

MONOSTORY

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2 then cap it so well that it probably will
3 never leak again. And I think the
4 technology that was here could be developed.
5 If they can with that movie Titanic develop
6 technology for the cameras that went down
7 there, just for a movie, which means
8 nothing, they can surely do this with
9 Onondaga Lake if they really and truly want
10 to.

11 And they could go back year after year,
12 maybe the first two years after, then two
13 years, leave a space, two years after, two
14 years, three years. They have barriers that
15 they put on highways when they want to work
16 on them, they can use the same type of
17 technology on the lake. I don't believe
18 they can't. Thank you.

19 0-14 DIRECTOR LYNCH: Les Monostory.

20 **LES MONOSTORY:** I am Les Monostory,
21 M-O-N-O-S-T-O-R-Y. I'm president of the
22 Onondaga County Federation of Sportsmen's
23 Clubs, and I represent about 30 clubs and
24 several thousand members of sportsmen who
25 are some of the primary users of the lake in

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2 terms of fishing, boating and we have a fair
3 number of duck hunters that also use the
4 lake for hunting purposes.

5 1 And my concern is about shoreline safety
6 issues. Many of you may not be aware that
7 along the shorelines where Allied had the
8 wastebeds, which really covers basically
9 from Nine Mile Creek all the way to past
10 Onondaga Creek to Ley Creek. There was
11 these wastebeds that leaked calcium
12 sediments into the lake and particularly
13 along the shoreline by the so called white
14 cliffs, which is the area adjacent to the,
15 well the New York State Fair parking areas.

16 There are areas along the base of those
17 cliffs where if you walk into the water you
18 may fall through a hardened calcitic
19 sediment which has been deposited along
20 those shores.

21 On November 26th I wrote a memorandum to
22 Honeywell and DEC Region 7 about safety
23 concerns related to Honeywell clean up of
24 Onondaga Lake bottom sediments. I expressed
25 concern over safety issues along the western

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2 shoreline related to potential hazards for
3 fishermen or boaters who might try to either
4 wade or land a boat along the Onondaga Lake
5 shore.

6 Honeywell responded with a letter dated
7 December 17th, in which they described
8 proposed remedial measures specifically for
9 the white cliffs section of Onondaga Lake,
10 which comprise portions of SMU 3 and SMU 4.

11 With regards to the sediments beneath
12 the white cliffs in SMU 3, Honeywell's
13 letter indicates that the FS, I can't think
14 right now, what does FS stand for?
15 Feasibility Study recommended alternative
16 includes dredging of near-shore sediments
17 followed by capping along much of the
18 shoreline.

19 Shoreline stabilization would be
20 completed along the remainder of the
21 shoreline in this area. And those areas
22 targeted for dredging and capping, calcitic
23 sediments would be removed. And those are
24 these sort of glass type of sediments that
25 I'm talking about. And the area covered

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2 with capping materials comprised of stone,
3 cobble and sand. The thickness and size of
4 these materials will be determined during
5 the design phase.

6 They continue. "Various techniques
7 would be used for shoreline stabilization,
8 and may include vegetative plantings and
9 brush mattresses. Along those portions of
10 the shoreline that are either exposed to
11 wave energy or more steeply sloped, stone
12 may be placed at the bottom of the slope to
13 stabilize the substrate and prevent erosion
14 of the shoreline treatments. Honeywell
15 believes these techniques will address the
16 potential safety concerns you raised related
17 to calcitic sediments along 2,500 meters of
18 shoreline."

19 Again, this would be the area roughly
20 from the 690 turn-off to State Fair Grounds
21 to Ninemile Creek. That's approximately
22 about 2,500 meters of distance.

23 Shoreline Safety Recommendations: In
24 reviewing both the Honeywell and DEC plans
25 for dredging and capping of the shoreline

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2 sediments in both SMU 3 and SMU 4, it is
3 clear that specific areas along the shore-
4 line will be dredged and capped from the
5 lakeshore up to depths up to 9 meters.
6 However, the reports are unclear regarding
7 what specific stabilization measures will be
8 completed along the shoreline sediments not
9 specifically targeted for dredging and
10 capping in this area.

11 2 In order to address the issue of
12 physical safety concerns for anglers or
13 boaters who may try to access the shoreline
14 along the base of the white cliffs, I am
15 recommending that solidified calcitic
16 sediments along the entire 2,500 meters of
17 shoreline at the base of the cliffs be
18 removed to a water depth of one to two
19 meters, and that the entire shoreline be
20 stabilized with capping material composed of
21 stone, cobble or sand to a minimum water
22 depth of 1.5 meters.

23 The purpose of this additional shoreline
24 stabilization is to provide safe
25 recreational access for shoreline waders,

KACZMAR

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2 anglers and boaters, who are currently at
3 risk when they try to walk the lake shores
4 at the base of the white cliffs there, due
5 to existing layers of unstable calcium
6 carbonate sediment.

7 I also have a separate statement which I
8 may present later with regards to a fishery
9 goal statement for Onondaga Lake and
10 tributaries.

11 0-15 DIRECTOR LYNCH: Dr. Kaczmar.

12 DR. KACZMAR: S-W-I-A-T-O-S-L-A-V
13 K-A-C-Z-M-A-R. I'm adjunct professor at
14 Syracuse University and I'm chief scientist
15 for O'Brien & Gere engineers. I'm here
16 tonight speaking as an independent
17 scientist. I had the good fortune of a
18 public education. I have been performing
19 risk assessment investigations such as this
20 for over 20 years and teaching others to do
21 the same.

22 1 I performed an independent review of the
23 remedial investigation in the Feasibility
24 Study for Onondaga Lake. Having reviewed
25 that, I place particular focus on the risk

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2 assessment itself. Basically what a risk
3 assessment is, it evaluates the chemicals in
4 the system and it puts together a model of
5 hypothetical exposures, and what's known
6 about the toxic impact.

7 In reviewing this model the assumptions
8 that were incorporated were very conserva-
9 tive, okay. Meaning that they had some very
10 - assumptions that are unrealistic, but for
11 the purposes of over-stating the risks. And
12 the reason they're over-stated is for the
13 purpose of protectiveness, not to try to put
14 down, you know Honeywell caused the problem
15 or whatever. But taking in the worst case,
16 so that the uncertainties that might be
17 inherit in the system, there are many, could
18 be controlled.

19 Within that context there were some
20 remedial actions taken to address those
21 conservative risks. And it's my independent
22 opinion that the remedies in the Feasibility
23 Study adequately address those risks. And
24 so I believe it's protective, and I believe
25 it's for all practical purposes an

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2 appropriate remedy.

3 2 I'm particularly encouraged by the
4 enhancements that are present. These are
5 the kinds of things that are not required,
6 okay, but really are going to make our
7 community a better place, both on the
8 ecological part in providing an integrated
9 potential for development of the community.
10 I'm very happy to see that and I'm happy to
11 be here. Thank you.

12 0-16 DIRECTOR LYNCH: Sharon Fulmer.

13 SHARON FULMER: Thank you. I'm a
14 resident of Liverpool and have been for more
15 than three decades. My family was raised in
16 Liverpool. I have served on two of the
17 Onondaga Lake committees that existed back
18 in the 19 - I don't know '80s and '90s. I
19 see a few people here who were part of that
20 group for the most part. We have all
21 figured it was going to take a long time for
22 something to happen.

23 1 And to that end I sincerely hope as
24 others have said before me that Honeywell
25 and the DEC can come to an agreement without

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2 requiring long drawn out processes that can
3 see this go forth as quickly as possible.

4 2 I'd also ask one thing. The last slide
5 you showed today talked about how people can
6 view information about what's been going on
7 at the Syracuse library and DEC and one
8 other place I can't remember what it is.
9 I'd ask that you remember the people who are
10 affected the most by this, those being the
11 people who live in Liverpool, the village
12 and outside the village. And those people
13 who live on this side of the lake as well,
14 and that you provide all those written
15 materials for the Liverpool library, which
16 is open seven days a week and open until 9
17 o'clock every day. And for the library in
18 Solvay or Camillus, Solvay and Camillus,
19 which probably have some more hours. Thank
20 you.

21 0-17 THE COURT: Dereth Glance.

22 **DERETH GLANCE:** My name is Dereth
23 Glance, I'm a Central New York Program
24 Coordinator for Citizens Campaign for the
25 Environment. CCE is a not-for-profit,

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2 non-partisan advocacy organization with over
3 80,000 members across the State of New York
4 and in coastal Connecticut. We work for the
5 protection of public health and natural
6 environment.

7 1 CCE understands the challenges to
8 remediate the Onondaga Lake bottom and of
9 the toxic, persistent and bioaccumulative
10 chemicals and metals discharged from
11 industrial polluters are unparalleled. CCE
12 appreciates the efforts of the New York
13 State Department of Environmental
14 Conservation - I'll call you the Department
15 from now on - Honeywell International and
16 the host of stakeholder groups dedicated to
17 improving Onondaga Lake.

18 CCE plans to submit formal detailed
19 comments for thoughtful review by the
20 Department. Today, because of the time
21 constraints I'll limit my comments to the
22 following recommendations.

23 2 First, CCE urges the Department to hold
24 additional public hearings in a question
25 answer and format. We're very pleased to

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2 hear about the question and answer that will
3 follow this public comments process, I don't
4 know the time that will be. And so from the
5 turnout tonight it looks like we can really
6 stand to have another public hearing in
7 February. I understand there are several
8 folks in the community that have been very
9 involved in the process and were unable to
10 make it today due to a variety of different
11 conflicts.

12 Specifically we would like to have the
13 additional public hearing to be held in the
14 question and answer format so that we can
15 inspire more and more questions from the
16 community to thoroughly ask some good
17 questions about the plan.

18 3 Secondly, we believe that CCE - we
19 believe that the Department should provide
20 ample opportunity for public involvement
21 during the design phase. CCE understands
22 that some of the most important decisions to
23 be made regarding the Onondaga Lake bottom
24 clean up are currently scheduled to occur
25 during the design phase. These key

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2 decisions currently include determining the
3 appropriate Sediment Containment Area or the
4 SCA, identifying the appropriate method of
5 effluent treatment, in determining the long
6 term monitoring requirements.

7 CCE believes these issues and others
8 raised by this project will impact the local
9 community and that the design phase needs to
10 be transparent and accessible to the public.
11 To this end, CCE recommends that the
12 Department establish a Citizens Advisory
13 Committee or CAC. The Citizens Advisory
14 Committee should advise, provide guidance
15 and support the Onondaga Lake remediation
16 efforts.

17 CAC members would meet on a regular,
18 perhaps monthly basis, to review plan
19 implementation, provide input on design
20 phase decisions, and receive reports on
21 Onondaga Lake remediation progress and
22 challenges. The CAC should consist of
23 members representing the Onondaga Nation,
24 scientists, environmentalists, local
25 environmental officials and concerned

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2 citizens. Such CACs are well established
3 throughout New York State and the nation and
4 have been beneficial to government agencies,
5 stakeholder organizations and the general
6 public.

7 4 Finally, CCE believes that the
8 Department should require public education
9 as part of the Onondaga Lake bottom
10 remediation efforts. CCE is concerned that
11 the Proposed Plan, including the three
12 preliminary remediation goals or the PRGs do
13 not include a public education component to
14 inform the public about the risks of our
15 changing local waterbody.

16 CCE believes Onondaga Lake remediation
17 discussions and actions need to be part of a
18 coordinated public education effort that
19 will inform individuals about the safety of
20 using the lake for common recreational
21 activities such as fishing, consuming fish,
22 wading, swimming and boating.

23 Specifically, CCE is concerned about the
24 PRG 2 or the Biological Tissue Goal, which
25 is to achieve pollutant concentrations, to

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2 the extent practicable in fish tissue that
3 are protective of humans and wildlife that
4 consume fish.

5 The extensive mercury contamination in
6 Onondaga Lake warrants aggressive public
7 education efforts concerning fish consumption
8 CCE understands that this is a long term
9 goal, and that the public education and
10 outreach efforts about the risks to human
11 health from consuming Onondaga Lake fish
12 needs to be a critical part of the
13 remediation plan to protect public health.

14 Thank you.

15 0-18 DIRECTOR LYNCH: Don Hughes.

16 DON HUGHES: Thank you, my name is Don
17 Hughes, H-U-G-H-E-S. I've served as techni-
18 cal adviser to Atlantic States Legal Founda-
19 tion, and I'm a resident of the city of
20 Syracuse since 1985, I believe. I'm going
21 to talk, going to add to Sam Sage's comments
22 earlier, but talk more about some of the
23 technical issues concerning the remediation.

24 1 First of all, people should know that
25 the remediation depends very heavily on the

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2 viability of the slurry wall. This is an
3 intermediate, interim remedial measure which
4 is to be placed along the western shore in
5 the corner of the lake, it's a mile and-a-
6 half long. And it will hopefully cut off
7 the movement of non-aqueous phase liquids
8 from entering the lake. This has got to
9 work for this whole plan to work. If it
10 don't work we're going to be in trouble.

11 It has the cap, which is to be placed
12 over the in-lake deposit is designed on a
13 groundwater flow of 6 centimeters per year,
14 the existing groundwater flow is about 200.
15 So the slurry wall has got to reduce it, has
16 got to cut off the groundwater, and you have
17 to pump that groundwater into a treatment
18 system. Okay, so that's a big concern.

19 2 Another concern I've got it has to do
20 with what we're doing with the sediments.
21 The sediments are going to be pumped up to
22 the wastebeds, wastebed number 13 has been
23 tentatively selected and I would ask why
24 that one? It would seem that treatment has
25 not really been considered to any extent

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2 except to the most cursory level.

3 The contamination in the sediment is
4 concentrated in these tarry deposits which
5 are a non-aqueous phase. And these things
6 are dispersed throughout a matrix of calcium
7 based waste which is the Solvay waste, which
8 is the white, the same stuff that's the
9 white cliffs. And it's probably a fairly
10 easy task to separate those two things.
11 This is, you can use mining technology to
12 separate things which have different sizes
13 and different densities, and it's cheap.

14 It's been demonstrated on contaminated
15 sediments in Saginaw Harbor, Saginaw Bay.
16 And I was part of that investigation and it
17 does work. And I think that the Department
18 and Honeywell should look extensively into
19 that, because that's a way to take the
20 toxicity out of the sediments. And that is
21 a primary goal of Superfund is to signifi-
22 cantly and permanently reduce toxicity.

23 3 Another big issue is once you get the
24 sediments onto the wastebeds what about
25 volatile emissions? The sediments contain a

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2 whole host of volatile chemicals, including
3 benzene, toluene, chlorobenzene,
4 dichlorobenzenes, xylenes and so forth.
5 These things don't only smell bad, they are
6 toxic. And we don't want to expose either
7 residents or workers to this stuff. So
8 we've got to have a good control system on
9 odors, on emissions.

10 4 Another issue has to do with the deep
11 waters of the lake. Now the plan really
12 focuses on the littoral zone, the shallow
13 waters of the lake, the profundal zone,
14 which is the deep waters, is - well, it's
15 kind of left in the lurch. It's - the plan
16 really lacks a plan other than wait and see.
17 That's what monitored natural recovery is.

18 The concentration of mercury will be
19 monitored in surface sediments over time,
20 over 10 years. And this is somehow going to
21 be modeled using a program called STELA.
22 STELA is a generic program for which any
23 number of parameters and inputs can be
24 specified. Right now we're kind of lacking
25 basic inputs as to what's going to go into

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2 that.

3 And there is a lot of issues having to
4 do with disturbance of the sediments and how
5 the STELLA is going to successfully model
6 the sediments. You've got groundwater
7 moving upward into the sediments. There is
8 a release of gas bubbles called ebullition,
9 because there's been so much organic matter
10 deposited in the bottom. And once the lake
11 becomes more hospitable in the bottom
12 waters, hopefully that's going to happen,
13 now that Metro is being upgraded, we're
14 going to see more fish and macro-
15 invertebrates living in the bottom waters,
16 which means more disturbance, more
17 bioturbation of those sediments.

18 And based on the comments of Mr.
19 Freedman we might see some boat anchors to
20 worry about as well. So the profundal zone
21 is a big big question mark. I would tend to
22 characterize this whole remedial action as
23 Part 1, the littoral zone. And Part 2 is
24 the profundal zone, that will come later.

25 Finally I've got a generic comment

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2 5 how the decision-making process goes. All
3 three of the preliminary remediation goals
4 and all five remedial action objectives are
5 qualified by the phrase "to the extent
6 practical." This type of language is
7 typical in the Feasibility Study. But who
8 decides what is practical and how will the
9 public learn of and participate in these
10 decisions?

11 How useful is the public -- how useful
12 to the public is a goal that is achieved
13 based on an undefined assessment of
14 practicability? Is a qualified goal a real
15 goal? Shouldn't goals and objectives be
16 transparent, achievable and measurable?

17 Why not define what clean up levels are
18 technically practicable given the very best
19 model cutting edge remediation technologies
20 fully justifying and documenting the
21 determination to the public, and make those
22 the achievable and measurable goals. Thanks.

23 0-19 DIRECTOR LYNCH: Sara Eckel. Sara Eckel
24 here?

25 SARAH ECKEL: E-C-K-E-L, S-A-R-A-H. I

ECKEL & EFFLER

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2 1 have seen the proposed plan to use existing
3 wastebeds to contain the various sediment.
4 And my concern evolves around the fact it
5 will not include a comprehensive clean up of
6 these existing wastebeds. While I under-
7 stand the cost-effectiveness of the already
8 contaminated areas I do not believe the plan
9 should ignore the future problems that could
10 result from leaving these areas untreated.
11 I also understand the need to move this plan
12 forward and I believe it should be done with
13 future generations in mind.

14 0-20 DIRECTOR LYNCH: Steve Effler.

15 STEVE EFFLER: E-F-F-L-E-R. I am
16 director of research of the Upstate Fresh-
17 water Institute, a not-for-profit research
18 organization, and it's involved in the
19 research study of a number of fresh water
20 systems throughout New York State.

21 I've spent the larger part of my
22 professional life studying Onondaga Lake.
23 Some people do Lake Tahoe, some people do
24 Lake Erie -- well someone had to do it I
25 guess.

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2 Anyway, the Institute over the last 20
3 some odd years has published more than 200
4 articles in the peer reviewed literature,
5 and we're quite proud of the fact that one
6 of those articles entitled The Impact of the
7 Chlor-alkali Plant in Onondaga Lake and
8 Adjoining Systems was actually the primary
9 technical basis for the provisional lawsuit
10 that has led to this cleanup.

11 As I said, we're involved in the
12 research of a number of systems and have in
13 the last decade led the development of water
14 quality models for the New York City
15 reservoir system.

16 Let's get down to where we stand based
17 upon our review of much of the available
18 documents with regards to cleanup of the
19 Honeywell site. We enthusiastically endorse
20 the proposed rehabilitation efforts for the
21 site that include removal of toxic sediments,
22 capping of sediments, and improvement of
23 degraded habitat. We endorse proceeding
24 without undue delay. Let's get on with it,
25 we have all waited a long time. With the

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2 following caveats, of course.

3 2 There is a continuing review process.
4 EPA will be involved in continuing technical
5 review. There are portions of these
6 documents that frankly fall outside of our
7 expertise. And also we understand the way
8 this process works, if indeed we find new
9 sources of contaminant problems in the
10 future during clean up those items would
11 also be addressed.

12 3 All those nice things said, and by the
13 way all the hard work that I know has gone
14 into this, those efforts certainly should be
15 applauded. All that said however, we have
16 great concern with the lack of understanding
17 of the behavior of contaminants from the
18 Honeywell site within the lake itself. This
19 is - we don't fault any of the agencies or
20 organizations involved, to our way of
21 thinking this is largely attributable to the
22 constraints embedded in the Superfund
23 process. It's simply a very difficult arena
24 to get some of the basic scientific
25 information that I think we still need.

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2 Why should the community care about this
3 esoteric stuff? Well, because neither
4 Honeywell or the state can really tell us
5 how much better the lake will be following
6 execution of these rehabilitation programs.
7 Meaning, they cannot answer the question
8 quantitatively at least, how much lower will
9 fish mercury concentrations be following
10 these programs? Think about that. And
11 that's not just mercury, the other
12 contaminants also.

13 We have every reason to expect, as they
14 have argued, things will be better. But at
15 this point don't you think we ought to know
16 how much better? And basically this comes
17 down to the what's lacking is a credible
18 scientific mathematical model that can
19 predict responses in the lake to these and
20 other management actions. There was
21 originally a mathematical modeling element
22 in the Superfund work, particularly related
23 to mercury. But these efforts had to be
24 dropped.

25 While we support moving ahead with clean

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2 up actions without a model - I'll say that
3 again. We do support moving ahead with
4 clean up actions without a model, this
5 limitation should be eliminated in the
6 future. We need those tools, we need that
7 level of understanding. As Charlie Driscoll
8 from Syracuse University was recently
9 quoted, "If you understand the system you
10 can model it."

11 So where we are is, while we expect
12 things to get better and indeed so do I, I
13 think we want to know it a little better
14 than that.

15 Further, UFI recommends that this model
16 be developed and tested outside of the
17 Superfund process. Simply put, the process
18 by the way it is set up it is simply not the
19 arena to get this level of understanding.
20 The kinds of questions or information such a
21 tool gives is, it allows us to evaluate the
22 feasibility of reaching various goals,
23 certain levels of contamination in fish
24 flesh, it will help us establish reasonable
25 expectations for the lake in response to

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2 rehabilitation efforts. How much better
3 will it get? And allow and support
4 quantitative evaluation of management
5 alternatives. And could contribute to
6 future parts of a management program.

7 4 Lastly, we support the comments of a
8 number of previous speakers with regards to
9 the monitoring program. The monitoring
10 program is extremely important, particularly
11 for the adopted build and measure approach
12 that relies primarily upon monitoring
13 information before and after implementation.

14 This needs to start ASAP. We really
15 don't have, from what's been done so far,
16 adequate monitoring data to be able to
17 assess how much better things are going to
18 be following implementation. This needs to
19 be designed and implemented so that it can
20 also support the modeling program. It needs
21 to be flexible to allow changes in response
22 to observations, it needs to be flexible,
23 right.

24 In other words when we see certain
25 behavior we need to make changes. And

CIAMPI & PEDEMONTI

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2 that's very difficult within the Superfund
3 process. And we believe that this data
4 needs to be available to the public soon
5 after collection as well as other experts.
6 Thank you very much for your time.

7 0-21 DIRECTOR LYNCH: Nancy Ciampi.

8 **NANCY CIAMPI:** Thanks, Ken. Nancy
9 C-I-A-M-P-I. I'm a town of Geddes resident.
10 And I just want to say thank you, express my
11 appreciation to the DEC, to Honeywell, Earth
12 Tech, for the sessions that were held in the
13 Town of Geddes December 9th, and the two
14 sessions in January, as well as tonight.
15 And hope that they continue.

16 1 My comment is that I feel these sessions
17 are very important to the success of the
18 plan and that the public needs to know that
19 there will be well publicized open and
20 honest public meetings to get frequent
21 status updates and share their concern.

22 0-22 DIRECTOR LYNCH: Peter Pedemonti.

23 **PETER PEDEMONTI:** P-E-D-E-M-O-N-T-I. I
24 1 just like to say I would like to see the
25 most thorough and complete clean up of the

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2 lake regardless of time or cost. Just
3 because when put into the context of our
4 responsibility to future generations, the
5 Onondaga Nation, wildlife and the lake
6 itself, it means a little less. So thank
7 you for the opportunity to comment.

8 0-23 DIRECTOR LYNCH: David Arnold.

9 DAVID ARNOLD: My name is Dave Arnold,
10 A-R-N-O-L-D. I'm a life long resident of
11 Onondaga County, Town of Clay. And I am a
12 farmer. My farm is located on Route 57,
13 just north of Moyers Corners almost to Three
14 Rivers.

15 1 Two years ago on January 15th, 2003, I
16 stood in front of you and spoke against
17 issuing Evergreen Recycling a permit to
18 operate in the Town of Clay. Along with 500
19 others we spoke our minds and collectively
20 convinced you this was not a good idea, even
21 though the Clay officials did. During this
22 meeting I spoke about illegal acts committed
23 by our elected officials. Since that time
24 our representatives have rewarded those acts
25 by issuing more than \$2.5 million in grants

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2 on projects involving a fraudulent contract
3 at Three Rivers Point.

4 The Onondaga Lake Cleanup Project is
5 much larger than the projects involved in
6 Clay. The Clay Brownfield clean up project
7 at Three Rivers could easily surpass \$50
8 million if the land is cleaned up the way it
9 should be.

10 If we can't even start a project in Clay
11 without corruption and fraud at the \$50
12 million level, how in the world can Onondaga
13 Lake Cleanup Project succeed? A half a
14 billion dollars in this town is a big chunk
15 of change. We need someone at the county
16 level that we can trust to take charge and
17 appoint public committees of oversight that
18 will independently scrutinize all phases of
19 these projects. We must all take responsi-
20 bility for neglecting Onondaga Lake and
21 Three Rivers Point. Yes, the perpetrators
22 will pay a large price, but we will pay an
23 even higher one if we don't succeed.

24 On September 10, 2004, I contacted the
25 Attorney General's office. It is my hope

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2 that Mr. Spitzer will investigate and
3 prosecute all those involved in corruption
4 and fraud in Onondaga County, so we can then
5 proceed with confidence on these extremely
6 important environmental projects.

7 We are fortunate in this country to be
8 able to criticize those who represent us.
9 What is unfortunate is when they refuse to
10 listen. Thank you.

11 0-24 DIRECTOR LYNCH: Sherry Mossotti.

12 **SHERRY MOSSOTTI:** Thank you. Hello, Ken.
13 Sherry M-O-S-S-O-T-T-I. I'm here to speak
14 1 as a citizen and a taxpayer of Onondaga
15 County. I am a life long resident of this
16 county. For over 23 years I have driven by
17 Onondaga Lake and thought what a shame.
18 I've traveled all over the world, and it
19 doesn't take someone to travel to know the
20 importance of a lake on a community. This
21 is an opportunity, folks.

22 In my position as executive director of
23 the Premier Community Leadership Program in
24 this community that trains and educates our
25 community's leaders which include 600 adults

MOSSOTTI

1
2 and 300 youth leaders, we have had the
3 opportunity to hear about the history of the
4 lake from a historian, what's in the lake
5 from the scientists and biologists, the
6 engineers, the methodologies for clean up,
7 and also the economic potential of Onondaga
8 Lake. Onondaga Lake clean up is a topic
9 that continually comes up among our
10 community leaders that we train every single
11 year.

12 We have met with Honeywell, we have met
13 with the DEC, and we have reviewed all of
14 the proposed plans. I have discussed this
15 with Ken Lynch, Neil Murphy, who is the head
16 of SUNY ESF, numerous scientists, engineers
17 and residents both adult and youth. And it
18 was great to see some young people come up
19 and speak this evening.

20 On behalf of Leadership Greater Syracuse
21 we applaud Honeywell, the DEC, the county,
22 the city, O'Brien and Gere, and all the
23 interested parties for coming together to
24 the table. And we ask you, no, we implore
25 you, on behalf of our community, our

BROWN

1
2 wildlife, our children and our grandchildren,
3 to continue to come together and work at the
4 table and move this project forward to find
5 a resolution that we can all be proud of for
6 years to come for our children and our
7 grandchildren. Thank you.

8 0-25 DIRECTOR LYNCH: Terry Brown.

9 TERRY BROWN: Thank you. I have to be
10 honest I'm a little conflicted here this
11 evening, didn't know whether I was going to
12 say anything. But I'll get unconflicted at
13 the end of my comments here. My name is
14 Terry Brown, I'm am chairman/CEO of O'Brien
15 & Gere, it's an engineering and construction
16 firm headquartered in Syracuse, New York.
17 And I have lived in Syracuse all my life. I
18 raised my family, and I've been with O'Brien
19 & Gere nearly 30 years.

20 I spent my first six years of my career
21 with O'Brien & Gere making or building the
22 third Metro wastewater treatment facility.
23 It's now in its fourth construction. In
24 1974 that was supposed to clean up the lake,
25 if people go back and look at the newspaper

BROWN

1
2 articles.

3 I really have a passion for the
4 community, a passion for this lake. And I
5 have really more so a passion of the
6 opportunity we have as a community in front
7 of us.

8 As an organization, O'Brien & Gere,
9 we're in our 60th year. Our founder, Earl
10 O'Brien, graduated from Solvay high school
11 in 1913. So we have a presence in this
12 community. We pride ourselves in offering
13 cost effective environmental solutions for
14 our clients and municipalities we serve.
15 Solutions which on sites, environmentally
16 impacted, they protect the environment for
17 future generations. That's kind of the
18 background.

19 1 As I started listening to some of this
20 thing, I've attended these information
21 hearings and I have spent a lot of time in
22 the last, I spent 18 months looking at the
23 sites and what they could be, trying to
24 develop a vision with a couple of my
25 colleagues on our own time. And the vision

BROWN

1
2 that we can create as community for the
3 sites and the lake is just unbelievable.

4 We really are at a crossroads in this
5 community as to what we can do. And the
6 thing we talk about, and I'm an engineer,
7 which is much different from a scientist,
8 I'm a doer. And I was trained, some of my
9 training was in military. The one thing I
10 was trained to get was the information, as
11 much as you can, in your gut, you know
12 what's ahead and there is tough times ahead
13 of you but you manage the situation and go.

14 And we can talk about modeling, and all
15 this other thing that we've talked about but
16 there is a point in time where we have to
17 go. And I'm sorry, we have made this so
18 confusing for the public, modeling and the
19 science. This is not. And I beg
20 forgiveness from some of my scientific
21 colleagues, this is not rocket science. We
22 don't need to make it difficult for this
23 community to understand.

24 We have enough information and to go
25 with the information we have, to have an

BROWN

1
2 effective clean up in this community and
3 create a vision. But we have to have a
4 sense of urgency. That's what I want to
5 stress, this is not necessarily the DEC but
6 the people that are commenting and running
7 comments in the future.

8 We have, I have worked on sites for 25
9 years. We've had numerous corporations,
10 we'll buy out a site, different philosophy,
11 different management team come in. We have
12 an organization willing to invest in this
13 community now and take action. That could
14 change tomorrow. We can't let this slip by
15 us.

16 And when I say acting, take the
17 information that we have, I could give you a
18 resume of hundreds and thousands of
19 environmental sites. And we just had some
20 information, we knew what the science was,
21 we didn't have all the answers but we went
22 out there and cleaned it up. And to my
23 knowledge O'Brien & Gere was never cited for
24 any environmental citation, our reputation
25 is flawless in the nation. We have worked

BROWN

1
2 with DEC and some of the gentlemen sitting
3 here on numerous occasions. We didn't have
4 a lot of information, but we had enough
5 science, we knew what the conditions were
6 and we managed it.

7 2 So my comment really to this group here
8 is we have to have a sense of urgency. We
9 have to make the science simpler. We can do
10 the modeling as we go along. We'll learn
11 more by doing and addressing the issues as
12 we take on the environmental remediation
13 than we will ever learn in the modeling
14 process. And we'll have better models in
15 the future. But we have to move on.

16 A very wise gentleman said to me this
17 afternoon, who we all respect in this
18 community, he said, we have an opportunity
19 and we've got to make it right. But we also
20 have to move and we have to move with
21 urgency so we don't lose this opportunity.
22 Thank you.

23 DIRECTOR LYNCH: Those are all the
24 people that signed up to speak. Is there
25 anyone else who wants to speak for the

MONOSTORY

1
2 record other than a question and answer
3 period? Les?

4 0-26 LES MONOSTORY: I'm speaking now on
5 behalf, well as a co-chair of the Fisheries
6 Subcommittee of the Onondaga Lake
7 Partnership, also vice-president of the
8 Central New York Chapter of the Izaak Walton
9 League. And I'm going to talk about a
10 fishery goal statement for Onondaga Lake and
11 tributaries.

12 1 "It is difficult to evaluate the
13 restoration plan for Onondaga Lake without
14 first reaching a community consensus on the
15 restoration goals and objectives for
16 Onondaga Lake and it's major tributaries."
17 This is a memo that I wrote to the Outreach
18 Committee on October 27th, and also
19 addressed to the committee chairman, who is
20 Seth Ausubel with the US EPA.

21 "On November 10, the Fisheries
22 Subcommittee meetings included a discussion
23 on fisheries goals and objectives for
24 Onondaga Lake. Comments include the
25 following:

MONOSTORY

1
2 Participants at the first Onondaga Lake
3 Fisheries Roundtable agreed that we want to
4 improve what fisheries we already have.

5 Onondaga Lake and it's principal
6 tributaries can be promoted as a combination
7 cold-water and warm-water fishery.

8 The Fisheries Subcommittee members
9 agreed that as a future fisheries goal,
10 Onondaga Lake should be clean enough to
11 support both warm-water and cold-water fish
12 species, including trout and Atlantic
13 salmon.

14 On November 17th I received an e-mail
15 from Dave Lemon, an aquatic biologist with
16 DEC in Cortland. Lemon is a member of the
17 subcommittee but was not able to attend the
18 November 10th meeting. He had the following
19 comments:

20 Reading over the November 10 meeting
21 minutes I just wanted to provide some
22 comments regarding the desire for creating a
23 cold-water fishery on Onondaga Lake." We're
24 getting a little technical here but this is
25 - Lemon makes some interesting points.

MONOSTORY

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2 "We in the Region 7 Fisheries Office do
3 not feel that reestablishing a self-
4 sustaining population of trout and Atlantic
5 salmon in Onondaga Lake is a realistic goal.
6 I'm not sure if this is the objective of the
7 group or not." Referring to our fisheries
8 subcommittee.

9 2 "I've attached a draft position
10 statement to EPA, which provides some facts
11 on the life histories of the Cisco," the
12 former white fish "and Atlantic salmon as
13 well as current and expected conditions in
14 the lake. Based on this we don't believe
15 that self-sustaining salmonid population are
16 a realistic objective in the foreseeable
17 future.

18 As such we feel that the realistic
19 objective for the lake's fish community is a
20 combination of cool-water walleye, perch,
21 pike, and warm-water bass, bluegill,
22 etcetera, species. We certainly would be
23 happy if lake conditions improve enough so
24 that year-round habitat for trout survival
25 exists, but for the foreseeable future that

MONOSTORY

1
2 scenario is unlikely.

3 The Region 7 Fisheries Office has
4 prepared a draft position statement to EPA
5 entitled 'Coldwater Fisheries Rehabilitation
6 and Management in the Onondaga Lake
7 Watershed,' also known as the Fishery White
8 Paper, which was prepared in July of last
9 year. In addition to providing background
10 information on lake water conditions and
11 environmental requirements for various fish
12 species, the White Paper recommends adoption
13 of a fishery goal statement for Onondaga
14 Lake."

15 A specific Goal Statement for the lake
16 is presented as follows. "In the long term
17 the Onondaga Lake Partnership supports the
18 achievement of a suitable year-round habitat
19 for a sustainable warm-water and cool-water
20 fishery in the lake and conditions conducive
21 for transient cold-water species in the lake
22 and resident cold-water species in the lake
23 tributaries."

24 As co-chairman of the Partnership's
25 Outreach Committee's Fishery Subcommittee I

NUNES

1
2 endorse the fisheries goal statement
3 contained in the DEC's Fishery White Paper
4 and recommend adoption of this goal by the
5 Onondaga Lake Partnership and its member
6 agencies. This I think will help us at
7 least in terms of what we would like to
8 achieve as a fisheries goal and as a
9 lifetime fisherman and, you know, as
10 president of the Sportsmen's Federation I
11 think - I happen to agree with the DEC's
12 Fisheries goal for the lake.

13 0-27 DIRECTOR LYNCH: Anyone else like to
14 speak? Bob?

15 BOB NUNES. My name is Bob Nunes,
16 N-U-N-E-S, I'm the EPA project manager for
17 the Onondaga Lake NPL site and I just wanted
18 to briefly elaborate on what Ken said
19 1 briefly in the presentation about EPA's role
20 and what process it's following now with
21 regards to this Proposed Plan.

22 EPA's role for the Onondaga Lake
23 Superfund site has been to act as a support
24 agency to DEC. In this capacity EPA has
25 provided approximately \$18.7 million to the

NUNES

1
2 State of New York under a cooperative
3 agreement. And this funding has supported
4 the performance of investigation activities,
5 coordination and tracking of site-wide
6 remediation activities, development of a
7 comprehensive enforcement program,
8 implementation of a site-wide citizen
9 participation program, creation and
10 maintenance of a site-wide database and
11 project management activities.

12 EPA has also provided technical supports
13 to DEC related to the investigation and
14 clean up of the Onondaga Lake subsites. For
15 the Onondaga Lake bottom subsite EPA
16 provided technical support during the
17 rewrite of the remedial investigation and
18 review of the Feasibility Study report.

19 **2** EPA will offer a position on the
20 preferred remedy after the Proposed Plan and
21 other project documents have been reviewed
22 by EPA's National Remedy Review Board and
23 EPA's Office of Superfund Remediation and
24 Technology Innovation Sediments Team.
25 (Microphone emitting noises) I thought it

NUNES

1
2 was the acronyms that were causing the
3 problem.

4 The National Remedy Review Board is an
5 EPA peer review group composed of technical
6 and policy experts that review all proposed
7 Superfund clean up decisions that meet
8 certain cost-based or other review criteria
9 to ensure that the proposed decisions are
10 consistent with the Superfund law,
11 regulations and guidance.

12 EPA Sediment Team offers consultation to
13 assist risk managers in making
14 scientifically sound and nationally
15 consistent risk management decisions at
16 contaminated sediment sites. The Board and
17 Sediment Team will provide feedback to EPA
18 Region 2 and a summary of the Review Boards
19 and Sediment Teams comments and responses
20 from the Region will be included in the
21 responsiveness summary in the Record of
22 Decision. Thank you.

23 DIRECTOR LYNCH: Anyone else? I want to
24 thank everyone for some great comments.
25 What we're going to do right now is take a

Q&A

1
2 very short five minute break, allow our
3 stenographer (court reporter) to rest his
4 hands and everyone to stretch a little bit.
5 But we're going to try to start again real
6 quickly with a question and answer period in
7 about five minutes.

8 **(Brief recess then Q&A period).**

9 DIRECTOR LYNCH: Please don't be afraid
10 to move up closer to us. Okay we're going
11 to reconvene with the question and answer
12 session. I apologize to all of you out
13 there that have been sitting, dying to ask
14 questions. As you can see we had a lot of
15 people sign up for official public comments
16 so we had to take those first. And
17 hopefully we can answer all your questions
18 tonight that you've been waiting to ask.

19 I will be attempting to answer some of
20 those questions but not being an engineer or
21 scientist myself I'm going to rely on my
22 experts which are in the first two rows here.
23 So please be patient with us so that we can
24 identify the appropriate person amongst us
25 to answer your particular question.

Q&A

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2 I will ask a couple things. Try to ask
3 only one or two questions at a time so I can
4 get around the room and at least give
5 everybody an opportunity to ask questions.
6 We're going to try to go as long as
7 possible. We'll also likely stick around to
8 talk one-on-one with you if you want to ask
9 your questions in that form.

10 We would also ask that if you have an
11 especially technical question, and being a
12 complex cleanup there are a lot of technical
13 issues and questions, we will try to briefly
14 respond to that. But we may ask that you
15 stick around or talk to one of our experts
16 outside on that particular interest so we
17 don't consume everybody else's time and take
18 up the opportunity for some other questions.
19 So what I'm going to do is kind of open up
20 to raise your hand and I'm going to ask
21 Dawn, we'll start in the front and Dawn kind
22 of work back with the microphone so she's
23 not jumping all over the place.

24 Questions. You're going to have to
25 start in the back Dawn. Also state your

Raichlin - Lynch

1
2 name for the record because this is also
3 going to be recorded. This question and
4 answer will be part of our response and
5 summary as well as a response to all the
6 comments that were made earlier .

7 **BARRY RAICHLIN:** Has there been any
8 other searches all over the world with any
9 other ways to do this than what we have,
10 just plain on dredging like your swimming
11 pool? Has there been any other things?
12 With all the engineering we have in the
13 world why haven't we looked into somewhere
14 else that might have a better idea than we
15 have? We're looking for Number 4, not
16 Number 1. Get this done. Either you do it
17 all, do it right or don't even bother
18 because mother nature is doing a great job
19 so far.

20 **DIRECTOR LYNCH:** The Feasibility Study
21 that was an assessment of all the
22 alternatives requires Honeywell to go and
23 look at other technology out there other
24 than just dredging. And although the
25 Feasibility Study concentrates on dredging

Raichlin - Lynch

1
2 and capping alternatives Honeywell wasn't
3 required to look at some other technical
4 expertise around the country and around the
5 world. And I'm not aware of any specific
6 one that they looked at or one that they
7 found would address a mercury and a
8 sediments issue.

9 But they did look at, one of the things
10 they looked at, as you said, leave it alone.
11 They did look at the option of leaving it
12 alone. And it was simply as a Department we
13 didn't feel that that lake would heal itself
14 in an acceptable time frame. It would leave
15 open the environment, the fish, humans
16 accessible to contaminants for a very long
17 period of time before it was covered up.

18 **BARRY RAICHLIN:** Well, this is the fox
19 in the hen house deal. As long as the
20 little dinky fox is there we're going to
21 have the same problem. I won't live long
22 enough but the problem is going to be there
23 unless we get everything out of there. We
24 stop all the pollution and, you know, all
25 the arteries going into the lake, it's never

Rhodes Q&A

1
2 going to stop. This is just providing jobs
3 for everybody, engineering, everything else.
4 It's not the solution. You've got to cut
5 the BS, you've got to get it all out of
6 there or don't do anything.

7 You can damn it or whatever, you get
8 right down to the bottom all the way around
9 the lake, you won't have to worry about it
10 anymore once you got them in jail, the
11 crook, right? If you don't do that it's
12 just going to keep going on and on.

13 I've been here 60 some years, if you
14 don't straighten it out now it's never - if
15 you don't do it completely it's never going
16 to stop.

17 DIRECTOR LYNCH: We understand it's very
18 important to address it now and we think we
19 have a pretty good plan to do that.

20 BARRY RAICHLIN: Thank you very much.

21 DIRECTOR LYNCH: Thank you. In the back.

22 TOM RHOADS: My name is Tom Rhoads,
23 R-H-O-A-D-S, and I was wondering about the
24 sediment containment areas. I'm sorry I
25 missed the first part but it seems like

Rhodes Q&A

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2 there is an awful lot of dredge spoils that
3 are going to be moved in this project and I
4 was wondering if there were going to be
5 further public hearings or further discus-
6 sion on the transport of those sediments,
7 the dredge spoils and the containment system
8 for the Sediment Containment Area and the
9 capping enclosure of that so the sediments
10 are not remobilized later on into the lake.

11 And I was wondering if there would be
12 future public hearings on sort of that
13 portion of the cleanup. This was primarily
14 about the lake itself. Thank you.

15 DIRECTOR LYNCH: Excellent question.
16 First the sediments have two options, two
17 routes. They could go to a permitted
18 facility or the less contaminated sediments
19 right now are proposed to go somewhere on
20 the wastebeds. That is a pretty general
21 proposal in the plan. It is not defined and
22 we admittedly will say that there is a lot
23 of design work that needs to go into any
24 sediment containment area on the wastebeds
25 or anywhere else before it's built.

Q&A Rhea

1
2 We do have the very basic requirements
3 that a liner be placed for such a structure
4 that thereby a leachate collection system
5 and that leachate be treated. We will not
6 permit or allow any sediment containment
7 area unless we are convinced that it's
8 stable and can adequately withhold the
9 sediments that are put in that area.

10 We will be reviewing any proposals
11 during the design phase. I will expect and
12 I have had a meeting with the Town of
13 Camillus, some of the residents that live
14 near that area, that we will be coming back
15 to the public to discuss any specific
16 proposals that are made for disposal on
17 those wastebeds. And that will likely also
18 involve a public meeting for anyone
19 interested in the specifics of that proposal.

20 Other questions?

21 **JIM RHEA:** Jim Rhea, R-H-E-A, life-long
22 resident of Onondaga County. And I just
23 have a clarifying question hopefully. In
24 your presentation earlier you talked about
25 the two different options, the one that

Q&A Rhea

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2 Honeywell had advanced and then the one that
3 the state advanced in their plan. And there
4 is a big difference there in terms of total
5 volume that is going to be removed as well
6 as total cost.

7 We heard some comments earlier about
8 urgency and the need to work together and
9 cooperatively. I wonder if you can comment,
10 maybe clarify for everyone here what is the
11 difference between those two in terms of
12 actual volume and then maybe actual risk
13 reduction. Because I assume that those
14 differences need to be related to risk.

15 DIRECTOR LYNCH: You hit the major
16 difference. Conceptually the two plans are
17 very similar in that they both divide the
18 lake into eight specific sections and
19 develop a cap and dredge proposal for each
20 of those sections.

21 The biggest difference in the - between
22 the two plans is the amount to be dredged
23 and the amount of capping that's placed.
24 And the Department's position is, we took a
25 very much more conservative view as the

Q&A Arnold

1
2 amount of material that needs to come out,
3 the contaminated material that needs to come
4 out, partially based on a risk assessment.

5 And also a little more conservative view
6 of the depth of a cap that actually needs to
7 be placed in the water to be protective.
8 There are some other differences and these
9 guys can probably add to that if you want to
10 hear more about the differences between the
11 two plans.

12 But the significant differences is the
13 amount to be dredged. I think it was a half
14 a million cubic yards in the Honeywell
15 proposal and 2.7 for the DEC proposal.

16 **DAVE ARNOLD:** Dave Arnold, I spoke
17 earlier. I guess what I'd like to do is
18 just clarify, Mr. Lynch. In the beginning I
19 said that I attended a hearing on Evergreen
20 Recycling in the Town of Clay. And I would
21 just like to I guess have some reassuring
22 that you're not going to dump the bottom of
23 Onondaga Lake on top of the Town of Clay on
24 Woodward Industrial Park.

25 **DIRECTOR LYNCH:** There is no proposal to

Q&A Martone

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do that, Mr. Arnold.

BARRY RAICHLIN: Why not?

DIRECTOR LYNCH: Any other questions?

RALPH MARTONE: I live over here in the city. I would like them to just expand on the toxic mercury methane and what is the possibility of, you know, health, once they start to dredge.

DIRECTOR LYNCH: During the dredging activities itself? You mean the extent to which mercury will be stirred up?

Q. (Martone) Right. I heard a new term to me, mercury methane?

A. (Lynch) Mercury methylation.

Q. Yes, what type of threat is that to the public health?

DIRECTOR LYNCH: I'm going to draw on one of my experts on this one to answer. Who can answer in very general terms. If we can explain mercury methylation and the potential impact from mercury during the dredging activities.

A. (**Bob Edwards**) I think I'm loud enough. I volunteered to answer your question. I

Q&A Martone - Edwards

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2 work with the DEC and I've been involved in
3 many or several anyway, dredging projects
4 across the state. I was project manager of
5 one big one up in Lake Champlain. And there
6 are a number of controls, engineering
7 controls that take place in the lake while
8 we're dredging that would not expose any of
9 the public to any mercury or any other
10 contaminants that's in the soil or in the
11 sediments.

12 Once that material is pumped up to the
13 treatment system and the containment cell
14 there will be controls up there to minimize
15 odors, and there won't be any opportunity
16 for this material to spill outside of the
17 work zone. I mean that's one of the reasons
18 these designs are so long is we have to
19 cross every t and dot every i on the
20 engineering aspects of it before we do
21 start.

22 I know many people spoke to me today
23 about how I remember they dredged down in
24 Jamaica Bay or when they dredged the canal
25 out and they just sprayed the stuff every-

Q&A Martone - Edwards

1
2 where. That's a different type of dredging
3 than environmental dredging. And actually
4 the days of just spraying it up and the
5 odors being uncontrolled are long gone. The
6 public will not allow that to happen and we
7 will not allow it to happen as DEC.

8 So I don't know if you were here for the
9 availability section, but there is a lot of
10 different things we can do to control odors
11 and prevent releases of chemicals and
12 exposures to the public and to workers.

13 One thing - at any of these jobs all
14 workers are required to be trained in health
15 and safety. There is many courses we have
16 to take, there is many different protective
17 clothing and respirators and stuff that we
18 wear. So human safety, public safety,
19 worker safety, those are paramount to any of
20 these jobs. And all those controls and all
21 those provisions are taken up in the design
22 so that before any of this work starts we've
23 addressed all these concerns.

24 Q. My question really is the hazard of
25 mercury, this mercury evaporating, can that

Q&A Martone - Edwards

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2 get into the atmosphere and surrounding
3 areas or not? Is that possible or not?

4 A. Not during the dredging process because
5 it will all be under water. It won't come
6 up. How environmental dredging - or how
7 hydraulic dredging works is a large amount
8 of water is moved with the sediment. It's a
9 giant pump on a boat, is essentially what it
10 is.

11 Q. Slurry dredger?

12 A. It will slurry the material and pump it
13 so there is no opportunity during the
14 dredging process for that material to come
15 to the surface, to the air. First time that
16 material will be in the atmosphere would be
17 at the treatment facility. And at that
18 point there is other controls that can be
19 taken to prevent exposure there.

20 RALPH MARTONE: Thank you.

21 HENRI HAMEL: I can probably be loud
22 enough too. My name is Henri Hamel, I work
23 for the State Health Department in Syracuse,
24 and fairly familiar with the Onondaga Lake
25 problems because I was a SUNY ESF student a

Q&A Martone - Hamel

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2 long long time ago. I don't want to say how
3 long.

4 Under current conditions the only risk
5 or the primary risk that we've seen from the
6 lake would be to people who are consuming
7 fish. And as far as mercury getting into
8 the atmosphere from the lake, that's not
9 quite the way it works here. The mercury
10 that we're worried about is mostly tied up
11 in the sediments in the bottom of the lake
12 where it was deposited. So you're not
13 taking any hazards or any exposure from
14 mercury just under the current conditions by
15 living near the lake or walking around the
16 perimeter or anything like that.

17 Now when we do start dredging, as Bob
18 said, the dredging operation is under water,
19 so we're not expecting that we're going to
20 have any mercury exposure coming up. The
21 sediments will be transported by pipe to the
22 containment facility, and at that point
23 we'll be trying to design systems then that
24 will prevent anyone from being exposed to
25 any volatilization of mercury or any of the

Q&A Martone - Hamel

1
2 other chemicals that we're going to be
3 removing.

4 Now part of our operations at the lake
5 front and also at the containment facility
6 will be some health and safety monitoring
7 for the workers. But we also mandate, the
8 State Health Department requires that these
9 projects have community monitoring programs.
10 And we have instruments that can detect
11 volatile organic chemicals, we also have
12 instruments that can detect mercury.

13 So there will be monitoring to prevent
14 any exposure to the public. And provisions
15 that -- of what we would call action levels.
16 And if we detect something with our
17 instruments that is approaching a level that,
18 it's a conservative level that means that
19 somebody is going to be exposed then we have
20 contingencies to shut down the project, do
21 something differently, design a different
22 system.

23 So we are very concerned about exposures
24 to the public. We want to do this project
25 to minimize that. And that's part of the

Q&A Freedman

1
2 design too. And we will be back talking
3 about the design.

4 **JEFFREY FREEDMAN:** I just wonder if the
5 folks from Honeywell would care to comment
6 on their basis for believing that their
7 Proposed Plan would bring the Onondaga Lake
8 into compliance with the Clean Water Act.
9 We've heard from the DEC and I think the
10 public would like to hear from Honeywell if
11 they would care to comment as well.

12 **DIRECTOR LYNCH:** This is a DEC meeting
13 and I don't want to turn it into a
14 Honeywell/DEC debate. I know the Honeywell
15 people very well and if they're willing to
16 speak they can or if they're willing to talk
17 to you later, which I'm sure they would,
18 outside to talk about this.

19 I know Honeywell has obligations and
20 requirements under the Superfund process so
21 I respect their position. If they want to
22 maybe talk outside with you to explain the
23 difference and their thoughts on their plan.
24 And I see them shaking their head out there.
25 So I think they would like to meet you after

Q&A Raichlin

1
2 the meeting and talk to you.

3 **BARRY RAICHLIN:** You know, I was
4 wondering she says they're going to develop
5 means to process the waste. What do you
6 mean they're going to develop it? Don't
7 they know how to do it yet? Does all that
8 water that's going to be pumped over there -
9 what are they going to do with that, is that
10 going to go back into Onondaga Lake like
11 Skaneateles Lake water? Is it going to be
12 sitting there and have to dry out for ten or
13 fifteen years like the rest of that mess
14 over there had to do? Why aren't we taking
15 it to Wyoming or Buffalo or some other
16 place. Why do we have to put it in our own
17 back yard? That doesn't make any sense.
18 Are there any other alternatives like
19 railroads that we still have? You know, why
20 can't we do that, why do we have to put it
21 in our own back yard? Come on.

22 **DIRECTOR LYNCH:** Again, part of the
23 Feasibility Study looked at those,
24 specifically railroad, truck, transportation
25 to facilities not only in New York State but

Q&A Raichlin

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2 out of state. This is one, another thing
3 that they looked at was the feasibility of
4 putting it nearby on the wastebeds where
5 deposits have been placed before.

6 BARRY RAICHLIN: And it stunk.

7 DIRECTOR LYNCH: And the Department has
8 agreed to assess that proposal. And if they
9 can specifically design it, we know that
10 they can dredge and place it in an area and
11 contain the water and treat the water before
12 it is discharged back to the lake.

13 They can dredge an environmentally safe
14 manner and control the dredge spoils. It's
15 been done before. We're very familiar with
16 the basics of that operation. However, this
17 is specific to Onondaga Lake. We have more
18 contaminants, we have a lot of different
19 contaminants, we have a unique area in the
20 wastebeds.

21 So that's why we have to look at the
22 details that Henri talked about and design
23 something that will be safe to the
24 environment. And if they can demonstrate
25 that it will be safe to the environment it's

Q&A Raichlin - Lynch

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2 something that we will consider in this area.

3 Q. (Raichlin) How do they take the water
4 out of all those sediments and not ruin the
5 whole area? She said they have to design
6 something. Don't they know how to do it
7 yet? That's scary.

8 A. (Lynch) I think they know how to
9 dewater sediments. But specifically up on
10 the wastebeds for this amount of sediment
11 and the type of water that you're going to
12 be taking out of those sediments you have to
13 design specific parameters to demonstrate
14 that it will be an effective ratio.

15 Q. So you're going to put it on top of the
16 pads we already have there?

17 A. The wastebeds you're saying?

18 Q. Right.

19 A. That is one of the proposals. And one
20 of the most likely or the wastebed that
21 they're looking at first is Wastebed 13.
22 And part of that reason is because that's
23 one that was not entirely filled up. And
24 there is some area that needs to be filled.

25 But again, there is a lot of detail to

Q&A Raichlin - Lynch

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2 be worked out regarding stability,
3 controlling the water and the runoff,
4 treating the water and containing the
5 sediments. And --

6 Q. Why couldn't you go over across on the
7 Thruway across from the service area over
8 there. There is a big area over there that
9 they're trying to ruin right now.

10 A. There is a lot of different areas you
11 can look at but there is ownership issues,
12 there is accessibility issues and there is a
13 whole host of other things. But they did
14 look at a wide range of disposal of
15 sediments from the dredging activities and
16 this is the one that we're going to focus on
17 first in the Proposed Plan.

18 Q. They ought to have more public input
19 than they have had so far. Make a lot more
20 people have input.

21 A. As that plan is developed we will.

22 **DORIE KRAEBEL:** My name is Dorie Kraebel.
23 K-R-A-E-B-E-L. I was just wondering, I was
24 looking at the charts earlier and it looked
25 like you were doing the option four or

Q&A Kraebel - Lynch

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2 around there. And I was wondering how you
3 decided to stop there. I was looking at the
4 other charts, it seemed maybe that wasn't
5 quite deep enough or far enough into the
6 lake to get everything. So I mean I was
7 wondering if it was like financial or just
8 physically unable to do it or what the
9 reason was for stopping there?

10 DIRECTOR LYNCH: The short answer is
11 that the number one factor that we
12 considered in any of the remedies is that it
13 has to be protective of human health and the
14 environment. And there are a number of
15 remedies that had the potential of being
16 protective of human health and the environ-
17 ment. But as you went up to different
18 levels you would see that others are much
19 more protective and less risky.

20 We basically did a risk assessment and
21 determination that our proposed remedy,
22 which is kind of a mix of the 14 outlined in
23 the Feasibility Study. But our proposed
24 remedy was the adequate remedy for both a
25 feasibility standpoint, whether it actually

1 Q&A Chapman - Lynch

2 can and will be implemented and most
3 importantly from an environmentally sound
4 standpoint.

5 DORIE KRAEBEL: Thank you.

6 **DAVE CHAPMAN:** I was just curious in the
7 design phase if there is going to be any
8 room for pilot projects to look at
9 proprietary technology that could assist.
10 One of our lab tests showed that we were
11 able to stop wastebed B permeability by
12 99.88 percent within 600 hours. And as he
13 mentioned binding it up or making sure it
14 doesn't release back into the environment,
15 that they'll be looking at technologies or
16 be a forum for discussing and looking at it
17 and still at the same time still protecting
18 proprietary technology and so forth.

19 **DIRECTOR LYNCH:** There is always a
20 potential to pilot projects as part of one
21 of the remedial projects. As a matter of
22 fact one of the pilots in this project is
23 the oxygenation. I would suggest that since
24 it is likely that Honeywell will be the
25 responsible party implementing this plan

Q&A Arnold

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2 that's where you could take your interest.

3 And that is the potential of the state
4 or federal government doing other work but
5 the way we address is usually through
6 existing state contracts as far as who we
7 hire to do the work. But I think you really
8 should talk to Honeywell about the potential
9 of looking at your pilot study or technology.
10 And certainly if it was proposed to us we do
11 take a look at it and see if it was
12 appropriate.

13 Other questions? Dave way in the back.
14 Could you just go over to the microphone so
15 everybody can hear your question.

16 **DAVE ARNOLD:** There is a similar project
17 that's happening, I don't know if it's
18 completed yet or not down in Albany that
19 G.E. or you're probably familiar with it,
20 could you go over some of the problems that
21 they ran into that might be similar to the
22 ones that we're going to run into and you
23 know, kind of give us an idea what we're
24 looking forward to here.

25 **DIRECTOR LYNCH:** Yep, you're probably

Q&A Arnold - Lynch

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2 referring to the Hudson River dredging
3 project for the PCBs from the G.E. facility.
4 And they've run into many questions much
5 like we're hearing tonight. But they are
6 not much further along than we are in this
7 process. They have selected a remedial
8 design but they haven't started. They
9 probably started specific design but they
10 haven't started any actual dredging work at
11 this point.

12 So if you're asking what problems they
13 ran into during the dredging that hasn't
14 been done yet so I really can't answer
15 those. But I would suggest if you have
16 specific questions about the G.E. project, I
17 think we have a number of people that have
18 been involved or very familiar with that
19 project and you can talk off line with them
20 after the meeting. Anymore questions? One
21 more.

22 **RALPH MARTONE:** I'd just like to know
23 the resources that are available to this
24 project. Is it just the one company that's
25 Honeywell. Are they the only resource in

Q&A Martone - Lynch

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2 this to draw on basically? Just one
3 corporation's problem? Or is it -- how does
4 the Superfund and the resources of the US
5 government play into, you know, the clean up?

6 DIRECTOR LYNCH: Any environmental clean
7 up for hazardous waste pollution, whether at
8 the state level or federal level is first
9 approached by attempting to have the
10 responsible parties, those who cause the
11 problem clean up the problem to avoid using
12 public monies to do so.

13 And in this case we have one responsible
14 party in Honeywell who contributed to the
15 majority of the contamination in the lake.
16 Not all of it. We do know that there are
17 other companies and other operations that
18 have impacted the lake. But the Superfund
19 does hold Honeywell responsible for
20 addressing the entire clean up although they
21 have certain remedies against other
22 responsible parties.

23 So from a state perspective we can take
24 the primary responsible party like Honeywell
25 and have them do the clean up. They can

Q&A Martone - Lynch

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2 then seek contribution from other
3 responsible parties to pay their collective
4 share towards that clean up. There are
5 state and federal resources involved,
6 reviewing the project and oversight of the
7 project which is also very important.

8 There is also the cases where you don't
9 have a responsible party stepping forward
10 and doing the work that it can be done with
11 federal or state funds. But the first
12 resort is the responsible parties, then we
13 go from there.

14 Q. (Martone) Just to extend that same
15 point I heard two billion dollars for the
16 wish list on this project. What about that?
17 What type of clean up would that involve?
18 And I don't know if Honeywell has got two
19 billion but if we needed to go that far
20 would that be possible if that was
21 necessary?

22 A. (Lynch) I think my presentation gave
23 the real basics and I don't remember off the
24 top of my head but it was the \$2.1 billion
25 proposal was the most expensive alternative

Q&A Martone - Lynch

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2 looked at in the Feasibility Study. And
3 help me quick with the numbers, dredging -
4 there you go, dredging over 2,300 acres of
5 the land, 20 million cubic yards, which is
6 almost seven times, probably six times what
7 we're doing now.

8 Q. Wouldn't we like that?

9 A. It's a seventeen year process. Would
10 involve much disruption to the lake in the
11 area, much more challenging. The dredging
12 plan proposed now is very challenging but
13 this would be very challenging. And you
14 have the practicality of that amount of
15 money. Whether in fact you could get
16 Honeywell or a combination of responsible
17 parties to actually implement that plan. So
18 it certainly was considered as part of the
19 feasibility plan but we determined that our
20 plan would be more suitable, practical and
21 still be protective of the environment.

BY BARRY RAICHLIN:

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23 Q. 240 million is a hell of a discrepancy
24 between that and 2.1 billion. What's wrong
25 with that picture?

Q&A Raichlin - Lynch

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A. It's six times.

Q. I think they're a little short?

A. They may be. That is not necessarily taking every piece of contaminant out of the bottom of the lake.

Q. Here's a government saying this is what we need. They're saying, okay we'll take this. We have 40 degrees, a new coach, why can't we have this too?

A. I wish it was as simple as getting a new coach.

JO ELLEN RAICHLIN: Trying to get money out of them.

DIRECTOR LYNCH: Any other questions? We will have people sticking around for a few moments if you want to come up one-on-one, we have a lot of charts that we have from our previous availability session.

I want to thank everyone for your great comments, great questions and your input on the Onondaga Lake cleanup. Have a good night.

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LYNCH

C E R T I F I C A T E

This is to certify that I am a Certified Shorthand Reporter and Notary Public in and for the State of New York, that I attended and reported the above entitled proceedings, that I have compared the foregoing with my original minutes taken therein and that it is a true and correct transcript thereof and all of the proceedings had therein.


John F. Drury, CSR, RDR

Dated: January 18, 2005