SECTION 7

RELEASE REPORTING AND RESPONSE, AND EMERGENCY RESPONSE

7.1 OVERVIEW

This section addresses two related areas: reporting and responding to spills and releases, and responding to emergency incidents. Section 7.2 discusses reporting and responding to releases. Release reporting occurs when there is a spill or some other release of potentially hazardous substances that exceeds a threshold amount set by federal or state law. This would include a release to the river (*e.g.*, a spill of dredged sediment or fuel oil from a project vessel) or a spill on land at the sediment processing facility.

Reporting of a release does not necessarily mean an emergency situation has arisen, only that a release greater than an established threshold has occurred.

Section 7.3 describes responses to emergency situations (*e.g.*, a fire, boating accident or other incident that may present a hazard to the community). As discussed in Section 5.0, GE's focus throughout the planning of this project has been on prevention, that is, identifying measures that could be implemented before construction begins to prevent incidents from occurring during work activities. Nonetheless, given the magnitude and duration of this project, it is important to have the right people, equipment and procedures in place to respond to an incident.

Section 7.3.2 primarily addresses those types of incidents that would require response by local emergency responders – police, fire, ambulance, etc. To develop the procedures discussed in this section, GE coordinated with local elected officials, the public and with members of local emergency organizations, including representatives of the Fort Edward Volunteer Fire Department, the Fort Edward Village Police Department, the Fort Edward Rescue Squad, the Gansevoort Fire Department, the Moreau Emergency Squad, the Saratoga County Office of Emergency Services, the South Glens Falls Fire Company and Dive Team, the South Glens Falls Police Department, the Washington County Department of Public Services, the Washington County Fire Coordinator, Washington County Public Safety, and the Washington County's Sheriff's Department. A list of individual participants is provided in Table 7-1. Of course, no two incidents are quite the same and it is not possible to design a one-size-fits all response in advance. Rather, this section discusses the basic plans and procedures that, in the event of an emergency, will be adapted to fit the circumstances.

As previously stated, specific work activities and procedures will be further refined in work plans prepared by the contractors hired to perform the project. GE will continue to meet with emergency responders and local elected officials throughout the contractor selection process and before work activities begin to further develop emergency response protocols. Specific planning steps are further discussed in Section 7.3.1.

TABLE 7-1

EMERGENCY RESPONDERS AND LOCAL ELECTED OFFICIALS WHO ASSISTED IN EMERGENCY RESPONSE PLAN DEVELOPMENT

Name	Organization
Walter Sandford	Fort Edward Village Police
Dennis Babson	Fort Edward Volunteer Fire Department
Brian Brockway	Fort Edward Volunteer Fire Department
Matt Hurlburt	Fort Edward Volunteer Fire Department
Darcy Miller	Fort Edward Volunteer Fire Department
Mike Trip	Fort Edward Volunteer Fire Department
Dennis Williams	Fort Edward Volunteer Fire Department
Tim Cady	Gansevoort Volunteer Fire Department
Kurt Haas	Gansevoort Volunteer Fire Department
Andre Delvaux	Moreau Emergency Squad/Saratoga County Office of Emergency Services
Ronald Quinn, Jr.	Moreau Emergency Squad
Mike Aufiero	Saratoga County Office of Emergency Services/Saratoga County HAZMAT 8 Team
Reed Devitt	South Glens Falls Fire Company
Daniel Fitzgibbon	South Glens Falls Fire Company/Dive Team
Ken Jacox	South Glens Falls Fire Company/Dive Team
Jake Losaw	South Glens Falls Fire Company
James Ryan	South Glens Falls Fire Company
Tom Tracy	South Glens Falls Fire Company
Robert Kelley	South Glens Falls Police Department
Richard Kidwell	Washington County Department of Public Services
Alvon Macauley, Jr.	Washington County Fire Coordinator
Stephen Griffin, Jr.	Washington County Public Safety
Matthew Mabb	Washington County Sheriff's Department
Merrilyn Pulver	Town of Fort Edward Supervisor
John Rieger	Town of Fort Edward Councilman
Thomas DuFore	Town of Fort Edward Code Officer
James Lindsay	Town of Kingsbury Supervisor
Harry Gutheil	Town of Moreau Supervisor
William Hayes	Village of South Glens Falls Trustee

Section 7.3.2 describes some of the safety equipment that will be available in work areas to respond to emergencies. A full assessment of health and safety resources available to the project cannot be completed, until GE has hired contractors to perform the work. Therefore, this evaluation will continue, in coordination with local emergency response organizations. GE is committed to obtaining resources that are necessary to ensure community health and safety.

7.2 RELEASE REPORTING AND RESPONSE

7.2.1 Reporting of Spills or Releases

This section applies only to spills and releases within river work areas, at the West River Road marine staging area and at the sediment processing facility. Reporting of spills and releases in these areas is GE's responsibility. Reporting and responding to off-site accidents involving a release from loaded rail cars are addressed by separate regulatory programs and are not addressed here.

Spills may occur during an accident involving a loaded barge, truck or rail car (see Section 5.0). Federal and state laws and regulations define when a spill or release must be reported. Pursuant to its authority under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), EPA has developed a list of hazardous substances that, if released to the environment in an amount greater than a defined "reportable quantity," or "RQ," must be reported. For example, in the case of PCBs, the person in charge of a facility must immediately report upon learning that one pound or more of PCBs has been released to the environment within a 24-hour period.

Under its authority granted by the CWA, EPA has developed a similar list of reportable quantities of hazardous substances in the event of a release of hazardous substances to the navigable waters. As with the CERCLA list, these require reporting if an amount exceeding an RQ is spilled into the water. In addition, the Oil Pollution Act (OPA) requires notification if a sheen of oil is visible on the water.

Under state law, NYSDEC has developed its own list of hazardous substances that, if released to the environment, must be reported. That law [6 NYCRR Parts 595, 597] requires the reporting of releases above a defined RQ (in the case of PCBs, one pound or more) to NYSDEC immediately, but within two hours after the discharge. State law also requires reporting of releases involving less than the RQ if the release may result in fire, explosion, exceedance of air and water quality standards, or injury to the public.

In addition, Section 17-1743 of the NYSDEC Law requires that a person who stores more than 1,100 gallons of any liquid (including petroleum) must immediately report any release of the liquid to land or waters.

Finally, New York's Navigation Law requires any person responsible for causing a discharge of oil or other petroleum to land or water to notify NYSDEC immediately, but within two hours after the discharge, unless: (1) the spill is less than five gallons; (2) the spill is contained; (3) the spill has not and will not reach the water or any land; and (4) the spill is cleaned up within two hours of discovery.

If the release or spill requires reporting under CERCLA, the CWA or the OPA, a call will be placed to the National Response Center. Also, if a release or spill requires reporting to NYSDEC under the provisions summarized above, a call will be placed to the NYSDEC Spill Hotline. If a release occurs and is reportable under CERCLA, GE is also required by the CD to orally notify EPA's Team Leader for the project; or, in the event that the Team Leader is not available, either the EPA Project Coordinator or the Alternate EPA Project Coordinator, within 24 hours of obtaining knowledge of the consent of the event. GE is also required to provide oral notification to the NYSDEC Project Manager; or, in the event of the unavailability of the NYSDEC Project Manager, to the Chief of NYSDEC's Hudson River Unit and to the NYSDOH Bureau of Environmental Exposure Investigation.

7.2.2 Summary of Spill Response

In the event of a spill or release, response actions will be the responsibility of the contractors GE hires to perform the work. Once hired, these contractors will develop SPCC plans that will provide more specificity regarding response actions. Separate SPCC plans will be prepared by the dredging contractor (for in-river activities) and the processing facility contractor (for incidents there). For the purposes of this CHASP, a general response approach has been summarized below.

7.2.2.1 Spill Response for In-river Activities

Project vessels will be required to have USCG safety equipment including, as appropriate, ship-to-shore very-high-frequency (VHF) radios and cellular phones, to alert the project team, regulatory authorities and local responders of a spill.

The responders' first priority will be to assess the safety, rescue or medical needs of the public and/or workers immediately affected by the spill, if any. Emergency situations will be handled according to procedures in Section 7.3.

At the same time, the apparent scale and severity of the spill will be evaluated so that appropriate response actions can be taken. As needed, calls to project supervisors, safety officers and EPA will be promptly made through normal chain-of-command structures, to summon the contractor's spill response team or other support personnel. In all cases, the location and time of the spill, the vessels and people involved, and other important details will be conveyed to assist response actions and reporting.

Third, the spill will be contained and controlled. If the spill appears incidental (*e.g.*, brief duration and of limited spatial extent), containment may not be necessary or feasible. If the spill is of a larger magnitude (larger quantity, longer duration or spatial extent), contingency measures will be implemented per the appropriate SPCC plan, once developed. These measures will include actions to contain and control the spill to the extent possible (*e.g.*, safe, feasible, consistent with other project requirements), thereby stopping the spill, securing and stabilizing the immediate area, and taking steps to minimize the spread of the spill. Special consideration will be given to large spills that occur in portions of the river or canal that are known to be relatively free of PCBs or that have already been dredged and backfilled/capped in accordance with EPA's performance standard for residual sediments.

Fourth, the spill will be cleaned up or mitigated. A pre-planned course of action for the recovery of any spilled PCBs will be implemented. As needed, appropriate, and feasible after a spill, the project team will promptly undertake one or more of the following actions:

- No immediate direct action – this may be appropriate for smaller spills that would not be expected to cause significant or detectable effects, or if the spill occurs in portions of the river that are targeted for dredging but have not yet been remediated.
- Continue source control and containment and increase monitoring - this may be appropriate for spills that are brief and quickly contained or that are not migrating; spill material sampling or additional monitoring will help determine effects of the spill (if any) and what next steps may be warranted to clean up or further mitigate the spill.
- Isolate spill under clean backfill/capping material - this may be appropriate for small or limited spills in portions of the river where sediments have already been dredged but not backfilled. The backfill/capping material could isolate the spill and mitigate transport and potential exposure to the water column and biota.
- Remove spill during residuals dredging program - this may be appropriate for larger spills in portions of the river where inventory dredging has already occurred. If sampling/monitoring of the spill area indicates unacceptable levels of PCB concentrations, then the material will be targeted and removed during residuals dredging.
- Remove spill immediately - this may be appropriate for larger spills that have the potential to cause exceedances at near- or far-field water monitoring stations, or for larger/longer spills that impact sediments outside the dredge areas or previously dredged and capped sediments in the river or Champlain Canal. If warranted by the severity of the spill, immediate action will be taken to remove the spill in order to prevent or stop exceedances and/or preserve the integrity of a remediated or non-dredged area.
- Remove spill during demobilization - this may be appropriate for incidental spills that unavoidably recur but because of their limited scale or location in active work areas, do not necessitate a response until after all work is completed at the site. For example, if a very small amount of material is infrequently but unavoidably lost during unloading at the processing facility wharf (even though systems are in place to prevent such losses (see Section 5.3.2.2), it may be most prudent to monitor the situation and then remediate the area after all active handling of PCB-containing sediments is complete and the processing facility is being decommissioned or restructured for some future land use.

7.2.2.2 Spill Response at the Processing Facility

The built-in collection, containment and treatment system installed at the processing facility is designed to effectively address dredged and processed materials. Nonetheless, a significant accident or spill of material could warrant immediate actions to protect human health and safety, assess the severity of the event, and take appropriate mitigation measures, if needed. The event would be evaluated to determine its causes and future prevention, and proper project authorities would be notified of the event.

Generally, on-site spills from a project truck will be picked up and placed back in the truck, while spills during the process of loading rail cars will be picked up and placed into the rail car.

7.2.3 Monitoring with Respect to Spills

The comprehensive monitoring program that will be implemented to measure PCB resuspension during dredging will also monitor the potential effects of an in-water spill of PCB-containing material, should one occur.

7.2.3.1 Water Column Monitoring

Routine and contingency water column monitoring programs are described in Section 8.3.

If a spill were to occur in the river, it would not warrant response unless one or more of the water quality criteria were exceeded. If the spill were sufficiently large (*e.g.*, in the unlikely event of a major barge accident), control and mitigation actions would immediately be taken. Note that even if there is an exceedance at the near-field locations, the program is designed to still be protective of water quality at downstream far-field locations.

More frequent and robust sampling will be conducted if levels of EPA's resuspension standard are exceeded at near-field or far-field stations. This may lead to more informed and aggressive response actions, including reductions or complete stoppage of dredging activities until causes for the exceedances can be identified and, if project related, corrected or otherwise mitigated. As sampling frequency and extent increases, project managers receive greater and greater amounts of data to use as a basis for making appropriate response decisions.

7.2.3.2 Processing Facility Discharge Monitoring

If a spill occurs at the processing facility, materials should be securely contained and treated within the facility's water collection and treatment system before water is discharged to the Champlain Canal. Nevertheless, monitoring of the treated water discharge from the water treatment facility will be conducted. The potential effects of any on-site spill will be mitigated (either the material will be retrieved and processed as intended or the material will be diverted to the treatment facility). Therefore, spills are not expected to impact the quality of treated water being discharged into the canal. This conclusion will be confirmed by the required monitoring.

7.2.3.3 First-hand Observation and Oversight Monitoring

A small fleet of support vessels will be used continuously in a variety of ways, including to prevent or address spills and other accidents in the river. Regulatory agency representatives, project supervisors, safety officers, monitoring/sampling teams, and other support workers will, among other duties, be well positioned to make direct visual observations of operations. From their up-close vantage point, these personnel will be able to help identify and prevent conditions that could lead to a spill, or in the event of a spill, be on the scene to assess the situation and take appropriate action. Similarly, a variety of oversight and support personnel will be engaged at the wharf, processing facility and rail yard to make direct observations and assist in taking action in the event of an accident or spill.

7.2.4 Documentation and Follow-up

As a way to document the spill, summarize the response actions taken, and record the after-the-fact engineering evaluation (if applicable) and proposed means of preventing recurrence, a written Spill Response Report will be prepared, as well as an Engineering Evaluation Report, if applicable. Based on the findings and recommendations within these reports, potential follow-up steps to prevent recurrence of the spill will be discussed, agreed upon, approved, and implemented as needed. This could include increasing the number of monitoring locations or frequency of monitoring, adjusting operational conditions or procedures, or implementing reasonable engineering solutions. Any follow-up or corrective actions that are taken would have to be feasible, cost-effective, and compatible with compliance under other performance standards.

In addition, as required by the CD, within 14 days of the onset of a spill or release reported under Paragraph 41, GE will provide to EPA and the NYSDEC a written report that describes the events that occurred and the measures taken, and to be taken, in response. Within 30 days of the conclusion of the event, GE will also submit a report detailing the actions taken to respond to the incident.

7.3 EMERGENCY RESPONSE

7.3.1 Development of Emergency Response Plan

This section discusses the plans and procedures for responding to emergencies that may affect local communities. This emergency response plan was developed based on the identification and evaluation of the potential for hazards to the community to occur during work activities (see Section 5.0).

As stated earlier, these plans were developed in coordination with local emergency responders and elected officials. Specifically, emergency response procedures were discussed at meetings of the Fort Edward Community Health and Safety Committee on January 25, 2006, and February 22, 2006. In addition, GE sponsored meetings on January 19, 2006, and March 6, 2006, with the local elected officials and emergency response representatives listed in Table 7-1. Based on these discussions, responsibilities were assigned to project personnel and external emergency response organizations. In addition, equipment needs and project resources was discussed (see Section 7.3.2).

To ensure the safety of the public, as well as emergency responders and project personnel, additional planning before work activities begin is critical. These activities will include: additional meetings with local emergency response groups to discuss procedures and tactics; selection of medical emergency receiving and extraction points; logistics; review of dive team operations; and other planning.

Planning will also include a pre-construction tour of the sediment processing facility site for emergency responders to review property characteristics and access into and out of the site. A second tour will be offered to representatives of external emergency response organizations of the sediment processing facility, once constructed.

Finally, periodic drills will be conducted involving project personnel and external emergency responders. Specific drill requirements and scheduling will be identified in the pre-planning process, and drills will be held at least annually. Drills will consist of a simulated fire, medical and water-based response, as well as a table-top drill. A formal critique and discussion will be conducted for each of the drills.

Before work activities begin, project health and safety personnel will be certified and trained as described in Section 6.0 of this CHASP. All safety equipment will be obtained and distributed throughout work areas. External emergency response agencies will be provided with copies of this CHASP and the project HASP. External agencies will also be notified when project work activities are scheduled to begin.

7.3.2 Emergency Equipment

An important component of this emergency response plan is to ensure that appropriate emergency equipment is on hand and available for immediate response. This includes vessels and vehicles to get to and remove injured persons from work areas. To respond to project emergencies, project support boats and vehicles will be used to transport emergency personnel to incident locations, as well as to transport injured individuals to emergency responders. A project vehicle will be available for transport from limited access areas to medical receiving and extraction areas. An area of the sediment processing facility will be designated and marked as a helicopter landing zone to facilitate rapid transport via external agencies' helicopters.

A variety of essential equipment will be available on support boats and vehicles, as well as on barges and other vessels and positioned at the sediment processing facility. First-aid kits and oxygen kits will be available for basic life support treatment. An Automatic External Defibrillator will be available for advanced life support treatment. Blankets and other first-aid supplies (*e.g.,* hot packs) will be available should an individual be retrieved from the water. Backboards and stretchers will be available for transport. Eye washes and safety showers will be available for exposure of skin or eyes to sediment or chemicals.

In the event a confined space entry rescue is required (*e.g.*, on a project vessel or at the processing facility), self-contained breathing apparatus (SCBA) and tripod and extraction equipment will be available. To assist in the rescue of an individual who has fallen while wearing a harness, an aerial lift will be available. Project vessels and life rings with 100-feet of rope will be available to retrieve individuals who have fallen into the water. Project facilities, vehicles and vessels will be equipped with spill response kits and supplies to contain and clean-up releases to land and water.

For internal project communications, two-way radios and cellular phones will be used. Land lines will be available at the sediment processing facility and the West River Road staging area. Air horns/bull horns will be available at fixed locations to sound an evacuation alarm. In addition, vessels will be equipped with flares, as required by vessel safety regulations.