

GERALD S. SOLOMON

MEMBER OF CONGRESS
8th DISTRICT, NEW YORK
ROOM 2201 RAYBURN BUILDING
WASHINGTON, DC 20515
202-225-1814

CALVIN BOWMAN
SARATOGA SPRINGS, NY 12055
518-587-8300

MEMBER
HOUSE TASK FORCE ON AMERICAN
PRISONERS OF WAR AND
MISSING IN SOUTHEAST ASIA

2
RULES COMMITTEE
RANKING REPUBLICAN

MEMBER
HOUSE TASK FORCE ON
CHILD LABOR, DRUGS,
EDUCATION AND THE ENVIRONMENT
ASSISTANT CLERK

Congress of the United States
House of Representatives
Washington, DC 20515

May 9, 1991

36708

The Honorable William K. Reilly
Administrator
Environmental Protection Agen.
401 M Street, SW
Suite 1200-W
Washington, D.C. 20460

Dear Bill:

I would respectfully request that you personally intervene to prevent the release of a PCB risk assessment until it can be based on new and accurate scientific information.

On May 15 your regional office in New York City intends to release a Preliminary Risk Assessment for the Hudson River, a document which will be based on outdated and inadequate information. This risk assessment cannot possibly comply with EPA regulations requiring that all risk assessments be based on specific facts which reflect the current condition of the site.

For some unknown reason, this document is being rushed out in apparent violation of the National contingency plans by the Regional Office staff only a few months after the start of the overall Hudson River Reassessment. The document relies on data that is literally years old. Further, it will not consider the beneficial effects of the recently completed \$15 million remediation project for the so called "remnant deposits" of PCB's located along the banks of the upper Hudson. Consequently the risk assessment will not reflect the changing and improving conditions of the river. Instead, it will serve the purpose of spreading misinformation and alarm among citizens and local government officials who have been assured that EPA will make decisions based on good and defensible science.

Perhaps even worse, this document will lead to a loss of credibility for EPA in the Hudson River New York area.

The publication of this flawed risk assessment is only the latest in a series of events which indicate that decision making for the Hudson River is critically in need of oversight from your office. For example, I have been told by representatives of GE that they are able to meet only with the staff of the Regional Director to discuss important issues - such as the risk assessment. The complex scientific and public policy issues which surround the Hudson River project, make this lack of communication difficult to understand. It is particularly puzzling given your interest and support for biodegradation and other new technologies that might be better solutions for hazardous waste sites across the country.

HRP 001 0401

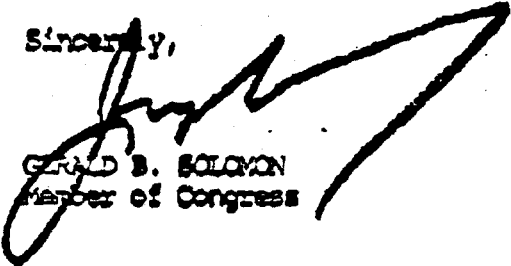
Page 2

Bill, as you may know, GE is investing some \$50 million to develop biodegradation as a viable means of remediating sediments. In fact, a demonstration of this technology is scheduled to begin in the Hudson within a few weeks. Additionally, extensive natural biodegradation of PCB's is taking place in the Hudson, reducing the toxicity of the chemicals and actually destroying them. The condition of the Hudson appears to be improving dramatically, with further improvements expected.

The risk assessment being released next week considers none of this information, nor does it consider the emerging science which recognizes that PCB's are a family of over 200 chemicals with widely varying degrees of toxicity.

Given your policy of making decisions based on the best science, I ask that you determine whether the publication of this risk assessment is good policy, and whether an open and fair process is being followed which will lead to best decision for the Hudson.

Sincerely,


GERALD B. SOLOMON
Member of Congress

HRP 001 0402 L