



70107

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

SEP 3 1997

Kathleen Marchione  
Clerk of the Board of Supervisors  
County of Saratoga  
40 McMaster Street  
Ballston Spa, New York 12020

Dear Ms. Marchione:

This is in response to your letters of July 18, 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 Saratoga County Board of Supervisors in which the Board of Supervisors 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.

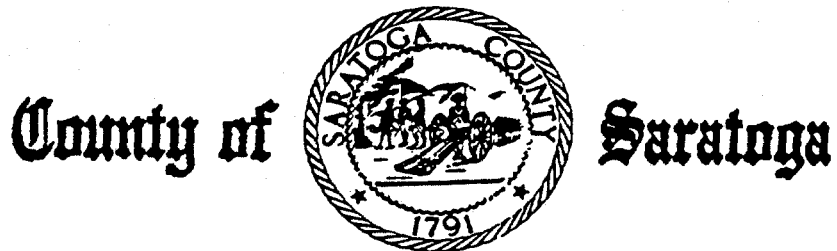
EPA is aware of the concerns of a number of members of the Upper Hudson River community associated with potential dredging of PCB-contaminated sediments from the Upper Hudson River. As you know, EPA has not yet determined whether it will be appropriate or necessary to dredge Hudson River sediments in 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 Saratoga County 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,

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



County of Saratoga

*Board of Supervisors*

40 McMASTER STREET  
BALLSTON SPA, NEW YORK 12020  
Phone: (518) 885-5388 Ext. 403  
Fax: (518) 884-4771

MARVIN R. LeROY, JR.  
*Chairman*

KATHLEEN MARCHIONE  
*Clerk*

Attached is a certified copy of a Resolution that was recently adopted by the Saratoga County Board of Supervisors.

We would appreciate your support of the Board's position. Thank you for your consideration.

*Kathy Marchione*

Kathy Marchione  
Clerk

Dated: 7-18-97

## RESOLUTION 93 - 97

Introduced by Supervisors Trieble, DeVoe, Hall, Hunter, Johnson, McDonald, St. John and Lilac

## OPPOSING PROPOSED PCB DREDGING IN HUDSON RIVER

WHEREAS, PCB contamination of the upper Hudson River ended more than twenty years ago; and

WHEREAS, the Environmental Protection Agency is considering the permanent remediation plan for this serious problem; and

WHEREAS, a proposed remedy is the dredging of the river bottom and the deposition of the contaminants in a landfill; and

WHEREAS, the actual PCB level has greatly declined during these past twenty years and it is likely that the Hudson River is cleansing itself by natural biodegradation; and

WHEREAS, dredging may halt the natural processes and a landfill will certainly create a new site of contamination; and

WHEREAS, Resolution 76-90 expressed the opposition of our predecessors to an earlier dredging proposal and nothing has since occurred to warrant its reversal; now, therefore, be it

RESOLVED, that the Board of Supervisors of Saratoga County expresses its opposition to any dredging of the upper Hudson River and urges other more suitable remediations for its PCB contamination; and, be it further

RESOLVED, that our Clerk of the Board forward certified copies hereof to the Governor, our federal and state legislators, EPA Administrator Browner, Region II Administrator Fox, DEC Commissioner Cahill and the Chairs of the Boards of Supervisors of Warren and Washington Counties.

STATE OF NEW YORK     )  
                                  ) ss:  
COUNTY OF SARATOGA    )

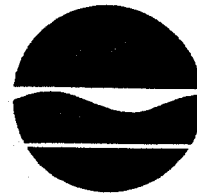
I, KATHLEEN MARCHIONE, Clerk of the Board of Supervisors of Saratoga County, do hereby certify that the foregoing is a true copy, and the whole thereof, of a resolution duly adopted by the Board of Supervisors of said county, on the 15th day of July 1997.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed hereto the official seal of said Board of Supervisors this 16th day of July 1997.

*Kathleen A. Marchione*  
Clerk of the Board of Supervisors  
Saratoga County, New York

**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)

July 29, 1997

Richard E. Weber, Chairman  
Saratoga County Board of Supervisors  
40 McMaster Street  
Ballston Spa, NY 12020

Re: **Resolution No. 93-97**

Dear Chairman Weber:

Commissioner Cahill asked me to respond to the Board regarding their Resolution No. 93-97 dated July 16, 1997, as forwarded to him by County Clerk Kathleen Marchione.

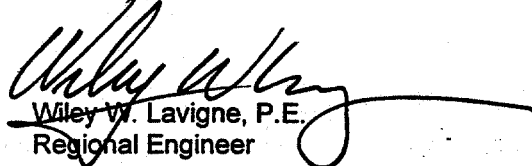
The Department wishes to thank the Board for its continued concern, input and involvement in reaching final resolution on this long standing and damaging contamination of one of the State's most treasured resources, the Hudson River.

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

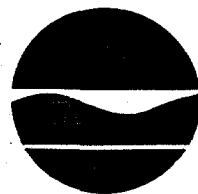
WWL:DLS:krs

**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)

*Doug*



John P. Cahill  
Commissioner

November 6, 1997

*For Matuszyski  
cc: Caspe*

Mr. Marvin R. LeRoy  
Chairman  
Saratoga County Board of Supervisors  
40 McMaster Street  
Ballston Spa, New York 12020

Dear Mr. LeRoy:

Commissioner Cahill has asked me to respond to the Board of Supervisors' Resolution 132-97, forwarded to him by the Clerk of the Board, addressing the Environmental Protection Agency's (EPA's) reassessment of PCB contamination in the Hudson River. The resolution expresses the Board's opposition to remedial alternatives that involve dredging the Hudson River.

The New York State Department of Environmental Conservation is still evaluating the complex scientific and technical aspects of the Hudson River Reassessment Project. In our deliberations, we will take into account the perspectives, knowledge, and values of the affected community as well as the science and technology that has been applied throughout the study. We will continue to work with EPA to ensure a comprehensive evaluation is made of the remedial alternatives. The Department believes the technical work must be completed and presented to the public before it can support any particular remedy for addressing the PCB contamination in the Hudson River.

The resolution also raised a concern with EPA's recent landfill siting survey. The EPA recently provided a public apology for the method in which it performed the landfill siting study. The Department believes that EPA should now be judged by its future actions to take into account the recommendations made by you and others involved in the community interaction process.

Thank you for your continued concern and input on the PCB contamination in the Hudson River.

Sincerely,

*Wiley W. Lavigne*  
Wiley W. Lavigne, P.E.  
Regional Engineer

WWL:krs

c: J. Fox. USEPA

US EPA  
97 NOV 10 PM 1:27  
OPM/PPPB  
DIRECTOR'S OFFICE  
97 NOV - 6 PM 6:26  
RECEIVED  
NOV 10 1997

10.5596

Mr. Marvin R. LeRoy

-2-

November 6, 1997

bcc: M. Toole  
T. Quinn  
S. Hammond  
W. Demick  
W. Ports  
S. Buchanan  
D. Steenberge

10.5597