

70108



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

SEP 3 1997

Jean D. Casey
Town Clerk
Town of Saratoga
104 Chapman Hill Road
Saratoga Springs, NY 12866

Dear Ms. Casey:

This is in response to your letters of July 14, 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 Town of Saratoga 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, 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.

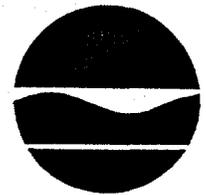
Sincerely yours,

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

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
Commissioner

August 7, 1997

Mr. Robert F. Hall, Supervisor
Town of Saratoga
104 Chapman Hill Road
Saratoga Springs, NY 12866

Dear Mr. Hall:

Commissioner Cahill asked me to respond to the Board regarding their resolution in "Opposition to the Dredging of the Hudson River" dated July 14, 1997, as forwarded to him by Town Clerk Jean D. Casey.

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

10.5600

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

7/14/97

RESOLUTION

IN OPPOSITION TO THE DREDGING OF THE HUDSON RIVER

WHEREAS: the U.S. Environmental Protection agency is reassessing the decision of 1984 not to dredge the upper Hudson River to remove buried sediment containing PCB's, and

WHEREAS, the EPA has recently released a report that suggests the Agency may be preparing to reverse its decision and order dredging and a PCB landfill in or around the town of Fort Edward, and

Whereas, PCB landfills have been twice proposed for agricultural properties in the town of Ft. Edward and have not gone forward due to strong opposition from the citizens of Ft. Edward and the surrounding communities, and

WHEREAS, a PCB dredge and landfill project would have significant long term adverse environmental, economic and social consequences for all Hudson River communities, including the town of Saratoga, especially affecting the agricultural industry and the quality of life presently enjoyed in the area, and

WHEREAS, a PCB dredge and landfill project would adversely affect land values throughout the upper Hudson region and discourage private investment that might lead to creation of new jobs, and

WHEREAS, a PCB dredge and landfill project would disrupt normal recreational use of the river and jeopardize public and private investments in river related amenities affecting the entire Upper Hudson region, and

WHEREAS, the town board of the town of Saratoga finds that there is no demonstrated environmental benefit to a dredge and landfill on the Hudson River and many unmitigated long-term negative environmental, economic and social consequences affecting the entire region, and now

THEREFORE BE IT RESOLVED, that the town board of the town of Saratoga in concert with the Ft. Edward town board, 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 the EPA Administrator Carol Browner; Region II USEPA Administrator Jeanne M. Fox; US Senator Daniel Patrick Moynihan; US Senator Alfonse D'Amato; US Representative Gerald B. Solomon; NY Governor George E. Pataki; Acting NYS Environmental Commissioner John Cahill; NYS Senator Joseph L. Bruno and NYS Assemblyman Robert D'Andrea.

Resolution duly adopted by unanimous vote of the Saratoga town board at the July 14 meeting of the town board.

Supervisor Robert F. Hall
Councilmans Robert Swartwout, Bruce Cornell & Michael McLoughlin.

Jean D. Casey
Jean D. Casey
Town Clerk

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