

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

10.5414

JUN 27 1997

70081

Daphane Wade
Town Clerk
Town of Hampton
Hampton, NY 12837

Dear Ms. Wade:

This is in response to your letters of May 21, 1997 to EPA Administrator, Carol Browner and myself, regarding the Hudson River PCBs site. Your letters forward a copy of a recent Resolution by the Town of Hampton in which the Town expresses its opposition to any remediation measures for the site that involve the dredging of PCB-contaminated sediments from the Hudson River and the disposal of those sediments in a landfill.

EPA is aware of the concerns of a number of members of the Upper Hudson River community associated with potential dredging of PCB-contaminated sediments from the Upper Hudson River. As you know, EPA has not yet determined whether it will be appropriate or necessary to dredge Hudson River sediments in order to address PCB contamination in the Upper Hudson River. Such a decision will be made only after EPA completes its Reassessment study of the Hudson River PCBs site which, when completed, will include a detailed characterization of the PCB contamination in the Upper Hudson River and the risks associated with that contamination. EPA also will prepare and release for public comment a Feasibility Study in which the Agency will evaluate several remedial options for the River sediments, including "no-action" and various dredging alternatives. "Community acceptance" is one of the criteria that must be considered by EPA when the Agency ultimately makes a remedial decision for the Upper Hudson River sediments and, while EPA cannot sacrifice protection of human health and the environment in favor of community acceptance, public comments can play a significant role in EPA's ultimate remedial decision.

In March 1996, Doug Tomchuk and Ann Rychlenski of my staff made a presentation to the Washington County Board of Supervisors on the Hudson River PCBs Reassessment study. EPA is willing to make additional presentations to the Board of Supervisors, or a similar group, to keep you informed of the findings of the Reassessment. Please contact Ms. Rychlenski at (212) 637-3672 if you wish to arrange for such a briefing.

Sincerely,

Jeanne M. Fox
Regional Administrator

SYMBOL →	SP/CT	SP/CT	ORC	ERRD	ERRD	CD	DRA	RA
SURNAME →	TOMCHUK	HAUPTMAN	SIMON	McCABE	CASPE	BELLOW	MUSZYNSKI	FOX
DATE →	DJS 6/24/97	AK 6/25/97	OK 6/25/97		6/25	RB 6/26		

cc: John Cahill, Acting Commissioner NYSDEC
Senator Daniel Patrick Moynihan
Senator Alphonse D'Amato
Congressman Gerald B. Solomon
Governor George Pataki
NYS Senator Ronald B. Stafford
NYS Assemblyman Bobby D'Andrea
NYS Assemblywoman Elizabeth Little
NYS Assemblyman Richard L. Brodsky

bcc: OEX
Ann Rychlenski, CD
Paul Simon, ORC

TOWN OF HAMPTON

Washington County

HAMPTON, NEW YORK 12837

May 21, 1997

RESOLUTION #15 of 1997

Motion by John Mashak, seconded by Donald Sady to support the Town of Fort Edward, NY in the opposing dredging of the Upper Hudson River and Creation of a toxic waste landfill.

WHEREAS, the Town of Hampton's Board finds there is no demonstrated environmental benefit to a dredge and landfill project on the Hudson River and many unmitigated long term negative environmental, economic and social consequences affecting the entire region, and

WHEREAS, the Town of Hampton's Board finds that a dredge and landfill project would be a gross, unwarranted and unnecessary insult to the Hudson River itself and the communities of the Upper Hudson region.

BE IT RESOLVED, that the Town of Hampton's Board, in concert with the Town Board of the Town of Fort Edward, hereby expresses its opposition to Hudson River remediation measures that involve dredge and landfill efforts of any kind and hereby transmits notice of such opposition in writing, to U.S. Environmental Protection Agency Administrator Carol Browner; Region II USEPA Administrator Jeanne M. Fox; U.S. Sen. Daniel Patrick Moynihan and U.S. Sen Alphonse D'Amato; U.S. Rep. Gerald B. Solomon; New York Gov. George E. Pataki; Acting New York State Environmental Conservation Commissioner John Cahill; New York State Sen. Ronald B. Stafford, and New York State Assemblyman Bobby D'Andrea and New York State Assemblywoman Elizabeth Little

Peter Genier
John Ross
John Mashak
Donald Sady
Arthur Pratt Jr.

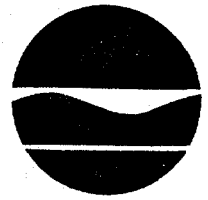
Supervisor
Councilman
Councilman
Councilman
Councilman

Daphane Wade

Hampton, NY Town Clerk

New York State Department of Environmental Conservation

Environmental Quality
Route 86 - PO Box 296
Ray Brook, NY 12977 - 0296



John P. Cahill
Commissioner

(518) 897-1241
(518) 897-1245 (Fax)

June 26, 1997

Mr. Peter Genier, Supervisor
Town of Hampton
PO Box 125
Hampton, NY 12837

Re: **Resolution**

Dear Supervisor Genier:

Commissioner Cahill asked me to respond to the Town Board regarding their Resolution No. 15, as forwarded to him by Daphane Wade, Town Clerk by letter dated May 21, 1997.

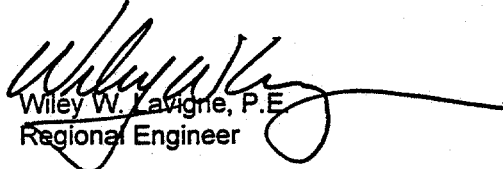
The Department wishes to thank the Board for its continued concern, input and involvement in reaching final resolution on this long standing and damaging contamination of one of the State's most treasured resources, the Hudson River.

The United States Environmental Protection Agency (EPA) is charged with the decision to dredge or not to dredge, albeit with our concurrence. At this time no decision has been made by EPA and it will be about two years before a decision is issued. The public is, and will continue to be, incorporated in EPA's decision making process so as to achieve a balanced solution by taking into account their perspectives, knowledge, and values. A decision by EPA will be preceded by the release of a preferred remedy (i.e., proposed decision) followed by a formal period of public comment. The intent of public participation is to accommodate the legitimate interests of individuals and groups that are truly representative of the effected community.

The decisions EPA must eventually make for the Hudson River may be among, if not, their most complex for any site across the United States. Thereby the input of the Board will help them to craft the best possible solution.

Again, I wish to thank the Board for its concern, input and involvement in finding the best solution for addressing the PCB contamination in the Hudson River.

Sincerely,


Wiley W. Lavigne, P.E.
Regional Engineer

WWL:DLS:krs

10.5417

Mr. Peter Genier

-2-

June 26, 1997

bc: D. Tomchuk, USEPA
S. Buchanan
M. O'Toole
W. Demick
D. Steenberge

10.5418