

SYMBOL →	SP/CT	SP/CT	ORC	ERRD	ERRD	CD	DRA	RA
SURNAME →	TOMCHUK	HAUPTMAN	SIMON	McCABE	CASPE	BELLOW	MUSZYNSKI	FOX
DATE →	DEC 6/24/97	12/25/97	12/25/97		12/25/97	12/25/97		

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

C. MICHAEL CRONIN  
MAYOR

Doug T.

MARIE E. PHILO  
CLERK/TREASURER

## Village of Hudson Falls

220 MAIN STREET  
HUDSON FALLS, N.Y. 12839  
(518) 747-5426

TRUSTEES:  
JOHN E. BARTON  
CHERYL POTVIN HOGAN  
BERNARD W. BURKE  
STEVEN A. MACY

MARTIN D. AUFFREDOU  
VILLAGE ATTORNEY

Foy  
mushynski  
cc: ~~Cattano~~  
Casper/Action  
Bellow

June 6, 1997

Honorable Jeanne M. Fox, Regional Administrator  
U.S. Environmental Protection Agency, Region II  
290 Broadway  
New York, NY 10007-1866

Re: PCB Dredge-and-Landfill Project

Dear Ms. Fox:

At the Board of Trustees of 6/2/97 a resolution was passed opposing the U. S. Environmental Protection Agency to order a Hudson River PCB dredging project, which would likely result in the establishment of a PCB landfill in one of our surrounding communities.

Enclosed is a certified copy of the resolution.

I urge you to do anything in your power to avoid enforcement of any PCB dredging and landfill Project.

Sincerely,



C. MICHAEL CRONIN  
Mayor  
CMC:mp  
Enc. 1

ENVIRONMENTAL PROTECTION  
AGENCY REGION II  
97 JUN 12 PM 3:51  
DIV. ENV. PLNG. & PROT.

USED - 1000000  
EMERGENCY RESPONSE  
RESOURCES  
97 JUN 18 PM 2:46  
DIRECTOR'S OFFICE  
OPM/PPEB  
97 JUN 12 AM 11:30  
US EPA

10.5428

Upon motion made by Trustee Burke, seconded by Trustee Macy and carried, it is

RESOLVED that the following resolution be adopted opposing dredging of the Upper Hudson River and Creation of a Toxic Waste Landfill.

WHEREAS, the U.S. Environmental Protection Agency is reassessing its 1984 decision not to dredge the Upper Hudson River to remove buried sediment containing PCBs, and

WHEREAS, the EPA has recently released a report that suggests the Agency may be preparing to reverse its position and order dredging, and

WHEREAS, PCB landfill projects have twice before been proposed for agricultural properties in the Town of Fort Edward and have twice been stopped through legal action, political action and the vigilance of citizens of Fort Edward, Washington County and surrounding communities, and

WHEREAS, the Town Board of the Town of Fort Edward has steadfastly opposed Upper Hudson River remediation options that involve PCB dredge-and-landfill projects of any kind, and has asked other municipalities to join Fort Edward in opposition to such projects based on their negative regional impacts, and

WHEREAS, a PCB dredge-and-landfill project would have significant, long-term adverse environmental, economic and social consequences for all Upper Hudson River communities, especially affecting the agricultural industry, which depends on consumer confidence in the purity of its products, confidence likely to be undermined by the presence of a hazardous waste landfill; and especially impairing the continuing efforts to make local communities attractive places to live, work and raise families because a PCB landfill would destroy forever the pastoral quality of life that is our greatest asset, and

WHEREAS, a Hudson River dredging project would disrupt normal recreational use of the river and jeopardize future public and private investments in river-related amenities affecting the entire Upper Hudson region, and

WHEREAS, the mere possibility of a PCB dredge-and-landfill project adversely affects land values throughout the Upper Hudson region and discourages private investment that might lead to the creation of new jobs, and

WHEREAS, representatives of Washington County and many local governments have taken an active role in EPA's public meetings and have repeatedly asked EPA to evaluate all of the adverse impacts of a PCB landfill on the resources and economy of the county, and

WHEREAS, EPA has conducted no such evaluation and has made no commitment to conduct such an evaluation before any decision to establish a PCB landfill is reached, and

WHEREAS, a significant body of scientific evidence demonstrates that conditions in the Hudson River are improving, with PCB levels declining in water, sediment and fish, such that the State of New York has reopened the catch-and-release fishery in the Upper River, and

WHEREAS, dredging contaminated sediments has been shown to be ineffective in improving environmental conditions elsewhere, and

WHEREAS, there is no credible scientific evidence that dredging sediments from the bottom of the Hudson River would significantly accelerate the improvements already taking place as a result of ongoing remediation work and the river's natural recovery processes, and

WHEREAS, EPA itself determined in 1984 that a major dredging project "could be environmentally devastating to the river ecosystem and cannot be considered to adequately protect the environment," (USEPA, Superfund Record of Decision at Page 8) and determined that "the actual reliability and effectiveness of current dredging technologies in this particular situation is subject to considerable uncertainty, " (Decision at Page 11), and

WHEREAS, EPA recognized that the many tons of material to be removed in a dredging project would require and "impractically large containment facility" (Decision at Page 8), and

WHEREAS, the Village 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 Village 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,

NOW, THEREFORE, BE IT RESOLVED, that the Village 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. Senator Daniel Patrick Moynihan and U. S. Senator Alphonse D'Amato; U.S. Congressman Gerald B. Solomon; New York Governor George E. Pataki; Acting New York State Environmental Conservation Commissioner John Cahill; New York State Senator Ronald B. Stafford, New York State Assemblyman Bobby D'Andrea and New York State Assemblywoman Elizabeth Little

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I HEREBY CERTIFY, that this is a true and correct copy of said resolutions as spread upon the minutes of the meeting of the Village Board of Trustees of Hudson Falls, N.Y., held on the 2nd. day of June, 1997.

Marie E. Philo  
Village Clerk

Dated June 6, 1997

I CERTIFY, that the signature shown above is a specimen signature of Marie E. Philo, Village Clerk, as authorized in the foregoing resolution.

Kathryn A. Fitzpatrick  
Notary Public for the State of New York

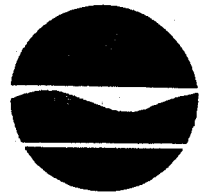
KATHRYN A. FITZPATRICK  
NOTARY PUBLIC, STATE OF NEW YORK  
WASHINGTON COUNTY #4512026  
MY COMMISSION EXPIRES 7/31/97

10.5430

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

# New York State Department of Environmental Conservation

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



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

John P. Cahill  
Acting Commissioner

June 23, 1997

C. Michael Cronin, Mayor  
Village of Hudson Falls  
220 Main Street  
Hudson Falls, NY 12839

Re: **Resolution**

Dear Mayor Cronin:

Commissioner Cahill asked me to respond to the Village Board regarding their resolution, as forwarded to him by letter dated June 6, 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

10.5432