



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

Nov 26 1997

Christine M. Chesley, Clerk
Rensselaer County Legislature
County Office Building
Troy, New York 12180

Dear Ms. Chesley:

This is in response to your letters of October 23, 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 Rensselaer County Legislature in which the Legislature expresses its opposition to any remediation measures that involve the siting of a hazardous waste landfill in any town, city or village in Rensselaer County, specifically PCB-contaminated sediments from the Hudson River.

EPA is aware of the concerns of a number of members of the Upper Hudson River community associated with the 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. Subsequently, EPA has not yet determined whether it will be appropriate or necessary to construct a hazardous waste landfill for the disposal of PCB contaminated sediments from the 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", various dredging alternatives, and possible disposal 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 Rensselaer County Legislature, 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

10.5746

RENSSELAER COUNTY LEGISLATURE

Introduced by Legislator Little, Harrington, McGreevy, Kelleher, Swartz, Date October 1, 1997
Vartigian, Brearton, Golden, Jimino, Miccio, Reid, VanDeusen, Douglas,
Amadon, Dedrick, Doran, Mirch, O'Brien, Polsinello

Sent To: Environmental Committee Date October 6, 1997

Resolution No. P/475/97

RESOLUTION OPPOSING THE SITING OF A HAZARDOUS WASTE LANDFILL IN ANY TOWN, CITY OR VILLAGE IN RENSSELAER COUNTY

WHEREAS, From 1946 to 1976 over one-half million pounds of toxic polychlorinated biphenyls (PCBs) were dumped into the Hudson River in the area of Fort Edward, New York; and

WHEREAS, As a result the 40-mile stretch of the Hudson River from Fort Edward south to the Troy Federal Dam became contaminated with PCBs, rendering the fish in those waters unfit to eat; and

WHEREAS, Over the last fifteen (15) years the Environmental Protection Agency has been studying possible remedial action that would address the PCB contamination in the sediments underlying the waters of the Hudson River; and

WHEREAS, The EPA has recently admitted that it has undertaken a "screening study" to determine suitable locations to place a landfill in which PCBs would be stored on land if they were removed from the river by dredging or other similar means; and

WHEREAS, It is believed that sites in Rensselaer County are on the list of potential landfill sites for the burial and storage of PCBs that may be dredged or removed from the Hudson River; and

WHEREAS, It is the overwhelming policy of this Legislative Body to protect, preserve, and enhance Rensselaer County's natural resources while balancing economic and public health issues and concerns; and

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WHEREAS, We believe, as our neighbors along the Hudson River believe, that the placement of a hazardous waste landfill to store Hudson River PCBs in Rensselaer County will serve as an impediment to our economic and environmental well-being; now therefore, be it

RESOLVED, That the Rensselaer County Legislature hereby calls upon the United States Environmental Protection Agency to remove from its PCB landfill candidate list any mention or reference to sites within or immediately adjacent to Rensselaer County; and, be it further

RESOLVED, That the Rensselaer County Legislature hereby directs the Clerk of the Legislature to send a certified copy of this Resolution to President William Clinton, Director of the EPA Carol Browner, Congressman Gerald Solomon, Congressman Michael McNulty, the Saratoga County Board of Supervisors, and the Washington County Board of Supervisors.

Resolution ADOPTED by the following vote:

Ayes: 19

Nays: 0

Abstain: 0

October 14, 1997