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Swift Action and Limited Information Cause a Stir Regarding Dewey Loeffel Superfund Site Remediation

Fran Sindlinger

For those who are not year-round residents here on the lake and may have missed the extensive media coverage about the Dewey Loeffel Treatment Plant, the short version is that the new treatment plant built at the Dewey Loeffel Superfund Site was completed in November of 2013. Upon completion of the plant, the EPA began treating the contaminated groundwater containing volatile organic compounds (VOC) pulled from the leachate system that was designed to collect contaminated groundwater at the site. They placed the treated water in a holding tank, tested it, found it to meet DEC state standards of being suitable for waters used for fisheries, and then released it into the Valatie Kill instead of trucking the water to an offsite treatment plant in another state, as they had been doing before completion of the treatment plant. While Nassau residents have had DEC and EPA public hearings over the years regarding the toxic dump site, there were no public hearings in Columbia County. News that the treated water was being discharged back into the Valatie Kill came as a big shock to most residents and government officials here. Town, County and local organizations drafted resolutions calling for a health study before further releases of treated water were made, and the public insisted on the same. As a result of public furor conveyed in the media, two public hearings were held in March – one in Nassau, and one in Kinderhook.

While the new treatment plant has the capability to treat the contaminated water to a drinking-water standard, the EPA and DEC had determined that it was not required to do so because the Valatie Kill has a C/T rating; meaning it is rated as a body of water that supports fisheries and trout. As such, the

water does not need to be treated to the higher drinking-water standards. According to the EPA/DEC, this means that harmless trace amounts of VOC's **may** be present in the treated water, and that these amounts are negligible and safe at the point of discharge. In other words, the water going into the Valatie Kill is cleaner than it has been in the last 50 years. Further, the discharge is being dispersed into millions of gallons of moving waters before it even gets to Kinderhook Lake or the Valatie water supply some thirteen miles away, according to the EPA.

Our Directors have been in contact with the EPA, our Town and County representatives, as well as our Congressman, Assemblyman and Senators. We had a large contingent present at both the Kinderhook and Nassau public information meetings held in March. At the Kinderhook public meeting, as reported in the Register Star, one of our Directors managed to get the EPA to commit to taking baseline samples of our Lake for the trace VOC's listed on the EPA's treatment plant discharge results. This would help determine if any of the listed VOCs are making it to Kinderhook Lake and ascertain if VOC levels would cumulatively build up in the Lake.

This is a very important yet complicated situation and we will continue to keep our membership informed as we gather additional information.





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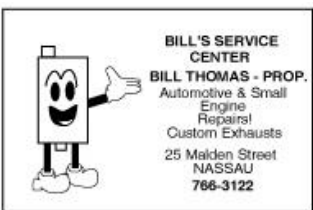
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NYS Boater Safety Course

D. Langer

The KLC is once again pleased to announce that it has organized a NYS Boater Safety Course for this coming spring, sponsored by the Columbia County Sheriff's Office and the New York State Park Police. It is designed as a comprehensive boating course, teaching the fundamentals of safe boating operation. It is an 8-hour class and anyone over the age of 10 can attend at no cost.

The course will be taught on **Saturday, June 7th**, at the KLIA Hall, from 8:00 AM to 4:30 PM. Please bring a bag lunch as there will only be about 30 minutes for lunch.

If you are interested in attending, please call **518-784-3024**. Pre-registration is required no later than June 6th. A minimum of 10 attendees are required or the class will be cancelled.

A copy of the latest edition of the "New York Safe Boating Textbook: A Course on the Safe Operation of Boats and Personal Watercraft" can be downloaded to your computer, phone, or tablet by going to <http://nysparks.com/recreation/boating/education.aspx>. Hard copy textbooks will be available at the class for those who would like one.

In light of last year's legislation requiring all power boat operators born after May 1, 1996 to successfully complete the NYS Boater Safety Course, this course is critical for all 10-18 year olds this year. Last year's course was attended by over 40 individuals, and we expect this year's course will be equally well attended. Hope to see you there.

Fun July 4th Events

D. Langer

The KLC's Fourth of July events around the lake have been an exciting part of holiday fun for many years. This year's events will take place with a few changes.

First, the highly successful and well attended Kayak Rally, held for the first time last year, will be held again this year. Starting at 8:00am, kayakers (actually, you may join with any non-motorized watercraft) race to collect as many tickets as possible from various locations around the lake and bring them to the Rt. 28 Boat Launch by 11:30am. All tickets will then be entered into a drawing for some great prizes.

Second, due to the overabundance of white perch in the lake, this year we will hold a White Perch Derby in lieu of a pan fish derby. Catch as many white perch in the morning as possible and bring them to the Rt. 28 Boat Launch at 1:00 pm. Prizes will be available at various age groups for those who catch the most white perch.

Unfortunately, due to a lack of interest over the past few years, we will not be holding the annual Boat Parade. However, if we hear enough interest from members over the next couple of months, we may reconsider. If you're interested in this event continuing please leave a comment on our website or send an email to klcnews@archman8.com.

Last, but not least, of course we will be holding the annual Ring of Fire at 9:00 pm.

Please remember that KLC logo merchandise, as well as flares for the Ring of Fire, will be available at the Rt. 28 Boat Launch between the hours of 11:00 am and 2:00 pm.

Check our website for event updates and news as we approach July 4th. Let's make this another awesome Fourth of July.



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A Sad 50-Year Chapter in our History

Fran Sindlinger

There is no doubt that what happened at the Dewey Loeffel landfill was catastrophic to the environment, and that the region has suffered a sad fifty year chapter in our history because of some really bad environmental decisions made back then. We stand in support of all efforts to clean up the area in a manner that causes no further harm to the environment or the health of residents in Rensselaer and Columbia Counties.

An on-site treatment plant has long been the recommendation preferred by the NYS DEC, so it should be no surprise that the plant is now in use. In the Notices of Decision for NYS DEC vs General Electric, et al made in 2000 and 2002, it is clear that the course taken was the agreed upon choice made in those decisions related to surface water runoff and ground water runoff at the toxic dump site. Here are links to those Notices of Decision:

http://www.dec.ny.gov/docs/remediation_hudson_pdf/44200602.pdf

http://www.dec.ny.gov/docs/remediation_hudson_pdf/44200603.pdf

The truth of the matter is that while the present leachate system is collecting contaminated water, the system needs to be rebuilt, more tainted water extraction wells need to be put in place, and cracks in the bedrock below the surfaces

impacted continue to allow a plume of contaminated water to find its way into groundwater. The true measure of concern lies not in what has been treated and released, but in the continuing seepage of contaminated groundwater that courses through cracks in the bedrock floor. Every effort should be made to extract untreated water from the site for treatment.

The 2002 Notice of Decision linked above states in section 4.1.1 that "It does not appear that PCB is migrating in the Valatie Kill downstream of Nassau Lake, based upon water samples taken at the lake outlet." Joe Collins wrote more about the issue in our July 2012 newsletter, which can be accessed on the newsletter page of our website. Since PCB's are insoluble and bind to soil, it is more than likely that any previously released PCB's have long been covered by sediment, and have not been disturbed by use of the new plant. Of the fifteen release tanks tested so far, not one has found PCB's in the treated water.

Newspaper reports mention 1,4 Dioxane. Research shows that this VOC was a stabilizer for solvents and has been found at the waste site. Research also shows that it is present in many personal care products found in our homes. However, this is changing, as 1,4 Dioxane is now considered an

emerging contaminant. According to a California Health Department newsletter, new and emerging contaminants are generally unregulated. The EPA has stated that New York State does not have a recommendation regarding inappropriate levels of 1,4 Dioxane in our waters. However, the California Department of Health does have level recommendations, and it would be interesting to compare what the California Health Department lists as safe levels to the levels being reported at the Dewey Loeffel site. The KLC is eager to ask that question when it meets with the EPA again.

The EPA is just getting started at Dewey Loeffel. There is still a Remedial Investigation and Feasibility Study (RI/FS) report to be written, reviewed, approved and implemented as continued remediation is enacted. This is a long process at a site that has been contaminated for fifty years. We are grateful to the EPA for stepping in and finally moving on a process that has been stalled for a long time; especially if untreated contaminants continue to spill into groundwater through fissures in the bedrock.

As always, we will keep you up to date on developments, and recommend that you sign up for e-mail updates on the EPA website. We are working hard to ensure our lake is protected.

The KLC Joins County EMC

Fran Sindlinger

Kinderhook Lake will be represented by a KLC Director who will be seated on the newly formed subcommittee of the County's Environmental Management Council (EMC). This committee of the county EMC will meet monthly with the federal Environmental Protection Agency to discuss the treated water discharge from the Dewey Loeffel site that is being released into the Valatie Kill, and will allow the KLC to have a birds eye view of events and direct input related to the Superfund site cleanup, along with other environmental advocates and Town and County officials.



Dam Repairs

D. Langer

Even with the sluice gate wide open, the level of the lake rose swiftly at the end of March due to heavy rains, warm temperatures and snow melt. Thankfully, we were able to bring the water back down to winter level in time for Phase 2 of the latest dam repair project to start.

During the week of April 21st, coffer steel was again installed in front of the sluice gate to keep water out of the sluice pipe. This allowed the contractor dry access to install a new liner in the existing sluice pipe as described in the January KLC News. Relining of the pipe was completed on Monday, April 28th. Summer boards were reinstalled on top of the spillway and water has been returned to summer level.

It should be noted that the Dam Committee did a great job managing these latest dam repairs. Although there is still some minor work to be completed, the Committee has been instrumental in keeping costs to a minimum. If you recall, early estimates for the repairs were well in excess of the Dam Reserve Fund balance. However, it now appears that the final cost will be within the Fund balance. So please feel free to thank the Dam Committee members when you have a chance: Bernie Kelleher, Russ Camadine and Bill Cleary.

Also, please remember that maintenance and repairs to the dam are ongoing, and it will be necessary to rebuild the Dam Reserve Fund balance as quickly as possible so we are prepared to deal with future projects as they arise. Without the continued contributions and support of our Members, such maintenance and repairs to the dam would not be possible.

Our Lake Guidelines

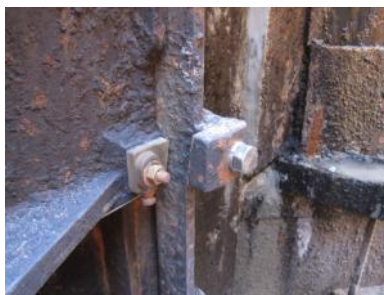
D. Langer

Last year, the KLC instituted several new guidelines to address concerns regarding preserving our fish population, reducing the potential of invasive aquatic species entering the Lake and keeping the Lake enjoyable for all our Members.

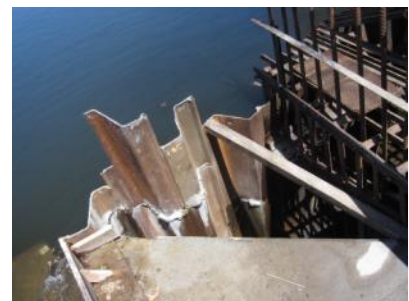
1. Fishing tournaments are not permitted on Kinderhook Lake without written permission in advance from the KLC Board of Directors. In addition, all tournament attendees must be current KLC members. Please contact Russ Camadine at camadinep164@yahoo.com 30 days in advance if you wish to sponsor a fishing tournament.
2. Launch gate keys are for KLC members only. Do not share keys with non-members or you risk losing your gate privileges. Please remember to lock the gate after every use to prevent non-member access.
3. "Recreation Guidelines" are posted at the Rt. 28 launch site and can be found on our website at kinderhooklakecorp.org.



Existing sluice gate



New bolts installed on the sluice gate



Coffer steel in place to keep water out of sluice pipe during construction



New sluice pipe liner gouted in place



End of new sluice pipe

2014 Water Treatment

Drew Nelson

After a trying summer last year, with rains contributing to unprecedented weed growth, I'm sure we are all looking forward to a little dryer summer this year. 2014 started with an unrelenting winter and increased oversight from DEC regarding permit applications. We are currently in the process of renewing our long standing permit for copper sulfate.

For those newer residents who may be unaware of our water quality measures, copper sulfate is a chemical used to reduce the levels of the blue-green algae in our lake waters. An elevated blue-green algae count can lead to a smelly pond scum residue found on the surface of the water that is toxic to certain domestic animals.

During the summer season, weekly water samples are taken with several properties

noted (temperature, clarity and microscopic analysis including blue-green algae count). Based upon the results, a determination is made as to the need for an application of copper sulfate. We attempt to maintain a water clarity of 3'-5' depth and blue-green algae count of less than 100.

Once the DEC permit is renewed, copper sulfate applications will be made on alternating Sunday evenings beginning the third week of June (algae count and weather permitting).

Notification of copper sulfate treatments will be posted 24 hours in advance at various locations around the lake. We also try to post each application on our website.

Other than this, we hope everyone has a pleasant spring and look forward to seeing everyone out on the lake.

Annual KLC Picnic Planned

D. Langer

Following in the path of the last two years' successful picnic and fundraisers, the KLC has arranged for this summer's picnic to take place **Saturday, August 2nd**, again at the Kinderhook Elk's Lodge on Rt. 9H. Only 300 meals will be served this year, so please get your tickets early (once they are available) to assure you don't miss out on the food. Meal tickets will be \$12 in advance, \$13 at the door. As in the past, great raffle and door prizes are expected.

We are looking for a few more volunteers to help serve on the committee this year and help with gathering sponsors and donations of merchandise. If you are interested in helping, please contact **Rich Theriault at 518-573-5088** as soon as possible.

Please check our website for further updates and information about purchasing your meal tickets.

Important KLC Dates to Remember

June 7

NYS Boater Safety Course 8:00AM, KLIA Hall. Pre-registration required - call 518-784-3024

June 21

KLC Member's Meeting 10:00 AM, KLIA Hall.

July 4

Kayak Rally, White Perch Derby, Ring of Fire. More info to follow on our website.

August 2

KLC Annual Picnic at the Kinderhook Elks Lodge on Rt. 9H. More info to follow on our website.

August 23

Annual KLC Membership Meeting 10:00 AM, KLIA Hall.

KLIA Events

June 15

Father's Day Breakfast, KLIA Hall, 8am-noon.



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Imagine Your Article Here

Members are invited to contribute articles to the KLC for potential publication in the KLC News and/or on our website. Articles about local activities, events, life around the lake, people around the lake, etc., would all be considered.

Send articles to klcnews@archman8.com. Please understand that the KLC Board of Directors has final discretion on whether articles are appropriate or suitable for publication.



Board Notes

Issues discussed at recent Board Meetings

- Membership and sponsors update
- Water quality treatments for 2014
- DEC permit changes for water treatment
- Insurance policy requirements
- Issues related to the Dewey Loeffel water treatment plant discharges
- Baseline lake water and sediment testing
- Update on dam repair progress
- Lake water levels
- NYS Boater Safety Course

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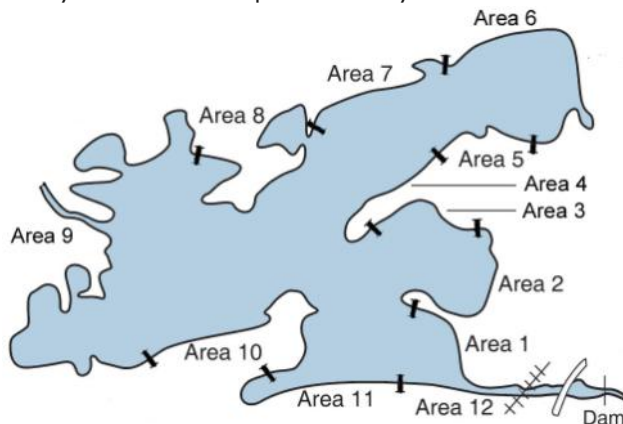
... how old the oldest known kayaks are?

Archeologists have evidence that the North American Inuits stretched animal skins over driftwood to make some of the earliest known kayaks, about 4000 years ago.

Area Directors

KLC Directors are responsible for certain programs and for representing residents in shoreline areas indicated on the map.

If you have concerns, please contact your Area Director.



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Area 2	Mike Weldon	518-784-3651
Area 3	Dan Langer	518-221-8689
Area 4	Bill Cleary	518-784-3914
Area 5	Ken Bosen	518-456-1542
Area 6	Rick Thieriault	518-573-5088
Area 7	Paul Winslow	518-784-3361
Area 8	Drew Nelson	347-721-6930
Area 9	Sharon Grubin	518-392-3427
Area 10	Bernie Kelleher	518-784-4717
Area 11	Russ Camadine	518-784-2087
Area 12	Mike Franceour	518-784-2651

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