

70146

MAY 18 1998
 Fred J. Mack
 Town of Durham
 Office of the Supervisor
 East Durham, New York 12423

Dear Mr. Mack:

This is in response to your letter of April 6, 1998 to EPA regarding the Hudson River PCBs Site. Your letter forwards a copy of a recent Resolution by the Town of Durham in which the Town expresses its opposition to any remediation measure associated with the Hudson River PCBs Reassessment involving the dredging and landfilling of hazardous waste, specifically PCB-contaminated sediments from the Hudson River.

EPA is aware of the concerns of the Hudson River Valley community associated with potential dredging of PCB-contaminated sediments from the Upper Hudson River. 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", various dredging alternatives, and possible disposal alternatives.

As with any decision concerning the Site, "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. Therefore, we will continue to keep you informed of the

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SYMBOL -->	SP/CT	SP/CT	SP/CT	ERRD-DD	ERRD-D	CD	DRA	RA
SURNAME -->	Hughes	Tomchuk	Hauptman	McCabe	Faspe	Bellows	Muszynski	Fox
DATE -->	5/11/98	5/11/98	5/11/98	5/11/98	5/11/98	5/11/98	5/15/98	5/15/98

findings of the Reassessment. If you have any questions or require more information, please contact Ann Rychlenski at (212) 637-3672.

Sincerely,

Jeanne M. Fox

Jeanne M. Fox
Regional Administrator

Attachment

cc: U. S. Senator Alfonse D'Amato
Congressman Gerald B. Solomon
State Senator Charles D. Cook
State Assemblyman John J. Fasc

bcc: OEX
Ann Rychlenski, CD
Paul Simon, ORC
Douglas Fischer, ORC

EPA HUDSON RIVER PROJECT RESOLUTION

At a regular meeting of the Town Board of the Town of Durham, Greene County, New York held March 12, 1998, Mr. Elpel made a motion to adopt the following resolution and moved its adoption:

WHEREAS, the United States 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, the Town of Durham has the utmost concern for the health, welfare and safety of its citizens, and

WHEREAS, a PCB dredge and landfill project would have significant, long term adverse environmental, economic and social consequences for the Town of Durham and for other communities, and

WHEREAS, approximately 50 other communities have passed resolutions opposing the dredge and landfill project, and

WHEREAS, the Town of Durham 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 region, and

WHEREAS, the Town of Durham finds that a dredge and landfill project would not be in the best interests of the citizens of the Town of Durham, and

NOW THEREFORE BE IT RESOLVED, that the Town of Durham hereby expresses its opposition to the Hudson River remediation measure that involve dredge and landfill efforts of any kind, hereby transmits notice of such opposition in writing to the U.S. Environmental Protection Agency and such other local, state and notional officials having an interest in the proposed project.

Mrs. Sutton seconded the motion.

Voting was as follows:

Ayes 4	Noes 0	Absent	1
Allan		Carr	
Elpel			
Mack			
Sutton			

The resolution was duly adopted.

STATE OF NEW YORK)

) ss.

COUNTY OF GREENE)

I, the undersigned, Clerk of the Town of Durham,
DO HEREBY CERTIFY that I have compared the above copy of a
resolution adopted March 12, 1998, with the original record
in this office and that the same is a correct transcript
thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed the official seal of said Town of Durham this 7th day
of June 2001.



Charles G. Soderblom
Clerk, Town of Durham