Meeting	Hudson River Drinking Water Intermunicipal Council
Date	Wednesday, November 12, 2025 Quorum: 5:00pm Adjourn: 6:32pm
Location	Hybrid
Chairperson	Mayor Gary Bassett, Village of Rhinebeck
Vice Chair	Devin Rigolino, Dutchess County
Treasurer	Mayor Gary Bassett, Village of Rhinebeck *(interim)*
Secretary	Town Board member Ann Shershin, Town of Poughkeepsie
In Attendance	• Chair and Interim Treasurer: Mayor Gary Bassett (Village of Rhinebeck) • Vice Chair: Devin Rigolino (Dutchess County) • Secretary: Ann Shershin, Town Board (ToP) • Liz Mesquita, ToHP) • Eric Weinstock, (ToHP) • Richard Distel (CoP) • Ryan Sharpe (ToP) • Paul Malmrose, Technical Advisor, Engineering) • Randy Alstadt (Technical Advisor) • Jonathan Churins, Executive Director, Dutchess County Water and Wastewater Authority (DCWWA) • Dottie DiNobile, Technical Advisor (Lab) • Captain John Lipscomb, Technical Advisor (Anchorages) • Dan Shapley Technical Advisor (General) • Andy Bicking (UC) • Robert Scott, Town of Queensbury Water Treatment Plant • Rebecca Martin, Source Water Protection Coordinator • USCG (see list below)

Regular Business

1. Call To Order: 5:03pm
    a. Roll Call & Quorum Determination. Voting members (in-person): Gary Bassett (VoR), Devin Rigolino (DC); Ann Shershin (ToP); Eric Weinstock (ToHP), Liz Mesquita (ToHP) Voting members (remote): Ryan Sharpe (ToP), Richard Distel (CoP). ***Quorum (5 / In-person***

and Remote) Non-voting members (in-person): Dottie DiNobile, Technical Advisor (Lab); Jonathan Churins, Executive Director, DCWWA, John Lipscomb, Technical Advisor (Anchorages); Andy Bicking (Ulster County). *(remote)*: Dan Shapley, Technical Advisor (General), Paul Malmrose, Technical Advisor (Engineering).

b. Approval of 10/8/25 minutes
   i. *Motion to approve minutes from September 10, 2025*
      1. **Bassett/Shershin. Motion approved (Gary Abstained)**

2. Treasurer's Report
   a. October 1 - 31, 2025: Balance 20,029.82. Interest $28.88
3. Hudson 7 Source Water Protection Coordinator/Consultant Report
   a. October
4. Communications
5. Upcoming Events
6. Public Comment
   a. None

Presentation: USCG Sector New York: Marine Environmental Response Overview, Area Committee with

Materials: Hudson River Geographic Response Strategy (April 18, 2017); Promulgation of new Sector New York Area Contingency Plan (ACP, May 15, 2016);

Next Steps:

- Provide a contact list to the USCG to distribute to facilities and the NRC in case of an emergency.
- Engage NYSDEC Region 3 in these conversations.
- Invite NOAA's Emergency Response Division Scientific Support Coordinator, Frank Csulak, to a Hudson 7 meeting.
- John to reach out to Brandon regarding training on the ERMA system.
- Review the roster of subcommittees to identify other local participants to recommend, if applicable.
- Review the Kingston spill drill report to build on previous efforts.
- Identify a point of contact at the USCG for expertise, such as a liability specialist for Hudson 7.

1. **Introduce the team -** it's important to get to know the experts, to get to know the people involved before an incident, not during. **CWO-2 Rory Jenkins**, All Hazards Response Specialist, US Coast Guard Sector New York, Incident Management Division; **LCDR Gregory R. Hersch**, Division IMD, Search and Rescue, Maritime Environmental Protection and all-hazards response operations for USCG, East Coast; **CDR Brandon Aten**, Response Department Head, USCG NY.

? **Mayor Gary Bassett:** Hypothetically a spill. Where are you located? Would you be on site? *Rory:* We are in Staten Island, we'll get into our Memorandum of Agreement (MOA) with the DEC shortly.

2. **Jurisdiction Authority:** Our responsibility extends to the Troy locks. The jurisdictional elements for a hazardous spill are outlined by two zones: the Inland Zone (EPA) and the Coastal Zone (USCG). When requested, DEC Region 3 will serve as the initial on-scene commander and conduct initial investigations for incidents occurring north of the Bear Mountain Bridge. They want to be included in our conversations going forward. A simple way to prevent a disaster from escalating is to ensure that notifications are accurate and immediate, and that operators are fully aware of what's happening.

? **Mayor Gary Bassett:** Recommendation to change sequence for operators to get information first? What has to happen to make that occur? Response to National Response Center (NRC): 800/424-8802. ***NOTE:*** *The NYSDEC Spill Hotline number in the slide is incorrect. The number is: 800/457-7362 (Rebecca has added the DEC spill number to the front page of the Hudson 7 website).* All other emergency contacts should be listed in Facility or Vessel Response Plans and/or the Spill Prevention, Control, and Countermeasure Plan (EPA). Be sure to provide a proper callback number for Coast Guard and state investigators to follow up.

? **John Lipscomb:** Rory attended the drill at Petro's Government-Initiated Unannounced Exercise (GIUE), not just the Staten Island location. It's our responsibility to develop a contact list to provide to the facilities and the NRC. The Hudson 7 needs to supply them with this list.

3. **Response Framework - Reference:** Response policy is in accordance with the National Regional and Area Contingency Plans.

4. **Watching Standing Capabilities:** Based in Staten Island, the USCG has responsibility over a large area, with the Sector Command Center staffed 24/7. The Coast Guard operates on the polluter-pays principle for oil spills and facilities, holding polluters accountable to the fullest extent of the law. Natural disasters, such as hurricanes, may not have a responsible party. To address this, the Oil Spill Liability Trust Fund (OSLTF), authorized by the Oil Pollution Act of 1990 (OPA), can be accessed. This multi-billion-dollar trust fund, currently at approximately $9.6 billion, is managed by the USCG's National Pollution Funds Center (NPFC) and covers oil spill removal costs when the responsible party refuses or cannot pay, Natural Resource Damage Assessments (NRDA) and restoration following a spill, and claims for uncompensated damages if the responsible party does not fully cover costs. The fund can pay up to $50 million per incident, and if additional funding is needed, Congress must authorize it.

5. **Authority/Laws:** Greg mentioned the Refuse Act of 1899 in relation to an incident where 10 rail cars derailed on the CSX line at the Hoosick River, two of which released several billion nurdle pellets that flowed downstream. Efforts were made to apply the Refuse Act, specifically targeting refuse that is oil-derived.

? **Rebecca Martin:** Aren't nurdles oil products? Rory noted that existing laws are designed to help remediate such damage. This includes issues involving liquefied natural gas, Bakken Crude, and electric fluid. There is an ongoing debate with industry regarding how the trust fund is reimbursed, including how it applies to barrels of imported products.

6. **Federal Response:** The federal response to an oil spill is guided by laws stemming from the Federal Water Pollution Control Act, which has been amended many times. Its goal is the effective removal of pollutants from navigable waters. The USCG works closely with the DEC, and we should coordinate our efforts together. Gregory explained that his team has 15 active responders dedicated to pollution response. They are notified within five minutes of a spill and determine whether to mobilize to the site.

Through a Memorandum of Agreement with the EPA and DEC, the USCG still responds unless the state guarantees that their assistance is not needed. The default response is to deploy immediately, unless factual information indicates standing down is appropriate. As a data point, his team is on a two-hour call from their homes and can reach any location within their area of responsibility within six hours.

? **Rebecca Martin:** Is there a form for the Hudson 7 to fill out to provide its notification contact list? Brandon said he will check with the NRC to see if a specific format exists for submission. Regarding notifications, a county-line approach is simpler, but a more complex setup might result in receiving additional notifications. They will provide that information.

7. **Most Frequent Failures:** The USCG encounters various types of accidents, with vessel fires in the winter being the most common. When dealing with oil, it is categorized by gravity: heavy, lighter, and non-floating oils. Oils that sink to the bottom require specialized equipment, such as clamshells. Lighter oils present their own dangers; while it is important to protect sensitive locations, attempting to collect all of it can create additional hazards.

8. **Compensation & Liability:** Similar to the polluter-pays principle, polluters are held responsible for costs, which can be either limited or unlimited depending on the spill. Rory explained that the responsible party is required to advertise locally and personally reach out to potential claimants through newspapers, commercials, and other means. This process helps prevent people who are not actually impacted from submitting claims.

9. **Scope of OPA Claims:** Uncompensated removal costs, damages to real or personal property, loss of profits and earning capacity, loss of subsistence use, loss of government revenues, increased costs of public services, and Natural Resource Damages are all considered when assessing the impacts of a spill.

10. **Natural Resource Damages:** The Oil Pollution Act of 1990 (OPA) is relevant to trustees. Under OPA §1006 / 33 U.S.C. §2706, the law requires the designation of natural resource trustees, which can include federal, state,

and tribal officials. These trustees act on behalf of the public—or their tribe—to assess and recover "natural resource damages" (NRD) when oil discharges injure natural resources. Should an incident occur, it is important for the Hudson 7 to be familiar with this process. State and federal trustees follow established procedures, and funds are provided to restore the resources to their pre-spill condition.

11. **NOAA Scientific Support:** NOAA's Emergency Response Division is represented by Frank Csulak, Scientific Support Coordinator. He focuses on future points of engagement, making it beneficial for the Hudson 7 to meet with him. He covers five Coast Guard sectors, from North Carolina to New York.

? **Gary Bassett:** Could we involve Frank for the Central Hudson Coal Tar MGP? John noted that contacting him is on his list. Frank has been unavailable due to a shutdown, but once he's back online, John plans to send the footprint and chart from Central Hudson to discuss what is possible and what is not.

12. **NOAA references.** NOAA and the USCG have a long-standing and close relationship. Along with the Army Corps of Engineers, we form a triad focused on the management of our waterways. We are also familiar with NOAA's guides and handbooks.

13. **Environmental Response Management Application (ERMA):** The USCG uses GIS systems managed by NOAA, offering a robust set of strategies across the area. We aim to deploy assets to test how they work in practice. Our goal is to identify where resources are available for responding to oil spills.

? **John Lipscomb:** Can the public access ERMA? *Brandon:* Yes. Can you provide guidance on using it? *Brandon:* Yes.

14. **NOAA Fact Sheets:** Oil Fact Sheets for Spill Responders Response Restoration

? **John Lipscomb:** Are barges and shoreline facilities required to have an Oil Spill Removal Organization (OSRO) on retainer? *Rory and Brandon:* As part of their

Vessel Response Plan, yes. J*ohn:* For example, at Petro's GIUE, they use Miller Launch Inc. It is important to validate the OSRO, as they bring the equipment needed to respond. Brandon explained that if there are issues with an OSRO, authority extends deeper. Rory said that a program team out of North Carolina, working with the National Strike Force Coordination Center, conducts periodic assessment visits with OSROs in the U.S. They perform spot checks and inspect equipment. If problems are found, the plan holders must correct them, or the OSRO will lose its retainer and can no longer operate.

15. **Additional Response Resources:** Including Exxonmobil Oil Spill Response Field Manual

16. **Coast Guard Limitations:** Time and distance has been reviewed, strike teams are coordinated at Elizabeth City, North Carolina. They bring in personal protection equipment and anything that we need with more capability. They deploy within 4-6 hours. The **Response Framework - Reference** slide (slide 3) provides a list of information for complex responses.

17. **Additional NY Coast Guard Resources:** Highlights some of those teams discussed in slide 16.

18. **National Response System (NRS) A system of plans (contingency planning):** A system of plans (contingency planning): The U.S. Coast Guard (USCG) aims to bring partners together to grow and collaborate, not only with Area Contingency Plans (ACPs) but also with localized responses, exercises, and training moving forward. This approach shows the layers of plans and how they work together. All industry, local, and state plans are separate but integrated. ACPs are federally mandated plans assigned to the USCG and the Environmental Protection Agency (EPA), as well as New York State (NYS) and New Jersey (NJ) for their respective areas. These plans are designed to inform federal plans that address specific geographic regions and account for vessels transiting to ports such as Albany. Most of the time, these plans cover traffic north/south along the Hudson, while recreational traffic occurs in lock areas. **The focus is on identifying the real threat or risk.** In our case, this includes rail (CSX) and related industry plans. The Department of Transportation (DOT) is part of the National

Response Team (NRT). At our level, the USCG works to bring in other partners. They already have good representation from the Department of the Interior. For questions about rail, the USCG can reach out to DOT to include a Federal Railroad Administration (FRA) representative, who has oversight over rail.

19. **Area Committee Subcommittees:** The USCG has several action groups, including Training and Exercise (T&E), Response and Recovery (R&R), Geographic Response Strategy (GRS), and Salvage and Marine Firefighting (SMF). **Hudson 7's technical advisor, John Lipscomb, has already joined the Training and Exercise and Response and Recovery groups.** The Geographic Response Strategy group is currently focused on the East River. Participation can be adjusted throughout the year based on availability or in response to emerging incidents.

? **Rebecca Martin:** Are you suggesting that local first responders might consider joining one of these committees? Brandon said yes—the Salvage and Marine Firefighting (SMF) subcommittee, which is primarily shore-based, is applicable. He tries to look beyond the NYC metro area; the first responders will always be the local fire departments and sheriff's department. USCG provide support to that committee.

20. **Rosters:** For all subcommittees. Hudson 7 should review and see if there are others that we can recommend.

21. **Geographic Response Strategies:** Stay in communication if we're putting boats in the water, they can help with validation efforts for that.

22. **Exercises and Training, in general:** USCG is trying to be respectful about not overcommitting, but wanting to promote progress. They can look at seminars and workshops.

Request: Randy Alstadt: It would be good to see the report from Kingston to know where we should go from there.

John Lipscomb, next steps: Can the USCG designate a point of contact? We'd like to follow up on what's been discussed and be connected with a liability

specialist to better understand the risks to Hudson 7. I've been on the water my whole life, and I want to express how much we appreciate the USCG. I believe we have an opportunity to develop plans for the Hudson and beyond. Thinking of all the rivers in the world that lack the expertise the Coast Guard brings, we are grateful for their knowledge and support. This is a historic meeting, and I don't believe one like this has happened before. Brandon said there are alot of opportunities out there that can provide information on risk.

Comment, Randy Alstadt: When it comes to anchorages and staging areas for barges, the USCG's involvement has been very effective. Brandon noted that there are both regulatory and non-regulatory anchorages, which are better managed by HRSNOC in this case through coordination with pilots, tug operators, and companies — the right approach to take. At one point, due to a lack of appropriations, the USCG were told to pause some of that engagement; fortunately, the committee was not impacted. John added that we have strong legislative support, and if we propose a drill that requires funding, we believe we could successfully secure resources to support the exercise. The river is beloved, and everyone brings the tools that they have to the table.

Reports and Actions on Old Business

1. Tabled until January

Reports of Committees

1. None.

New Business

1. Tabled until January

Motion to adjourn at 6:32pm

- **Bassett/Shershin. Motion approved.**