



Comments by the Hudson River Trustees on the Productivity Standard to the Phase 1 Peer Review Panel

Presented 2/18/10 by Tom Brosnan, NOAA's Office of Response and Restoration, Assessment and Restoration Division

The Hudson River natural resource trustees (U.S. Department of the Interior, New York State and the National Oceanic and Atmospheric Administration) would like to raise a concern regarding GE's proposed changes to the residual and resuspension performance standards.

GE's proposal included a reduction in PCB mass removal and an increase in capping. This is a change to the remedy.

As noted by the trustees yesterday, the river is much more contaminated and will remain much more contaminated than the ROD envisioned. GE's proposal to dredge less will result in even greater levels of PCBs left behind.

Re: capping, in the ROD, EPA affirmed that this is a dredging remedy and rejected capping as less protective and not permanent. Phase 1 resulted in 36% of dredged areas being capped, which is significantly more than the 5% that was envisioned by the Engineering Performance Standards. More capping will also result in even less habitat restoration than currently proposed.

Combined, this proposal of less dredging and more capping will even further prolong the recovery of the river.

In conclusion, the trustees hear in GE's proposal a combination of adjustments to the Engineering Performance Standards and a change to the remedy. While the Trustees are not opposed to reasonable adjustments to the performance standards, such changes should not be used to change the remedy.