70222

Ms. Elaine A. Kelly
Town of Greenwich
2 Academy Street
Greenwich, New York 12834

Dear Ms. Kelly:

This letter is in response to your letter dated April 18, 2000 to EPA Administrator Carol Browner, and others, concerning the Hudson River PCBs site Reassessment Study. Your letter forwards a copy of a recent Resolution by the Town of Greenwich in which the Town expresses its opposition to any dredge and landfill option to address hazardous waste, specifically PCB-contaminated sediments, in the Hudson River.

EPA is aware of public concerns regarding PCB-contaminated sediments in the Hudson River. However, EPA has not yet determined whether it will be appropriate or necessary to select a dredge and landfill option in order to address PCB contamination in the Upper Hudson River. Such a decision will be made only after EPA completes the Reassessment of the Hudson River PCBs site which will include, among other things, a detailed characterization of the PCB contamination in the Upper Hudson River and the risks associated with that contamination, and an analysis of remedial options for addressing the PCB-contaminated sediments. EPA is scheduled to announce its preferred remedial option for the Hudson River PCBs site in December 2000, and to issue a final remedial decision for the site in June 2001. EPA will accept public comment on its preferred remedial option and respond to significant public comments on its proposal in a responsiveness summary to be issued together with the Agency's final decision.

We hope that this letter addresses your concerns. EPA appreciates your interest in the Reassessment process, and we encourage you to continue to express your concerns regarding the Reassessment.

If you have any questions or require more information, please feel free to contact Ann Rychlenski at (212) 637-3672.

Sincerely yours,

Richard L. Caspe, Director
Emergency and Remedial Response Division

bcc: Ann Rychlenski, CD
Douglas Fischer, ORC

10.6148

TOWN OF
GREENWICH

2 Academy Street Greenwich NY 12834

Town Clerk 692-7611 Supervisor 692-7137 Assessor 692-9381 Highway 695-6033

April 18, 2000

To: U.S. Environmental Protection Agency Administrator Carol Browner; Region II USEPA Administrator Jeanne M. Fox; U.S. Senator Daniel Patrick Moynihan and U.S. Senator Charles Schumer; U.S. Representative John E. Sweeney; New York Governor George E. Pataki; New York State Environmental Conservation Commissioner John Cahill; New York State Senator Ronald B. Stafford, and New York State Assemblyman Bobby D'Andrea and New York State Assemblywoman Elizabeth Little.

Enclosed please find a copy of Resolution No. 72 of 2000 adopted by the Town Board of the Town of Greenwich, Washington County, New York.

Sincerely,

Elaine A Kelly

Elaine A. Kelly, RMC
Town of Greenwich

10.6149

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TOWN OF
GREENWICH
2 Academy Street Greenwich NY 12834
Town Clerk 692-7611 Supervisor 692-7137 Assessor 692-9381 Highway 695-6033

RESOLUTION NO. 72 OF 2000

Motion by Councilman Germain
Seconded by Councilman Barber
Passed unanimously by said Board

Title: Opposing Dredging of the Upper Hudson River and Creation of a Toxic Waste Landfill

WHEREAS, the U.S. 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, PCB landfill projects have twice before been proposed for agricultural properties in the Town of Fort Edward and have twice been stopped through legal action, political action and the vigilance of citizens of Fort Edward, Washington County and surrounding communities, and

WHEREAS, the Town Board of Fort Edward has steadfastly opposed Upper Hudson River remediation options that involve PCB dredge-and-landfill projects of any kind, and has asked other municipalities to join Fort Edward in opposition to such projects based on their negative regional impacts, and

WHEREAS, a PCB dredge-and-landfill project would have significant, long-term adverse environmental, economic, and social consequences for all Upper Hudson River communities, especially affecting the agricultural industry, which depends on consumer confidence in the purity of its products, confidence likely to be undermined by the presence of a hazardous waste landfill; and especially impairing the continuing efforts to make local communities attractive places to live, work and raise families because a PCB landfill would destroy forever the pastoral quality of life that is our greatest asset, and

WHEREAS, a Hudson River dredging project would disrupt normal recreational use of the river and jeopardize future public and private investments in river-related amenities affecting the entire Upper Hudson region, and

WHEREAS, the mere possibility of a PCB dredge-and-landfill project adversely affects land

values throughout the Upper Hudson and discourages private investment that might lead to the creation of new jobs, and

WHEREAS, representatives of Washington County and many local governments have taken an active role in EPA's public meetings and have repeatedly asked EPA to evaluate all the adverse impacts of a PCB landfill on the resources and economy of the county, and

WHEREAS, EPA has conducted no such evaluation and has made no commitment to conduct such an evaluation before any decision to establish a PCB landfill is reached, and

WHEREAS, a significant body of scientific evidence demonstrates that conditions in the Hudson River are improving, with PCB levels declining in water, sediments and fish, such that the State of New York has reopened the catch-and-release fishery in the Upper River, and

WHEREAS, dredging contaminated sediments has been shown to be ineffective in improving environmental conditions elsewhere, and

WHEREAS, there is no credible scientific evidence that dredging sediments from the bottom of the Hudson River would significantly accelerate the improvements already taking place as a result of ongoing remediation work and the river's natural recovery processes, and

WHEREAS, EPA itself determined in 1984 that major dredging project "could be environmentally devastating to the river ecosystem and cannot be considered to adequately protect the environment," (USEPA, Superfund Record of Decision at Page 8) and determined that "the actual reliability and effectiveness of current dredging technologies in this particular situation is subject to considerable uncertainty," (Decision at Page 11), and

WHEREAS, EPA recognized that the many tons of material to be removed in a dredging project would require an "impractically large containment facility" (Decision at Page 8), and

WHEREAS, the Town of Greenwich 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 entire region, and

WHEREAS, the Town of Greenwich finds that a dredge-and-landfill project would be a gross, unwarranted and unnecessary insult to the Hudson River itself and the communities of the Upper Hudson region, now, therefore,

BE IT RESOLVED, that the Town of Greenwich, in concert with the Town Board of the Town of Fort Edward, 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 U.S. Environmental Protection Agency Administrator Carol

Browner; Region II USEPA Administrator Jeanne M. Fox; U.S. Senator Daniel Patrick Moynihan and U.S. Senator Charles Schumer; U.S. Representative John E. Sweeney; New York Governor George E. Pataki; New York State Environmental Conservation Commissioner John Cahill; New York State Senator Ronald B. Stafford, and New York State Assemblyman Bobby D'Andrea and New York State Assemblywoman Elizabeth Little.

DATED: April 11, 2000

TOWN OF GREENWICH
2 ACADEMY STREET
GREENWICH, NY 12834

This is to certify that the foregoing is a true copy of a record on file in the Office of the Town Clerk, Town of Greenwich, New York. In witness whereof, this certificate has been duly signed and sealed by the Town Clerk, Town of Greenwich, New York.

Date: April 18, 2000

Elaine A Kelly
Town Clerk, Greenwich, NY