



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

70106

SEP 3 1997

Honorable Thomas J. Higgins
Mayor, City of Mechanicville
36 North Main Street
Mechanicville, New York 12118

Dear Mayor Higgins:

This is in response to your letters of July 17, 1997 to EPA Administrator Carol Browner and EPA Region 2 Administrator Jeanne M. Fox, regarding the Hudson River PCBs site. Your letters forward a copy of a recent Resolution by the City of Mechanicville in which the City 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, EPA 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 Ann Rychlenski at (212) 637-3672 if you wish to arrange for such a briefing.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Richard L. Caspe".

Richard L. Caspe, Director
Emergency and Remedial Response Division

cc: John Cahill, 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

D Tomchuck



GEORGE E. PATAKI
GOVERNOR

JOHN P. CAHILL
COMMISSIONER

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233-1010

AUG 11 1997

The Honorable Thomas Higgins
Mayor of the City of Mechanicville
36 North Main Street
Mechanicville, NY 12118

Dear Mayor Higgins:

This letter is in response to the Village Board's Resolution No. 74-97 "Opposing Dredging of the Hudson River and Creation of a Toxic Waste Landfill".

The Department wishes to thank the Board for its continued concern, input and involvement regarding the investigations for a solution to the longstanding contamination of one of the state's most treasured resources, the Hudson River.

The United States Environmental Protection Agency (EPA) is charged with investigating the Hudson River contamination from a perspective of ensuring that the contaminants within the river do not threaten public health and the environment. At this time EPA is in the beginning phase of its investigation and it will be about two years before a final decision is issued. The public is, and will continue to be, incorporated in EPA's decision making process through EPA's public participation program. The intent of public participation is to make public decisions with the benefit of the advice of individuals and groups that are representative of the effected community.

The decisions EPA must eventually make for the Hudson River may be among the most complex for any contaminated site across the United States. Therefore, the Village Board's continued analysis and input on these issues are vital to help EPA craft the best possible solution.

Sincerely,

A handwritten signature in dark ink, appearing to read "John P. Cahill".
John P. Cahill

10.5583

WWL:krs

BC: Commissioner
D. Tomchuck
M. O'Toole
W. Demick
D. Steenberge
W. Lavigne

CCU#9793851

CITY OF MECHANICVILLE

36 NORTH MAIN STREET

MECHANICVILLE, NEW YORK 12118

THOMAS J. HIGGINS - 664-8331
Mayor

JOHN A. ENZIEN - 664-9884
Commissioner of Accounts

JAMES J. LEVESQUE - 664-8920
Commissioner of Finance

FRANCIS A. RUBINO - 664-7171
Commissioner of Public Works

JOHN J. PHELAN - 664-5651
Commissioner of Public Safety

Area Code (518)

FAX: (518) 664-3431

July 17, 1997

John Cahill, Acting Commissioner
NYS Environmental Conservation Department
50 Wolf Road
Albany, N.Y. 12205

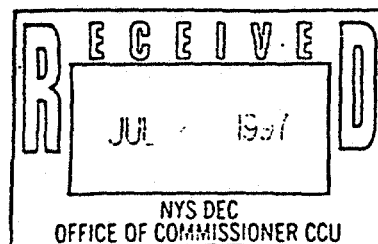
Commissioner Cahill:

I am enclosing a copy of Resolution No. 74-97, that the City of Mechanicville, N.Y. passed unanimously at our City Council Meeting on July 16, 1997, in concert with the Town of Fort Edward, N.Y., expressing its opposition to the Upper Hudson River PCB dredging project which would likely result in the creation of a Toxic Waste PCB Landfill.

I am asking for your support in opposing this passage. Thank you for your support.

Sincerely,
Thomas J. Higgins, Mayor

TJH/m
Enc.



10.5585

OPPOSING DREDGING OF THE UPPER HUDSON RIVER AND THE CREATION
OF A TOXIC WASTE LANDFILL

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," and

WHEREAS, EPA recognized that the many tons of material to be removed in a dredging project would require an "impractically large containment facility", and

WHEREAS, the City of Mechanicville, N.Y., County of Saratoga finds there is no demonstrated environmental benefit to a dredge-and-landfill project on the Hudson River and many unmitigated long-term negative environmental, and economic and social consequences affecting the entire region, and

WHEREAS, the City of Mechanicville, County of Saratoga 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 City of Mechanicville, N.Y., County of Saratoga, 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 USEPA Administrator Carol Browner; Region II USEPA Administrator Jeanne M. Fox; U.S. Sen. Daniel P. Moynihan and U.S. Sen. Alphonse D'Amato; U.S. Rep. Gerald B. Solomon; New York Governor George E. Pataki; Acting NYS Environmental Conservation Commissioner John Cahill; New York State Sen. Joseph A. Bruno, and NYS Assemblyman Pat Casale.

INTRODUCED BY: Mavor Thomas J. Higgins

SECONDED BY: Commissioner John J. Phelan

ROLL CALL: AYES: 5 NAYS: 0

July 16, 1997

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Commissioner of Public Works

JOHN J. PHELAN - 664-5851

Commissioner of Public Safety

Area Code (518)

FAX: (518) 664-3431

July 17, 1997

Ms. Carol Browner, Administrator
USEPA
401 M Street, S.W.
Washington, D.C. 20460

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Sincerely,
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TJH/m
Enc.

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INTRODUCED BY: Mayor Thomas J. Higgins

SECONDED BY: Commissioner John J. Phelan

ROLL CALL: AYES: 5 NAYS: 0

July 16, 1997

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July 17, 1997

Jeanne M. Fox, Administrator
Region II USEPA
290 Broadway
New York City, N.Y.
10007-1866

*Fox
Muszynski
cc: Caspell
Bellow*

Dear Ms. Fox:

I am enclosing a copy of Resolution No. 74-97, that the City of Mechanicville, N.Y. passed unanimously at our City Council Meeting on July 16, 1997, in concert with the Town of Fort Edward, N.Y., expressing its opposition to the Upper Hudson River PCB dredging project which would likely result in the creation of a Toxic Waste PCB Landfill.

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Sincerely,

Thomas J. Higgins, Mayor

Thomas J. Higgins

TJH/m

Enc.

DIRECTOR'S OFFICE

97 JUL 23 AM 10:18

EMERGENCY
RESPONSE
UNIT

US EPA
97 JUL 22 PM 12:10
OPM/PPEB

10.5589

OPPOSING DREDGING OF THE UPPER HUDSON RIVER AND THE CREATION
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INTRODUCED BY: Mayor Thomas J. Higgins

SECONDED BY: Commissioner John J. Phelan

ROLL CALL: AYES: 5 NAYS: 0

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