health of American citizens, then you
22 should support the effort of GE in saving
23 lives. GE medical systems with their CT
24 scanners, tomography machines and MRIs have
25 caught thousands of tumors in men, women

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2 and children. In turn, GE has saved lives
3 by locating disease before they pose a
4 threat to life.

5 Who exactly are the
6 pro-dredging people hurting? They want to
7 financially hurt the GE executives. The
8 pro-dredging people are really hurting the
9 small investor, the retired man or woman
10 who worked hard and saved all their lives
11 and wisely invested in GE. They are only
12 hurting all the American citizens who have
13 a retirement plan with GE as their core
14 holding.

15 Now, they're also hurting
16 those citizens living near the proposed
17 dredging area whose lives will forever be
18 dramatically changed for the worst.
19 Dredging will have an adverse effect on all
20 these citizens and in the end, it will be a
21 waste of money, effort and time and I
22 really hope an equitable solution is
23 reached by GE, the EPA and all you
24 fishermen.

25 Thank you.

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2 MR. MC CABE: Let me just
3 respond to something. Hang on, let me just
4 respond to something that Paul said.

5 I tried not to make the issue
6 GE. As I said, it has nothing to do with
7 GE. We'll worry about GE, just as we do at
8 any Superfund site, after the Record of
9 Decision, after we go after the responsible
10 parties. This is a technical decision. I
11 don't care if there were no responsible
12 parties here. We would be coming to the
13 same conclusion. I has absolutely nothing
14 to do with our technical decision.

15 I don't care how big their
16 bank account or how big anyone else's is.
17 Quite often we find responsible parties
18 doing searches after a Record of Decision.
19 Obviously we know in this case who it is,
20 but we don't worry about those kinds of
21 things, we're not supposed to care about
22 those kinds of things and it makes our job
23 a lot easier, because we don't care how
24 much money they have, because if the
25 responsible party doesn't have the money,

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2 we go ahead and do it anyway.

3 So that is not really an
4 issue of their bank account, I don't really
5 care. And I really don't think this is
6 going to hurt the GE medical supplies.

7 James Campbell.

8 SPEAKER: I have some moral
9 support. I have the youngest active member
10 and the oldest active member who is going
11 to join me.

12 SPEAKER: Anthony Struliese.

13 SPEAKER: Name is Ray
14 Maleone, trustee.

15 SPEAKER: Stand up, Ray.

16 SPEAKER: I know it took
17 quite a while to be here, believe me.

18 I remember fishing in that
19 Hudson River seventy years ago and it was
20 good then, but it's not good now.

21 SPEAKER: My name is Jim
22 Campbell, I gave the recorder my statement
23 and I'll get back to that in a minute, but
24 I am a resident of River Edge, New Jersey.
25 I'm a trustee and a member or

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2 representative of the Hudson River
3 Fishermen.

4 Anthony.

5 SPEAKER: Again, my name is
6 Anthony Strulese and I've been fishing on
7 the Hudson River for about six years and
8 it's atrocious that it took the EPA
9 twenty-five years to actually force GE to
10 clean up its act or to even start.

11 And why are you just cleaning
12 up the hot spots instead of the whole
13 river? That's the same as if you've got a
14 pest infestation, you're only getting rid
15 of one wall of the pests and they're still
16 covering the halls to the house.

17 And I think you should go on
18 a larger scale on the dredging, but stay
19 away from the clam shell dredging.

20 Thank you.

21 SPEAKER: I just want to say
22 one thing. I worked for Leo Brothers, I
23 was a mechanical supervisor, and because of
24 the PCBs we could not dredge and because we
25 could not dredge, we had to shut the plant

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2 down and it was 2,100 people went out of
3 work. All because of the PCBs.

4 Thanks.

5 SPEAKER: We appreciate you
6 holding this meeting in New Jersey. Just a
7 few words.

8 The HRFANJ is an offspring of
9 the original, which evolved into the
10 Riverkeeper. The history of the HRFA is
11 well known and well documented by Bob
12 Boyle, John Cronin, Robert Kennedy, Jr. and
13 others. The history of the HRFANJ is being
14 written by these people, our young and old
15 in our group, and we intend to follow our
16 New York mentor's footprints.

17 The HRFA New Jersey is not
18 just a group of fishermen. We are a
19 well-organized, highly motivated and
20 dedicated environmental group who happen to
21 fish. We are networked and have good
22 working relationships with the Bergen
23 County Anglers, Jersey Coast Anglers, Clean
24 Ocean Action, American Littoral Society,
25 Baykeeper, Riverkeeper, the NRPA of Staten

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2 Island and any group that believes we must
3 speak up and defend our natural resources.

4 It's ironic that we have
5 sometimes had a strange relationship with
6 the EPA, DEP, Army Corps of Engineers and
7 other governmental agencies, specifically
8 agencies that are charged with protecting
9 our precious air.

10 I got three people here. You
11 gotta -- I won't waste any more time.

12 Clearly, this should not be.
13 We are all interested parties, should be a
14 team. As a team, together, each achieves
15 more. Our main goal is to have a positive
16 impact on the Hudson River and its related
17 estuaries. The HRFANJ has a keen interest
18 in preserving and defending any tributary
19 that flows into the Atlantic Ocean. With
20 the benefit of 350 individual members and
21 well over a thousand family members, we
22 intend to protect our rivers and ocean from
23 corporate pollution.

24 Currently, and thank God, we
25 are on the same page with the EPA. We

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2 wholeheartedly support the EPA's directive
3 that GE is legally, morally and ethically
4 responsible for cleaning up the PCB
5 contamination in the Hudson River. In
6 fact, we request, we would like the EPA to
7 prosecute to the fullest extent any person,
8 any company or corporation that pollutes in
9 our backyards.

10 God did not give dominion
11 over the earth to General Electric or to
12 any corporation; he gave it to all of us,
13 individually and collectively. Be advised
14 that the HRFA of New Jersey takes this
15 shared responsibility of dominion very
16 seriously and no matter how long it takes,
17 no matter how much it costs, we want the
18 river restored to its former majesty and we
19 want the costs borne by the primary culprit
20 in this fiasco, GE.

21 Thank you.

22 (Applause).

23 MR. MC CABE: Thank you, just
24 one comment on that.

25 We did look at other

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2 remedies, obviously, we looked at more
3 extensive remedies and we didn't believe
4 that they were cost effective, I guess I
5 would say. We looked at the effects they
6 would have on the fish and on the risks to
7 folks eating the fish and the incremental
8 gain for what it would cost to do it just
9 didn't seem to make sense to us, so we did
10 look at a lot of other things and I think
11 we did pick, again, the most cost effective
12 remedy.

13 SPEAKER: Jeff Tittel,
14 t-i-t-t-e-l, Director of the New Jersey
15 Sierra Club.

16 We're here today to say that
17 even though the dredging that's going
18 forward to clean up the river is not
19 everything we want, it's at best a half a
20 glass, but it's better to have a half a
21 glass that we can drink from than to keep
22 having those toxins coming down the river.

23 Every year that we delay is
24 another 500 pounds and in the twenty-five
25 years that we've talked about problems in

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2 the Hudson River, more than 15,000 pounds
3 have come down from upstate down into the
4 harbor and into our waters. And what's
5 important about it is that it has effects
6 here, too, not just on marine life and
7 fisheries, but also on the economic
8 interests of New Jersey.

9 One of the keen areas that we
10 are concerned about is the harbors where
11 every year or so they talk about dredging
12 our harbors because of siltation, to let
13 the ships in and some -- major part of our
14 multi-billion-dollar economy and every time
15 they want to dredge the harbors, we're
16 running around with petitions saying don't
17 dump off of Sandy Hook and Cindy calls up
18 our member and gets out there on her little
19 tables and walking up the coast. And part
20 of the reason is because of what GE has
21 done to that river and what comes down and
22 dumps on it and we're tired of New York
23 State dumping on New Jersey.

24 It used to be raw sewerage
25 and medical waste off our coasts and now

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2 it's PCBs. And the Hudson River is a
3 beautiful river. The modern environmental
4 movement got started in this region thirty
5 years ago when I was a little kid and we
6 fought to stop blowing up Storm King
7 Mountain for pump storage stations. It was
8 one of the most beautiful rivers in the
9 world. At one time, it used to export the
10 sturgeon from the Hudson River to Europe
11 because it was higher quality than even in
12 Russia.

13 We want to bring that river
14 back. Today more people are using that
15 river swimming, kayaking and fishing on the
16 river than ever before and this is a good
17 start in that direction, that we can make
18 sure the Hudson River is a world class
19 river and people will be able to use it.

20 And one day maybe we'll be
21 swimming at the beaches back in Palisades
22 and the Palisades State Park like we used
23 to do and the river is of that quality and
24 that river is of drinking water quality,
25 but we have to start somewhere.

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2 And going forward right now,
3 the best thing I can say is that the
4 dredge, if it goes forward, in the first
5 year afterwards, well, guess what, you're
6 going to be taking out at least 200 pounds
7 of PCBs in the river. That's me. So every
8 year you can say at least minimally you can
9 take one of me out, maybe you can take two
10 of me out, and that will protect our water
11 for future generations.

12 And, most importantly, we've
13 always believed in the issue of polluter
14 pays; you play, you pay. And it's not some
15 anti-capitalist conspiracy; it's about good
16 American common sense. Let's protect the
17 Hudson River, let's clean it up and let's
18 stop this red-bating garbage because people
19 in this country are sick and tired of
20 polluters getting away with poisoning our
21 waters and our society.

22 Take care, thank you.

23 MR. MC CABE: Ma'am, before
24 you go, let me just cite the last few. We
25 just have four more. Jim Byrdon, Hugh

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2 Carolla, Jim Drexel and Alfred Demola are
3 the last four.

4 Go ahead, ma'am.

5 SPEAKER: I'm Manna Jo Green.

6 I'm the Environmental Director for Hudson
7 River Sloop Clearwater and I bring tonight
8 five petition -- five resolutions from
9 municipalities in New Jersey, the Borough
10 of Edgewater, Fairview, Tenafly, the City
11 of Hoboken, in addition to Fort Lee that's
12 already been mentioned and I would
13 encourage you if you live in other
14 municipalities, see me and I'll give you a
15 blank resolution. Please, these are really
16 important. Our goal is to exceed the sixty
17 that -- it's a false number, but General
18 Electric claims are in opposition and we've
19 done this since December 12th, we have 42
20 and our goal is sixty by April 17th, so
21 help us out.

22 Also, you can go on the
23 Clearwater web site to submit public
24 comment easily and directly and your
25 organization can also sign a resolution.

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2 I just want to show you what
3 we saw in our local paper this morning.
4 This is today's Poughkeepsie Journal. We
5 have estimated that General Electric is
6 spending \$3 million a week on advertising,
7 full-page ads in all of the papers in the
8 mid Hudson and Upper Hudson area. Today it
9 was two full-page ads. I have a box on my
10 desk this big full of advertising and
11 that's only the print advertising. That's
12 from a clipping service.

13 If you take the \$3 million a
14 week and you multiply that times fifty-two
15 weeks in a year, you get something over
16 \$150 million this year that General
17 Electric is spending on advertising. The
18 first year of the cleanup, if you take the
19 \$460 million, you divide that by five
20 years, that would be \$90 million. They're
21 spending more on advertising than they are
22 on taking responsibility to clean up the
23 river.

24 (Applause).

25 And with that, I ask that you

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2 all consider helping by either submitting a
3 municipal resolution, an organizational
4 resolution or your personal public comment.
5 I have blank letters and you can go on the
6 web site, w-w-w, dot, Clearwater, dot, org,
7 slash, EPA and customize your own public
8 comment.

9 Thank you very much.

10 MR. MC CABE: Thank you,
11 Manna.

12 SPEAKER: Tim Burton. My
13 name's Tim Burton, I'm a member of the
14 Hudson River Fishermen's Association and
15 I've been scared to fish in Hudson River
16 because I take my kids down there. They're
17 always asking, well, daddy, how come we
18 can't take the fish home and eat it, and
19 I'm bewildered every time I tell them it's
20 not safe. So the EPA has to do something
21 about that and hope my kids or my kids'
22 kids will enjoy the fruits of eating the
23 fish.

24 I'm tired of the bull, all
25 the ads that's put forth by General

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2 Electric's public relations firms. It's a
3 bunch of crap. It really is. Let's keep
4 it simple. I mean, you know, if someone
5 had done damage to your property, you'd
6 want them to fix it, make the repairs,
7 correct the situation.

8 The EPA, you know what you
9 have to do. Let's do it. What we need you
10 to do. Well, stop the bull. Stop the bull.
11 That's what we gotta have them do. They've
12 dumped the PCBs, it's time for them to
13 clean it up and not just worry about up
14 river, we live down here in the bottom part
15 of the river. Do the whole river, clean it
16 all up.

17 That's all I have to say.

18 Thank you.

19 SPEAKER: Thank you very
20 much. My name is Hughey Carolla. I'm the
21 Program Director for Hackensack Riverkeeper
22 and I'm also the President of the FIKE
23 Nature Association of Bergen County.

24 And I also wanted to thank
25 the folks at the EPA for having this

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2 hearing, for having it here in New Jersey.
3 And I know that I see a lot of the folks
4 here that there are a lot of penpals of our
5 former governor sitting in these chairs
6 here, I myself am one and certainly we will
7 be more than happy to contact your boss and
8 let her know what we think and how much we
9 support you.

10 A couple of things that I was
11 listening to.

12 Number one, unless the PCBs
13 are taken out of the sediment, we're never
14 going to have the fishery back. We're
15 never going to have the fisheries back.
16 We're never going to have the river back,
17 our river. That's a no-brainer.

18 Another no-brainer is the
19 thing we all learned in kindergarten; when
20 you make the mess, clean it up. That's
21 good old-fashioned personal responsibility.
22 And under the American capitalist system
23 corporations are treated like individuals.
24 Same thing, you make a mess or a
25 corporation makes a mess, that's the person

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2 or corporation responsible to clean it up.

3 What GE did in a sense
4 in...you know, thinking about it and
5 reading about it and learning about it,
6 basically what GE did was took the moral
7 equivalent of a very large dump in these
8 people's front yard and backyard in the
9 Upper Hudson Valley and what I don't
10 understand is why, rather than, you know,
11 getting these people to clean up the mess,
12 they seemed to be almost identifying with
13 the criminal and that's exactly what GE is,
14 a criminal. And we want you to know that
15 those of us here are not against you folks
16 up there. We have a common problem, a
17 common enemy.

18 And the last thing I want to
19 say is the insidious thing about PCBs is
20 you can't see them, they don't kill fish
21 immediately, but they're there. I can take
22 you down a couple miles from here and show
23 you the evidence of dumping that you can
24 see in the Hackensack Meadowlands and we,
25 unfortunately, have politicians and

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2 bureaucrats down here that say things like,
3 well, you know, we'll never get that
4 Hackensack Meadowlands clean. The best we
5 can do, and this is a quote, the best we'll
6 ever get is a kind of Meadowlands clean.
7 And we don't -- in Hackensack Riverkeeper,
8 we don't go along with that. We want clean
9 to be clean.

10 And so that may you folks in
11 the Upper Hudson Valley never, ever, ever
12 hear a bureaucrat or elected official or
13 anyone tell you, well, you know, we're
14 never really going to get this river clean,
15 but it'll be Fort Edward clean. We're with
16 you folks.

17 Thank you.

18 MR. MC CABE: Jim Drexel.

19 SPEAKER: My name's Jim
20 Drexel and I am a member of the Hudson
21 River Fishermen's Association as well and I
22 don't know about you, but when I sat here
23 listening to this, I felt different
24 emotions. I was angry and at the same time
25 I was supportive. I'm very angry that no

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2 one stopped this in the first place. I
3 feel that somebody should be looking out
4 for us and I think that wasn't done
5 twenty-five years ago and so I'm very angry
6 about that.

7 I know data takes a long time
8 to prove yourself, ten years...science, I
9 know, has to be a very exact science, but
10 we all know why that had to be done,
11 because somebody had to go through a
12 political process of proving that there was
13 a problem first before we had to solve the
14 problem. We all know the problem was
15 there, they just had to go through this
16 step-by-step process because of politics
17 and that's the unfortunate part. When you
18 make a mess, you clean it up. We just
19 heard that before. Let's just reinforce
20 that.

21 I fish Lake Ontario, I saw
22 what happened in Lake Ontario, the resource
23 that opened up since 1975. And went to
24 Cleveland, Ohio, I saw the flats turn into
25 an area where all of a sudden a river that

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2 was on fire turned into a tremendous
3 resource. Hudson River is an untapped
4 resource. I hope we can clean it up. I
5 hope New York Congress can start to help us
6 down here have access to the river because
7 we pay exorbitant prices to launch our
8 boats and fish the river and we'd like to
9 see somebody help clean up the areas down
10 below so that we can launch down at the
11 bottom, like Glenn mentioned, and get that
12 sediment out of the way.

13 I've seen people take the
14 fish out of the coolers out of Newburg and
15 I know they're eating them, so let's not
16 pretend that people aren't eating these
17 fish, this is a big, big problem.

18 I endorse what you're trying
19 to do, but, again, I have to tell you, I
20 feel let down. I feel like nobody was
21 looking out. I feel like somebody caught
22 you guys and you really didn't step up to
23 the plate when it really mattered. And
24 right now, especially the way government is
25 right now with the lack of trust and

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2 everything that's been going on, I feel
3 that you really need to work that much
4 harder to put the trust back in the people
5 that are here to support you.

6 Thank you very much.

7 MR. MC CABE: Just one point
8 I'd like to clarify.

9 Believe me, we didn't do a
10 ten-year study for politics. It's actually
11 more to do with the law. We have a law and
12 we have regulations and they specify a
13 certain way we have to do it. It's an open
14 process, therefore, anyone who is
15 interested can comment. General Electric,
16 for one, can comment and did. They've put
17 forth a lot of good science, also. We've
18 used their science in addition to ours.
19 And we wish it didn't take ten years, but
20 with the amount of work that was done, as I
21 mentioned, it was a 25-million-dollar study
22 and probably an equal amount from General
23 Electric. That's what it took. There are
24 other people out there that think we're
25 rushing to a decision.

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2 And the last one, Alfred
3 Demola.

4 SPEAKER: Good evening. As a
5 landowner on the Hudson River, be it north
6 of Fort Edward, I am sympathetic to the
7 condition of the water. I have a boat
8 that's on the river in Fort Edward and I
9 would like the EPA to consider that the
10 width of the river up there is sometimes no
11 bigger than the width of this room and
12 what's going to happen to the boat traffic
13 and how are people going to be able to
14 utilize the river recreationally while
15 there's big barges in there.

16 I mean, everyone thinks of
17 Haverstraw Bay and this little barge out in
18 the middle of Haverstraw Bay. They don't
19 realize the river is as narrow as this room
20 is wide in some places. I've traveled the
21 river many times from up and down.

22 You know, and there's also a
23 little bit of hypocrisy. You know, you
24 have all these fishing groups out here
25 crying about the PCBs, but I see them

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2 launching their two-stroke motors which
3 dump a third of their gasoline into the
4 water and unburned gas into the water and I
5 don't see anyone giving up their outboard
6 motors, which are one of the major
7 polluters of a river and so I think -- you
8 know, I think there's a little hypocrisy on
9 both sides.

10 Now, I don't know what's the
11 best way to do this, but as some people
12 don't want to say to their son, we used to
13 be able to eat the fish in the river, I
14 don't want to be able to say to my
15 grandson, you know, we used to be able to
16 water-ski on this section of the river, but
17 we can't do it anymore because everything's
18 been stirred up, there's dredging there and
19 there's no way for the traffic to get to go
20 back and forth.

21 So, you know, I'd like to
22 see, you know, alternatives considered and
23 I don't know who has the best ideas,
24 whether it's the EPA or GE, but the amount
25 of disruption that it will cause to people

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2 in that beautiful section of the river up
3 there is extreme. And I'm sure you know
4 that and I'm sure you realize that these --
5 I'm sure most of you have done fact-finding
6 tours, I would hope, up there and see what
7 this river looks like up there and it's a
8 beautiful place. And, you know, it's going
9 to be ugly for a lot of years.

10 So one my questions are, is
11 how long will it take? How fast do the
12 barges actually move down the river? And
13 what about all the other heavy metals that
14 are in that river besides the PCBs and who
15 put them there? And when GE was dumping
16 those PCBs, were they doing that legally or
17 illegally at the time?

18 Well, if anyone does anything
19 illegal, they should be responsible for
20 cleaning up their mess and I completely
21 agree with that, but I wish the people down
22 state would be sympathetic. I drove two
23 hundred miles to be here to say I
24 understand what's going on down here, but I
25 also have some considerations up north

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2 where we'd like to be able to use the river
3 for recreational purposes and everyone
4 should think every time they start their
5 two-stroke motor up that they're not
6 helping, either.

7 MR. MC CABE: Just a couple
8 of comments on that.

9 I'll certainly go back and
10 look at the sections of the river that we
11 are intending to dredge. However, from
12 what I can recall and have seen on the maps
13 and, yes, we've all been up there,
14 obviously, I don't believe we have any
15 areas that are going to be that difficult
16 or that restrictive, but I'll take another
17 look at it. I don't know how fast the
18 barges move. I couldn't really give you an
19 answer to that.

20 MR. TOMCHUK: Don't know.

21 SPEAKER: I just meant
22 progress-wise, you know, how --

23 MR. MC CABE: We talked about
24 we're confident we can do it within a
25 five-year period and so you can judge it

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2 that way and I don't want to throw things
3 out that are unsubstantiated.

4 And as far as -- I'll try and
5 do this one last time which is almost the
6 last comment anyway -- GE's legal or
7 illegal discharges, GE was discharging PCBs
8 before there were permits. There were no
9 permits, so it's not legal or illegal,
10 there was no system for permits, so there
11 was a lot of that happening.

12 Then for several years, they
13 did have a legal permit from the state and
14 a certain amount was discharged. Then they
15 may have still had the permit, but
16 basically that was shut off in around 1977,
17 I think, but, anyway, and then after that,
18 time there's been a lot of leakage from the
19 plant.

20 Obviously, if GE has paid 150
21 million to clean up the two plant sites,
22 they didn't do that for fun, they did it to
23 clean up PCBs. Obviously, that has nothing
24 to do with discharge. It's not a
25 discharge. It's certainly not an illegal

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2 discharge. It's leakage from the plant,
3 it's in the bedrock, that has to be cleaned
4 up.

5 That's the plan they have now
6 with New York State, to get the last little
7 bit of that, so it's a combination of
8 things, but as far as we're concerned, they
9 are the responsible property under
10 Superfund. Regardless of the way they
11 generated the stuff, they put it there,
12 that's the end of the story on Superfund.
13 They are responsible.

14 But, again, our decision is
15 going to be a technical one. We don't care
16 how much money they have. We don't care
17 about that right now. We have to worry
18 about a decision.

19 The last person, I think Pat
20 O'Hara.

21 SPEAKER: My name's Pat
22 O'Hara, I'm from Export, Pennsylvania, I
23 drove 352 miles to come here tonight.

24 Two reasons why I'm here. I
25 am an environmental remediation engineer by

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2 profession. I've been doing it for twenty
3 years since Superfund started. I worked on
4 about thirty-five Superfund sites. I'm
5 currently working on the RIFS study for
6 what was once the largest transforming
7 plant in the world and my meeting on the
8 proposed plan for that study was yesterday,
9 in another EPA region.

10 The other reason, and that's
11 why I have a strong professional interest,
12 what's happening at Hudson River has
13 affected remedy selection at sites
14 involving contaminated sediment all over
15 the United States, including a site off the
16 coast of California, a site I've been
17 working on, also, so I have a strong
18 interest in what's going on up there.

19 The second interest I have is
20 that I live three miles from a landfill
21 that takes a lot of waste from New York and
22 New Jersey and western Pennsylvania, 355
23 miles from here. Honestly, the remedy
24 selection process that has been gone
25 through for this particular Superfund site

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2 whereby a technology having a regional
3 landfill at the facility screened out early
4 on because of its unpopularity. It's the
5 first in my experience that I've ever heard
6 of that in the Superfund program.

7 I'm not certain that
8 screening it out at that point rather than
9 waiting until a proposed plan has been put
10 forth based on the best science, then
11 getting community input, then getting state
12 input and then modifying the remedy is much
13 more consistent with my experience. And I
14 fear that as a result, the selective remedy
15 could be viewed by some attorney or some
16 party who objects to it, whether it's a
17 sportsman group or potentially responsible
18 party, is not being consistent with what's
19 called the NCP, the National Contingency
20 Plan, and what that would mean if that was,
21 indeed, found, that the EPA has probably
22 lost its ability to recover funds.

23 I will be offering comment on
24 the proposed plan. I'm not going to
25 comment on its technical merits as I

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2 perceive them because I've only looked at
3 it a few hours and I think it would be
4 highly unprofessional to do it.

5 My only comment is sediment
6 cleanups are controversial everywhere, they
7 are difficult everywhere and good, honest
8 scientists disagree everywhere on these
9 issues and the dialogue that took place
10 tonight reflected typical experience on my
11 part.

12 My next meeting at EPA
13 Headquarters will be next week. I'm the
14 former president of the trade association
15 of the companies in North America that do
16 environmental cleanup for a living and I
17 testified before Congress on fixing the
18 Federal Superfund law two years ago, so I
19 commend everybody here in the Hudson Valley
20 for their strong interest in their own
21 environment. The people at EPA have a
22 brutally difficult job in trying to sort
23 their way through it. They're constrained
24 by laws and regulations that are incredibly
25 challenging. Many of us have been trying

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2 to fix them.

3 My trade association both
4 fights with EPA and then and goes and
5 lobbies for their pledges so they'll have
6 the resources to do their job.

7 So, thank you, I enjoyed
8 being here tonight. I learned quite a bit.
9 Thanks.

10 MR. FISCHER: Excuse me,
11 Bill. I just want to address the screening
12 process for the local landfill.

13 We screened out the local
14 landfill as we went through the screening
15 process that's established under the
16 National Contingency Plan, which for those
17 of you who don't know, those are the
18 regulations under which we implement the
19 Superfund program.

20 When we went through that
21 screening process, we determined it would
22 be likely that it would be administratively
23 infeasible to site a local landfill,
24 meaning that it would probably be
25 impossible or extremely difficult for us to

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2 get the required permits and authorizations
3 to site such a landfill in the Hudson
4 Valley, so that's the basis on which we
5 screened it out from consideration.

6 SPEAKER: I understand the
7 reasoning. You know, you have the ability
8 to waive permits as the lead agency and
9 it's just a first in my experience that the
10 political popularity of a remedy went into
11 the initial screening phase. I've never
12 seen that before in my twenty years of
13 experience in this program.

14 MR. FISCHER: Well, permit
15 exemption only applies to remedial work
16 that's performed on site.

17 SPEAKER: Well, it's broadly
18 defined differently at each site in my
19 experience.

20 MR. FISCHER: I understand
21 that, but it was not certified any stretch
22 of the imagination that this is --

23 SPEAKER: I'm not saying this
24 is illegal, I'm not a lawyer. I'm just
25 saying it's different than anything I've

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2 seen in my experience.

3 MR. MC CABE: It is somewhat
4 unusual, but you have to also remember that
5 the whole process here has been somewhat
6 unusual. The amount of public comment that
7 we've gotten is -- far surpasses anything
8 we've experienced and we set it up that way
9 to get that comment, so we knew a lot more
10 about the community's interest at the early
11 stage rather than waiting for a proposed
12 plan and saying, oh, my, look what they
13 think.

14 Well, they made it real clear
15 what they think, but we understand your
16 concerns.

17 SPEAKER: I understand, but
18 Western New York is a community, too, that
19 may well be affected by this remedy.

20 MR. MC CABE: Yes. To sum it
21 up.

22 SPEAKER: My name's Anthony
23 Strulese and I'm from Hasbrouk Heights, New
24 Jersey and I'm also a member of the HRFA,
25 the New Jersey Chapter, and the Boy Scouts

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2 of America and I'm preparing for my eagle
3 scout.

4 All my life I've been told to
5 respect the environment. It's hard to
6 comprehend how GE has been allowed to
7 pollute the river so much. These PCBs are
8 destroying wildlife and ruining the life
9 cycles necessary for survival.

10 I've been taught to clean up
11 when I make a mess. Now it's time for GE
12 to clean up its mess and to support the EPA
13 in its efforts and only wish it hadn't
14 taken twenty-five years to get started.
15 Twenty-five years means the Hudson River
16 has never been clean in my life. I only
17 hope some day I'll live long enough to be
18 able to see a clean Hudson River.

19 Thank you.

20 MR. MC CABE: That's the end
21 of our scheduled comments.

22 Does anybody else --

23 SPEAKER: One last thing is,
24 I've never really quite made it clear, it's
25 not that I'm against the dredging, I'd just

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2 like you to consider an alternative as a
3 person who has had land on the river
4 upstate and I just didn't say that.

5 MR. MC CABE: Before I ask,
6 the stenographer may need a break, how many
7 folks are going to comment?

8 SPEAKER: Just ask some
9 questions.

10 MR. MC CABE: It'll just be a
11 couple minutes, okay. Could you give your
12 name again?

13 SPEAKER: Sure, my name is
14 Andy Wilner.

15 My question is this. We sat
16 through and heard opinions. What I think
17 we need to know is how expeditiously we'll
18 move forward. What's the time frame? When
19 does the rod come out, when does that
20 happen and when can we actually see
21 dredgers on the river?

22 And the second part of my
23 question is, why is the EPA apparently
24 moving forward even after twenty-five years
25 in the Hudson River, but has yet to finish

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2 their environmental risk assessment, human
3 health risk assessment on the Passaic River
4 for the Occidental Chemical site, which is
5 also polluting the Hudson?

6 MR. MC CABE: The schedule
7 for the Hudson River is the comment period
8 closes in about a month and-a-half, April
9 17th, we then obviously have to answer all
10 the comments. There's going to be -- well,
11 we already have cartons full of comments,
12 we expect to get a whole lot more, so it's
13 going to take us a little time to go
14 through those and respond to them.

15 We, by law, have to prepare a
16 responsiveness summary that deals with all
17 the significant comments that were received
18 and that's appended to the Record of
19 Decision. Our schedule calls for the
20 Record of Decision to be signed in August
21 of this year. We expect to meet that
22 deadline, we haven't changed that, except,
23 of course, when we extended the comment
24 period, obviously we had to extend that.

25 Just one quick comment on the

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2 Passaic. That's the next frontier. We are
3 working on that, actually, quite seriously
4 at this point and I hope you'll see some
5 action pretty soon.

6 Is there another comment?

7 SPEAKER: Yes. My name is
8 Peter Orento and I thank you for doing your
9 job and I'm a little disappointed when you
10 said you don't care who's going to pay for
11 this stuff. I pay for your salary and I
12 feel like the criminal ran away and nobody
13 saw him. You know, General Electric is
14 there, they got billions in funds and I
15 just -- I was just a little disappointed to
16 hear you say that it's -- you don't really
17 care about things.

18 MR. MC CABE: I hope I didn't
19 use that word again. I did that one other
20 time.

21 SPEAKER: If I misunderstood
22 you, I'm sorry.

23 MR. MC CABE: If I said
24 'care,' that wasn't the right word. What I
25 meant was I wasn't worried about it right

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2 now. Right now is a technical decision;
3 we'll worry about who pays for it later.
4 I'm very interested in having General
5 Electric pay for it, that's the law.

6 The law says we will go after
7 General Electric. We have a variety of
8 legal mechanisms to do that. If that
9 doesn't work, then we would have to fund it
10 using the Superfund and then try to recover
11 the costs from General Electric, so we have
12 every intention of either having them do it
13 and then pay for it, whatever the remedy
14 might be.

15 Were there any other
16 questions?

17 SPEAKER: Charles Stam.
18 Hudson River Fishermen's Association.

19 We've heard several people
20 testify how much General Electric is
21 spending recently on their advertising. We
22 think they're going to spend equally amount
23 of money to see this project fail. It
24 would be in their best interest if they
25 take an active role in this cleanup to see

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2 this project fail and then to promote that
3 through their future sites, so we would
4 like to recommend that General Electric be
5 restricted to only financial participation
6 of this cleanup and nothing active.

7 The other thing I would like
8 to point out is that, how we can tell the
9 fish are getting cleaner, we'd like to see
10 some accurate testing done on the fish.

11 We shut down in 1996 due to
12 the high concentration of PCBs in the
13 levels in the eggs and in the skin of the
14 striped bass. Currently they test only the
15 filets which don't contain high
16 concentrations of PCBs. We'd like, when
17 testing is done, to know exactly what PCBs
18 or what toxins are in the fish, not just a
19 small portion of it.

20 So we'd like the testing
21 procedures to reflect what our constituents
22 are eating, what our members and what our
23 neighbors are eating, not just a small
24 portion of the fish. Because a lot of our
25 cultures that are in our area don't eat

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2 just filets, they eat the heads, the eat
3 the entrails, the skin, the eggs, they make
4 stew out of it, so we need more accurate
5 testing procedures done as to what levels
6 of PCBs are in our fish and not just small
7 portions of it.

8 MR. TOMCHUK: I'd just like
9 to say that it's my understanding that the
10 FDA action level of two parts per million,
11 the Food & Drug Administration level, that
12 controls commerce of the striped bass is
13 based on filets, not a whole fish sampling.

14 So that, you know, in order
15 to measure against the standard of two
16 parts per million, they need the filet
17 samples. That's why the state collects
18 those.

19 SPEAKER: The problem with
20 that is it puts these other cultures at
21 risk, primarily minorities, and we have a
22 lot of those in our area that are eating
23 fish out of the Hudson River and they eat
24 just more than the filets. It would be
25 nice if everyone was White Anglo-Saxon and

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2 followed those little recipes, but the
3 foreign cultures don't do that.

4 They eat more than that and
5 they are put at risk by having a test of
6 only a certain portion of the fish which we
7 know do not contain high levels of
8 concentrations of toxins.

9 Thank you.

10 MR. MC CABE: I would
11 suggest -- I mean, obviously, we're going
12 to have a very extensive monitoring program
13 for whatever remedy we come up with and I
14 would suggest that any or I would ask that
15 any suggestions you have, please submit
16 them to us.

17 And I already forget what the
18 first question was that you had asked, I'm
19 sorry.

20 SPEAKER: That General
21 Electric not be involved other than
22 financially.

23 MR. MC CABE: Oh, right.
24 That's right.

25 It's understandable and it's

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2 the way a lot of people felt about
3 Superfund for a long time. However, we've
4 been doing it for a very long time having
5 responsible parties conduct remedies at
6 sites with very strict oversight, so they
7 don't get away -- they or any responsible
8 party. I mean, they have other sites that
9 they do work for us on, they're working for
10 New York State right now. They don't, they
11 or anyone else, don't get away with
12 anything. We're there, so it's just
13 another arm of us doing the work.

14 If there are no -- yes, there
15 is.

16 SPEAKER: One of the
17 rationales --

18 MR. MC CABE: Could you --
19 I'm sorry, could you state your name for
20 the record?

21 SPEAKER: Beth Ravin.

22 One of the rationales for the
23 dredging is the resuspension that you
24 believe is occurring. Well, if you leave
25 100,000 pounds, I think that was your

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2 number, of PCBs in the sediment, how do you
3 know that what you're leaving is not going
4 to resuspend?

5 MR. MC CABE: That's a good
6 question. You want to try that first.

7 MR. TOMCHUK: Yeah.

8 The reason that we targeted
9 the other 100,000 pounds is because those
10 PCBs are in the areas where they are
11 getting -- are most bioavailable, so
12 basically by going further we would not see
13 as great fish reductions by adding a lot
14 more dredging because the concentrations
15 are fairly low, they're in fairly coarse
16 grain sediments and basically they're not
17 in the areas that are prime fish habitat,
18 so basically what we targeted are the areas
19 to get rid of the exposure to the fish.

20 Yes, there will be some PCBs
21 that come out of those areas, but the
22 concentration being low reduces the
23 gradient, the difference between the
24 cleaner water and the contaminated
25 sediment, so there's not the force to come

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2 into the water column.

3 A number of reasons, but --

4 SPEAKER: But if you believe
5 resuspension is occurring and --

6 MR. TOMCHUK: Mobilization,
7 not necessarily just resuspension. It
8 could be a number of mechanisms, yeah, but
9 it is occurring.

10 SPEAKER: But if you
11 believe -- and in the report you mention, I
12 believe, a number of times resuspension.
13 If 100,000 pounds are left there, are those
14 sediments subject to resuspension? Are we
15 trying to solve the problem of getting rid
16 of the PCBs in the fish only to find out
17 after we've done this that what we've left
18 there is continuing the problem?

19 MR. MC CABE: We've done the
20 analyses. As I mentioned before, there are
21 a number of alternatives that went further
22 than the one we came up with, the one that
23 we recommended. And, as Doug pointed out,
24 we didn't find that there was that much of
25 a difference between the benefits that we

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2 would gain from doing more versus how much
3 it would cost to do it, so it was taken
4 into account.

5 Ideally, obviously, you know,
6 you get as much as you can, but that's
7 effectively what we're doing.

8 SPEAKER: I understand this
9 was a cost benefit decision, but at the end
10 of the day there are a lot of people
11 sitting here thinking that once this is
12 done, the fish are going to be safe.

13 Is that true?

14 MR. MC CABE: What we said
15 was that we would expect the fish
16 consumption advisories to be lifted at
17 least a generation sooner. There's a lot
18 of --

19 SPEAKER: What does -- what
20 does that mean in terms of a year?

21 MR. MC CABE: There are a lot
22 of assumptions that go into a risk
23 assessment. There is what we call the
24 reasonably maximally exposed individual,
25 let's say RME. That's the one that we go

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2 after as opposed to the average consumer or
3 average exposure. The RME was assuming a
4 half-a pound of fish a week. The average
5 consumer would be a half a pound a fish
6 every two months, if I'm correct, right?

7 So depending upon -- you have
8 a lot of different assumptions. To reach
9 that RME which is, like -- well, it's not
10 the maximum, but it's a reasonable maximum.
11 To reach that number, we have projected out
12 into the future and that would be a very
13 difficult number to reach depending upon
14 the amount of source control that is done
15 at the GE facility. The more that's done,
16 the more likely that that number would be
17 reached.

18 However, the other numbers,
19 say, essential tendency, the average
20 number, the half a pound of fish every two
21 months, or even another number we've used
22 in the proposed plan, half a pound every
23 month, will be achieved about twenty years
24 sooner.

25 So you're talking, I don't

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2 know, what was the year?

3 MR. FISCHER: There's
4 actually -- I don't know if you picked up a
5 proposed plan at the information tables in
6 the front, but on page nineteen there's a
7 helpful table that has the different times
8 -- the time it will take to achieve
9 different fish concentrations under the
10 different remedial scenarios that we
11 evaluated.

12 And if you look at the one
13 meal per month scenario, just for example,
14 it's about thirty years sooner that we
15 project you'll be able to eat one meal a
16 month versus doing nothing.

17 MR. MC CABE: Than doing
18 nothing.

19 SPEAKER: So what year we are
20 talking about?

21 MR. MC CABE: Approximately
22 2035 versus 2067, in that neighborhood.
23 And, again, that assumes that the source
24 control that GE is doing will still result
25 in some amount coming downstream. If we're

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2 able or they are able to completely shut
3 that off, these numbers will be even
4 better, there will be a larger spread
5 between them. And, obviously, that's what
6 we're hoping.

7 SPEAKER: I'm sorry, Gil
8 Hawkins, Hudson River Fishermen's
9 Association. Just have a quick question.

10 Are you aware of the fact
11 that the New York State DEC is thinking
12 about opening up the commercial and striped
13 bass fishery in the Hudson River and
14 allowing those fish to be caught in the
15 shagnets and be sold at the Fulton Fish
16 Market?

17 MR. MC CABE: We're aware of
18 those discussions, yes. Yes, sir.

19 SPEAKER: Ron Shinella, Glen
20 Rock, New Jersey.

21 It seems to me the numbers
22 you're presenting here, if I heard you
23 right, you said you're going to remove
24 100,000 out of the 200,000. If you just
25 forget fish for the moment, it sounds to me

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2 like you're going to reduce the
3 concentration down river here by 50 percent
4 by a factor of two. I feel that's either
5 not work doing or we should do more.

6 In fact, I think in your
7 report you mentioned a possible amount much
8 higher than that, higher than 1.3 million.
9 If you take 100,000 out of 1.3 million,
10 you're going to do very little to the
11 concentration down here, so I think you
12 should address whether you are doing enough
13 or forget it.

14 MR. MC CABE: The 1.3 million
15 was an estimate of the so-called discharges
16 from General Electric.

17 Again, I mentioned that there
18 was a lot of other things -- number one,
19 that's an estimate.

20 Number two, there are a lot
21 of seeps, leaks, et cetera, that weren't
22 discharges. We have no idea how much that
23 was that got into the river.

24 However, that is not what
25 remains in the river based upon the

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2 sampling that we've done and the modeling
3 that we've done. We believe that
4 approximately 200,000 -- approximately
5 200,000 pounds remains there. Doug.

6 MR. TOMCHUK: In the Upper
7 Hudson.

8 MR. MC CABE: Yes, in the
9 Upper Hudson. Obviously the rest of it's
10 moved.

11 The reason, again, that we've
12 settled on the remedy that we did is we've
13 done the analysis and we don't believe we
14 get that much more for a significant
15 increase in cost to remove any more.

16 Again, this is all -- it's
17 not easy to explain. There's a lot of
18 scientific analyses and mathematical
19 modeling that goes into it and that's been
20 the subject of great debate over the last
21 ten years, but those are the kinds of
22 numbers that we come up with.

23 Yes, ma'am.

24 SPEAKER: I'm Marilyn Leski,
25 I'm a member of Friends of Clearwater. I

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2 just wanted to ask if more than one method
3 of dredging has been considered.

4 MR. MC CABE: We're looking
5 at both mechanical and hydraulic dredging
6 or a combination of both.

7 SPEAKER: Don't you feel that
8 the hydraulic dredging is superior to the
9 mechanical?

10 MR. MC CABE: There are
11 advantages and disadvantages to both ways
12 and, you know, again, if people have
13 comments on what they think is better,
14 we'll be happy to take them.

15 SPEAKER: Thank you very
16 much.

17 MR. MC CABE: Yes, sir.

18 SPEAKER: Is GE presently
19 being fined for exceeding any discharge
20 limits by the state or by anybody?

21 MR. MC CABE: Not that I'm
22 aware of.

23 SPEAKER: Well, if they're
24 not being fined on a daily basis for
25 exceeding anything, why the hell should

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2 they do anything? You know, in the past.

3 MR. MC CABE: We don't have a
4 mechanism -- we don't have a mechanism to
5 fine them. They're not violating anything
6 that I'm aware of.

7 SPEAKER: Didn't they exceed
8 limitations on what they were supposed to
9 discharge into the Hudson River in past
10 years?

11 MR. MC CABE: There was a
12 relatively short period of time that they
13 had a permit. I'm sure or I believe there
14 were a couple of incidents where they
15 violated the permit, but, really, that's
16 not the issue, there's so much more than
17 that. That was a short period of time.
18 We're talking about way before there were
19 permits, we're talking about after that.
20 We're talking about seepage from the
21 bedrock, so it's really not a big deal.

22 SPEAKER: But you're
23 currently concerned with the amount of
24 discharge that GE is going to be doing.

25 MR. MC CABE: That's in the

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2 bedrock, that's not really discharging from
3 their pipes. It's already seeped out from
4 their property into the bedrock.

5 SPEAKER: Okay, so the pipes
6 are sealed off.

7 MR. MC CABE: Well, they're
8 not sealed off, but they have a no -- they
9 have what? No discharge or non-detect for
10 PCBs. They have a facility, so naturally
11 they have a discharge. They have a permit.

12 Okay, I think we're going to
13 wrap it up, then. I'd like to thank you
14 all very much for our one trip to New
15 Jersey, thanks.

16
17 (Proceedings adjourned at
18 10:10 p.m.)
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Concordance Report

 Unique Words: **2,774**
 Total Occurrences: **9,253**
 Noise Words: **384**
 Total Words In File: **24,218**

 Single File Concordance

 Case Sensitive

 Noise Word List(s):
NOISE.NOI

 Cover Pages = **0**

 Includes **ALL** Text
 Occurrences

 Dates **ON**

 Includes Pure Numbers

 Possessive Forms **ON**

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C E R T I F I C A T E

I hereby certify that the proceedings herein are from the notes taken by me in this matter of the aforementioned case; and that this is a correct transcription of the same.


TABITHA DENTE, CSR