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Suggested Charge Questions for Hudson River PCBs Superfund site
Engineering Performance Standards Peer Review Panel

Peer review should review extensive modeling that went into developing resuspension standards to ensure its reasonableness and sound and appropriate-

Do models for specific standards interact well?

The development of the draft engineering performance standards laid out a “model sequence.” Is model sequence reasonable and appropriate?

Reasonableness of approach using Safe Drinking Water Standard, 500 ppt, as a benchmark to halt dredging; is it protective?

Can PCB levels, lower than 500 ppt in water be maintained without engineering controls?, with engineering controls?

Reasonableness of approach of tiered action levels - Evaluation Level, Concern and Control Levels.

Reasonableness of 4-week running average for control level.

Reasonableness of 7-day running average for Concern Level – is time frame appropriate and reasonable.

Is review of environmental case study data exhaustive? Does this review appropriately set the basis for this standard?

Based on the need to control PCBs in the water and to control the PCB load is EPA’s production rate schedule reasonable?

Please comment on what are some of the anticipated delays this project may face?

Reasonableness of productivity schedule.

Do standards for resuspension and productivity create potential conflicts? Is enough time built into productivity schedule to allow for resuspension problems or any other problems the project encounters?

Is the averaging approach for residuals using a five-acre certification unit reasonable?

Is the approach, jointly evaluating a 20-acre area, reasonable?

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Are the numbers chosen as benchmarks for evaluation of residuals reasonable?

Greater than 1 mg/kg Tri + PCBs and less than or equal to 3 mg/kg Tri+ PCBs,

No sediment sample - 27 mg/kg Tri+ PCBs or greater, and not more than one sediment sample result of 15 mg/kg Tri+ PCBs or greater.

Is approach used to evaluate re-dredging appropriate?

Is use of sub-aqueous cap appropriate? Should other types of caps potentially be used?

Peer reviewers should examine Baseline Monitoring Scoping Document – both fish and water sampling timeframes, procedure and methods and evaluate in conjunction with performance standards.

Henry S Cole and Associates, Inc, TAG advisor to Scenic Hudson, prepared the following potential charge questions:

1. EPA's proposed performance standard for resuspension relies principally on a reactive mechanism for attaining various resuspension criteria. Scenic Hudson advocates a proactive approach in which GE would be required to design and implement mitigation measures as part of the initial design prior to exceedance of tiered action levels. Under the Scenic Hudson approach, GE would also be required to have contractors, equipment / supplies in place to allow for rapid response if standards are violated by the basic dredging program. We believe that this approach will maximize protection while minimizing delays by preventing and rapidly responding to exceedance. We would ask that peer reviewers to assess the potential advantages of this approach.
2. We are concerned that certain EPA estimates of resuspension and load (transport) are based on assumptions of average flow. However, high flow may account for a very high proportion of total transport. Does EPA's modeling tend to underestimate resuspension and transport associated with high flow conditions?
3. Scenic Hudson comments suggest containment for dredging operations in areas with seasonally high flow as a way of limiting transport of resuspended sediment and of potentially increasing the number of days where dredging can occur. We request that peer reviewers assess the potential advantages of this concept.
4. Are the baseline monitoring and dredging period monitoring programs adequate to support "compliance" with the Performance Standard criteria approach put forth by EPA?