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Carol M. Browner, Administrator
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

Dear Administrator Browner:

Two opinion pieces that recently ran in the *New York Times* urged action, not more study, to remove PCBs from the Hudson River. I find myself, as a member of the policy committee of the New York/New Jersey Harbor Estuary Program, in agreement with those sentiments.

For well over two decades both the presence and the source of PCBs in the Hudson has been indisputable. PCBs have tainted the estuary food web, causing compounding damage as predator eats prey in a well-studied cycle. This pernicious, persistent toxin is, to a great extent, why we warn urban anglers not to eat what they catch in the estuary. PCB contamination is a major reason why dredging of ship channels has been so controversial.

The debate over whether it is wiser to remove PCBs from the bottom of the Hudson or leave the PCBs in place should not continue. It is clear to me that the only responsible course of action is to safely dredge the contaminated river bottom. I see little purpose in spending more for studies when the money is better spent on a cleanup.

Sincerely,

Robert C. Shinn, Jr.
Commissioner

Enc.

New York Times 03/01/98

Deferring the Hudson River Cleanup

The Environmental Protection Agency's decision to delay its final report on PCB contamination of the Hudson River exasperated New Yorkers who have waited 20 years for a plan of action to clean the river of its most dangerous chemical. Environmentalists were especially distressed because the E.P.A., which had lately showed some gumption on the issue, appeared to have caved in to pressure from the General Electric Company, whose factories polluted the river, and from Representative Gerald Solomon of Glens Falls, who runs the House Ways and Means Committee.

The situation is actually more complex than it seems. The E.P.A.'s own investigators, faced with new and contradictory scientific evidence, had decided to ask for more time even before Mr. Solomon intervened. Yet given the agency's history of dilatory behavior — it did not begin its investigation until 1990, 13 years after PCB's had been banned as a cancer risk — it is fair to ask of it two things. First, it must remember that the Federal Government is ultimately responsible for deciding what to do about the PCB's, not G.E. and certainly not Mr. Solomon. Second, it should announce a schedule for completing the investigation and set a target date for a final decision on how best to clean the river.

G.E. has never denied responsibility for the PCB's — short for polychlorinated biphenyls —

discharged from two upriver plants many years ago. But for 20 years the company has wrestled with state and Federal agencies over the toxicity of the chemicals and how best to purge the river. The struggle intensified one year ago when the E.P.A. released a preliminary study showing that the PCB's at the bottom of the river were not naturally biodegrading, as G.E. had long hoped. The report reinforced the argument that the only way to clean the river would be to dredge the contaminated sediment, at great cost to the company. This was not what G.E. wanted to hear.

G.E.'s scientists promptly went into overdrive, and in midsummer produced studies suggesting that the PCB's were coming from leaks at the abandoned upriver plants, not the sediments. If true, that would dictate a strategy of "tightening the spigot" at or near these plants, a much cheaper alternative than dredging. G.E.'s studies also asserted that PCB levels in the water and in fish had dropped significantly in the last two years.

The E.P.A.'s scientists are now prepared to give G.E.'s findings a careful hearing. They will then match their science with G.E.'s and, eventually, subject all the findings to extensive peer review before recommending action. All of that will take time. But at some point the science should stop, and a decision should be made.

New York Times 02/28/98

The Hudson Still Waits for Help

By John Cronin

WHAT'S more important to the Environmental Protection Agency — pollution or politics? It has been 24 years since the E.P.A. issued a report that found that two General Electric factories had dumped

The E.P.A. stalls, and nature and the people suffer.

enough PCB's into the Hudson River to set a "new record for PCB contamination in freshwater fish." The agency failed to confront G.E. then, and remains too politically timid to do so today.

The E.P.A. recently announced that it would postpone indefinitely its decision on whether G.E. must clean up more than a million pounds of PCB's by dredging contaminated sediment from the river as part of the Superfund program.

It has made this move entirely in response to political pressure from the company, which would have to pay for the cleanup. G.E. estimates the cost of dredging and disposing of the PCB's to be anywhere from \$500 million to \$2 billion.

General Electric claims that PCB's naturally lose their toxicity and that dredging the river would only stir up contaminated sediment, making the problem worse. The E.P.A. itself has disproved the for-

mer theory, and the New York State government has pointed out that the technology exists to dredge the river safely.

Nonetheless, the E.P.A. is calling a time out to conduct further scientific review, which will last at least three to four years. But there is no need for another review; there's already enough information for the agency to make its decision.

Over the past quarter century, mounds of data have been collected, dozens of scientists consulted and scores of public and private meetings held. PCB contamination is so prevalent that most of the commercial fisheries along the Hudson River have been shut down since 1976. (The Food and Drug Administration has ruled that even small amounts of PCB's may be carcinogenic; it is illegal to sell fish that contain as little as 2 parts per million of PCB's.)

The delay is a victory for G.E. The company has fought the river cleanup by spending millions of dollars on public relations specialists and lobbyists to convince the public that it is the Hudson River's new best friend. In a cunning move, it has even named its PCB newsletter "River Watch," which is also the name of a national environmental group based in Vermont.

G.E. has also lobbied politicians in Washington and New York. It has found a ser in Representative Gerald Solomon, a Republican who represents the district where many of the company's factories are located, and is chairman of the powerful Rules Committee.

Conveniently, the new delay will mean that a cleanup decision won't be made until all the current principal players are out of office.

Carol M. Browner, the director of the E.P.A.; Jeanne Fox, the agency's regional administrator, and even John F. Welch Jr., the chairman and chief executive of General Electric, will all probably have moved on by the time the scientific review is com-

pleted. It is unlikely that they will have to deal with the economic and political fallout.

General Electric may finally have bought enough time to kill a Hudson River cleanup. Meanwhile, the Environmental Protection Agency once again demonstrates that it cares more about G.E.'s political might than the health of New York's residents or the welfare of the Hudson River. □

John Cronin is executive director of Riverkeeper Inc., a nonprofit conservation group.