



70183  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

JAN 27 1999

William J. Bingel, Clerk  
Intercounty Legislative Committee of the Adirondacks  
137 Margaret Street  
Plattsburgh, New York 12901

Dear Mr. Bingel:

This letter is in response to the resolution which was forwarded on November 19, 1998 to the Environmental Protection Agency, concerning the Hudson River PCBs Site Reassessment Study. The Intercounty Legislative Committee of the Adirondacks recently passed a resolution opposing EPA's creation of a 160 square-mile dump zone along the Hudson River in Washington, Saratoga, and Rensselaer Counties.

The above-referenced resolution appears to be based on a misunderstanding of certain statements in the Feasibility Study Scope of Work, which EPA released in September 1998. Please see the enclosed letter of November 5, 1998, which EPA sent to interested parties in an effort to clarify this issue.

If you have any questions, please feel free to contact Ann Rychlenski at 212-637-3672.

Sincerely yours,

Richard L. Caspe, Director  
Emergency and Remedial Response Division

Enclosure

11/19/98

**INTERCOUNTY LEGISLATIVE COMMITTEE**  
**OF THE**  
**ADIRONDACKS**

**CLINTON COUNTY GOVERNMENT CENTER**  
**137 MARGARET STREET**  
**PLATTSBURGH, NEW YORK 12901**

**Samuel J. Trombley, Chairman**  
**Phone: (518) 565-4600 (Office)**  
**(518) 594-7742 (Home)**

*Don*  
*Cape Action*  
*As made*  
*1/29/99*  
*duir*  
*has*

**William J. Bingel, Clerk**  
**Phone: (518) 565-4600**  
**Fax: (518) 565-4616**

Attached is a copy of Resolution No. 16, adopted by the Intercounty Legislative Committee of the Adirondacks at their meeting held on the 19th day of November, 1998.

William J. Bingel, Clerk

*Representing the Counties of:*  
*Clinton, Essex, Franklin, Fulton, Hamilton, Herkimer, Lewis, St. Lawrence, Saratoga, Warren and Washington*

**INTERCOUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS**

**Resolution No. 16 of 1998**

**OPPOSING 160-SQUARE MILE DUMP ZONE ALONG THE HUDSON RIVER  
IN WASHINGTON, SARATOGA AND RENSSELAER COUNTIES**

WHEREAS, the Intercounty Legislative Committee of the Adirondacks has previously expressed its steadfast opposition to the establishment of a PCB landfill necessitated by a Hudson River dredging project; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) is reassessing its 1984 decision not to dredge the Hudson River and has released several documents that suggest the Agency may be preparing to reverse its position and order dredging; and

WHEREAS, in the scope of work for its upcoming Feasibility Study, EPA has just created a 160-square mile federal dump zone along the Hudson River between Hudson Falls and Troy be redefining the term "on-site" as it relates to dredging projects to mean "a corridor including the Upper River and extending two miles from either bank"; and

WHEREAS, EPA originally listed the Hudson River Superfund site as including only the river itself, not any adjacent lands; and

WHEREAS, this zone, 40 miles long and 4 miles wide, encompasses more than 100,000 acres of land within two miles of either bank of the Hudson and includes hundreds of private properties in Washington, Saratoga and Rensselaer counties; and

WHEREAS, by creating this zone, EPA appears to be preparing to use a loophole in the federal Superfund law to get around the need for New York State and/or local reviews and permits to site a massive dump to hold river sludge – permit reviews that stopped the two prior Hudson River dredge-and-dump projects; and

US EPA  
JAN 1 1999  
5:18 PM  
OPM/PPB

WHEREAS, EPA did not inform the public, elected officials or the news media of its latest plan to circumvent local and State approval; and

WHEREAS, EPA refused to explain the need for a 160-square mile dump zone from Fort Edward to the Troy Dam; and

WHEREAS, a sludge dump, which is unnecessary, permanent and very damaging, is the stigma no community wants.

NOW, THEREFORE BE IT RESOLVED, the Intercounty Legislative Committee of the Adirondacks hereby announces its complete opposition to EPA's attempts to circumvent local and State environmental laws that are designed to protect local communities by creating a new definition for the Hudson River Superfund site; and

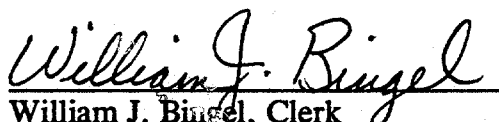
BE IT FURTHER RESOLVED, that the Intercounty Legislative Committee of the Adirondacks hereby demands that EPA discontinue its unwarranted attempt to create a 160-square mile dump zone along both banks of the Upper Hudson River, and hereby transmits notice of such opposition and demand, in writing, to U.S.

Environmental Protection Agency Administrator Carol Browner; Region II USEPA Administrator Jeanne Fox; Senator Daniel Moynihan, Senator Alfonse D'Amato, Congressman Gerald Solomon; Governor George Pataki; NYS Environmental Conservation Commissioner John Cahill; Senator Ronald Stafford; Assemblyman Bobby D'Andrea; Assemblymember Elizabeth Little; Washington County Board of Supervisors Chairperson Peter Telisky, and Saratoga County Board of Supervisors Chairperson Jean Raymond; and

BE IT FURTHER RESOLVED, that the Intercounty Legislative Committee of the Adirondacks urges its federal and state representatives and local government colleagues in other communities that fall within this newly-classified landfill zone to

join in support of the Intercounty Legislative Committee of the Adirondacks' effort to prevent an expansion of the Hudson River Superfund site.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Intercounty Legislative Committee of the Adirondacks on the 19<sup>th</sup> day of November, 1998.

  
William J. Bingel, Clerk  
Intercounty Legislative Committee  
of the Adirondacks