

Meeting	Hudson River Drinking Water Intermunicipal Council
Date	Thursday, March 16, 2023 Quorum: 5:00 pm Adjourn: 6:15 pm
Location	Hybrid
Chairperson	Mayor Gary Bassett, Village of Rhinebeck
Vice Chair	Supervisor Jay Baisley, Town of Poughkeepsie
Secretary	Shannon Harris, Town of Esopus
In Attendance	<ul style="list-style-type: none"> ● Gary Bassett, Mayor (VoR) ● Russell Gilmore (ToL) ● Nick Butler (ToE) ● Shannon Harris (ToE) ● Bill Carlos (ToP) ● Emily Svenson, Technical Advisory (Land Use) ● Devin Rigolino, Dutchess County Planning ● Amanda LaValle, Ulster County Executive office (late) ● Dottie DiNoble, Laboratory Director, PWTF ● Rebecca Martin, Riverkeeper (Interim coordinator) ● Dan Shapley, Riverkeeper ● Grant Jiang, Department of Health

Regular Business

1. Call To Order: 5:00pm
 - a. Roll Call & Quorum Determination. Voting members: Gary Bassett (VoR), Russell Gilmore (ToL), Bill Carlos (ToP), Shannon Harris (ToE), Devin Rigolino (Dutchess County). **Quorum (5 in-person)**
2. Approval of 2/xx/23 minutes. **Motion to approve: Bassett/Carlos Motion carried.**
3. Communications listed in the agenda
 - a. See agenda. No new items added
4. County representative update
 - a. **GB:** Now that Dutchess and Ulster Counties are voting members, we no longer need this segment of the agenda. If there are items the county wishes to include in the agenda, they can request those things like any voting member on the council. Thanks to Devin and

Amanda. **DR:** Anything that I need to share falls within the agenda, so I will wait to share.

5. Public Comment.

- a. **RG:** I had a member of the public contact me about Indian Point's Holtec releases. **GB:** Do we want to make a recommendation? **RM:** Riverkeeper webinar on this matter follows the Hudson 7 meeting this evening. [*WATCH*](#) webinar "Say NO to radioactive wastewater discharges into the Hudson River" **DS:** This is far downriver, and although 1m gallons sounds like a lot, it's not a lot compared to the volume of the Hudson at that point as a one time discharge. If you receive concerns, I'm worried that your customers will become alarmed. Having no discharges is better than having a discharge. But remember that the confidence of folks and their drinking water is hard to restore once lost. This is very unlikely in my view that tritium releases from Indian Point would be a risk."

Reports and Actions on Old Business

1. Hudson 7 Priorities

- a. Hudson 7 coordinator position.
- i. LOI: Next steps/communication to hire Mackey Butts & Whalen, LLP. **RG:** We recommend Mackey Butts & Whalen, and specifically Caroline Whalen. **DR:** Are you comfortable working with this firm if they are not available? **RM:** In their application when they responded to the LOI. Ian MacDonald, Robert Butts or Joshua Mackay. Who will follow-up with the firm? **GB:** We need to set up a call. **SH:** I'll do that with Gary, Shannon, Russell. **RM:** Will organize schedules.
1. Motion that Hudson 7 appoint Mackey Butts & Whalen, LLP for the creation of the NFP. **Harris/Carlos. Motion carried.**
- b. NYS Drinking Water Source Protection Program
- i. **GJ:** Mike is out sick, meeting scheduled for 3/20 at 2pm. We'll finish up going through the document of potential non-emergency contaminant sources/inventory documents we started in February. Hoping to share preliminary ideas so that the Hudson 7 has a sense of what is out there and shared in a proper format.
- c. CHPE/TDI
- i. Proposed transmission lines

1. **GB:** We provided a communication to TDI. We did not receive feedback. We've done our due-diligence. If they have questions, they can reach out. Esopus is in a process currently with Tighe & Bond. You asked if anyone wanted to join in with you. **SH:** Esopus has hired Tighe & Bond with a \$31k contract. They are working hard to do this analysis. I can share with you the specific scope of work. Should we do it in a subcommittee meeting, or share with the members? **GB:** You can share with the municipalities. If anyone wants to join in, they need to understand the scope of work. My recommendation is to share that scope, including with the counties. Ask for feedback and opportunity.
2. Next steps on EM&CP (by August, 2023): **GB:** Submit recommendations to the EM&CP. We don't want to wait until public comment to do that. I'd like to get in front of that. We have worked on a set of recommendations. Do we want to submit those to TDI? Or wait until the Esopus process is further along. **SH:** You sent a communication to TDI asking them to wait until we have the 6 weeks to finish the analysis. I would wait until we're finished. They took four months to deliver the pilot tests, we need 6-8 weeks. They've been advised not to move forward without our feedback. In the interim, I'll send the scope of work. **GB:** There are two communications. From the Hudson 7 subcommittee and Town of Esopus. **SH:** Including the emergency plans? Our feedback is only part one of several parts. I think it should come together as much as it can. We asked them not to go forward without the necessary feedback. It would be helpful if the timing included the Esopus study of the sediment, while you There is more work to do, though I'd like to deliver one communication to TDI (rather than two separate communications).

2. Hudson River Drinking Water Source Issues

a. Lower Esopus Creek

- i. **RM:** The Hudson 7 got its comments in to respond to the proposed IRP. Deadline for comment of members of the ARWG

were due on 2/28. We are waiting for a response from the DEC and DEP. The ARWG met last Friday, one key point - is that the Delaware Aqueduct will be shut down on 10/1. Next ARWG meeting will occur on June 9 where there will be discussions about the Delaware closure. Amanda, do you have any updates? **AL:** That's everything.

ii. CSX Bridge

1. **GB:** We signed on to a letter (3/12 deadline): Hudson 7 signed on to the NRDC federal letter urging Secretary Buttigieg and the U.S. Department of Transportation to ban liquefied natural gas (LNG) by rail.

iii. Cybersecurity

1. EPA resources for cybersecurity for the water sector: Assessments to be included in sanitary surveys. **GB:** We're addressing the concern, but every water plant should be, too. Each plant may have different levels of sophistication. **DD:** Poughkeepsie has a cybersecurity plan in place. **RM:** This was sent to the Hudson 7 by Dan Shapley. Any other information re: this announcement. **DS:** What Dottie said makes me wonder if larger treatment plans were required to come up with these plans previously, and the smaller plants were not, then maybe Poughkeepsie can share some knowledge with the others? **DD:** I don't know if we can share our plan, but Randy will do so. We were required to do it by the health department, my suspicion is that others are required to do the same. **GJ:** There will be funding available in the drinking water state revolving fund for systems to apply for financial assistance and technical assistance for water systems as well. On the state's end, Steve Gladding is now taking on the lead for cybersecurity for the DOH. **NB:** Yesterday, I had my sanitary survey and it was one of the health department's questions. We have no process online.

Actions on new business

1. PFOA: EPA new standards of 4 ppt. DS: The EPA released a draft proposal that's open for public comment and won't be finalized for some time. It will set federal standards of PFOA (Hoosick falls) /PFOS (Newburgh), two of the most common 'forever chemicals'. Limit of detection that would be allowed in drinking water 4 ppt. A few years ago, no one was measuring anything. Since then, there has been a lot of science to show the impacts of these chemicals as it pertains to long term exposure. Similar to how we're thinking about lead: there are no safe levels of exposure, we just try to get rid of it in drinking water. There are four other PFOS chemicals that are in the family that will have new federal standards. Unclear how it's calculated, as it's not as simple to understand. Some combination of the four would also be a violation. You all have some data for your plants at this point. The Hudson River being variable, sometimes you've seen hits, sometimes it's non-detect. You could look to see if you are above the 4 ppt. The standard treatment is granular activated carbon (GAC). It removes a lot of base chemicals. If you have to treat this, you'll also treat other trace chemicals so there are many benefits. That's a wise precaution, because we know there are various inputs upstream. The DEC at the state level came out with its own standards that would affect certain industrial wastewater for these chemicals. Might impact industrial facilities within the Hudson 7, but unclear which facilities it will affect. It will not impact CSOs right now, even though they are a source of these chemicals. They are not regulated at this time. **GB:** How long will this process be? **DS:** Federal rulemaking could take a year or more. **GJ:** PFOS/PFOA are already under NYS law as regulated. Every water facility in the Hudson 7 has been testing for those. If I have permission from the VoR and Poughkeepsie to talk about data results. **GB:** Yes. **GJ:** I've looked at the data, it is variable The highest that you've had is a 3 and most of the time it's non-detect. NYS has two of those under regulation. Max levels were set at 10 ppt, higher than the 4 ppt now proposed by the EPA. DOH is working with them to sort out their request and the current state level requirements. NYS was proposing limits on other PFOA chemicals. Some of those proposed were done so this year and are covered by EPA regs while others are not. The estimate on the EPA's process is likely to be by the end 2026 when the federal standards will kick-in. The Hudson 7's sampling data suggests that it is not a concern, and the detection level of the laboratories currently being used can see as little as 1.5 - 2 ppt.

Motion to adjourn the January meeting **Bassett/Carlos. Motion carried**

Adjournment: 6:15pm