

70225

Dutchess County Legislature

22 Market Street, Poughkeepsie, NY 12601

845-486-2100

Fax 845-486-2113

PATRICIA J. HOHMANN

Clerk

CAROLYN MORRIS

Deputy Clerk

April 9, 2001

Mr. Douglas Tomchuck
USEPA, Region 2
290 Broadway 19th Floor
New York, NY 10007-1866

Dear Mr. Tomchuck:

Enclosed is a copy of the following resolution, which was adopted by the Dutchess County Legislature on March 12, 2001, at its Regular Board Meeting:

RES. NO. RE:

2010175 Concerns and Comments on the United States Environmental Protection Agency's Plans to Remediate PCB Contamination of the Hudson River

Sincerely,


PATRICIA J. HOHMANN

Clerk

Dutchess County Legislature

lw

Enclosure

Amended

RESOLUTION NO. 201075

RE: CONCERNS AND COMMENTS ON THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S PLANS TO REMEDIATE PCB CONTAMINATION OF THE HUDSON RIVER

Legislator KENDALL offers the following and moves its adoption:

WHEREAS, the United States Environmental Protection Agency (EPA) has released the Hudson River PCB's Reassessment Feasibility Study (FS) in December 2000, and

WHEREAS, Dutchess County's entire western boundary is defined by the Hudson River, and

WHEREAS, 75,000 residents derive their domestic water from the Hudson River, and

WHEREAS, on request of the Dutchess County Legislature, the Environmental Management Council has reviewed and made recommendations on the EPA Feasibility Study, and

WHEREAS, the EPA has extended the public comment period on the Feasibility Study to April 16, 2001, and

WHEREAS, Dutchess County wishes to avail itself of the opportunity to make comment under the procedures of the EPA, and,

WHEREAS, available data indicates an ongoing unacceptable risk to human health posed by PCB contaminated sediments in the Hudson River now therefore be it

RESOLVED, that the Dutchess County Legislature hereby takes no position in support of or against the EPA proposed remediation plan, but if it proceeds as planned, Dutchess County supports the following recommendation:

- The EPA should develop a Warning Notification and Drinking Water Monitoring Plan for public water supplies in Dutchess County including a mechanism for public water suppliers in Dutchess County to **send samples** to an EPA approved lab on a more frequent schedule during the remediation phase.
- The areas to be remediated should be tested for heavy metal contamination prior to remediation and the Drinking Water Monitoring Plan should include testing for heavy metals such as cadmium, mercury, and chromium as well as PCBs.
- The Record of Decision should provide a plan detailing how the EPA, its consultants, engineers, and contractors will work hand-in-hand with adjacent communities to minimize the impacts associated with the siting of processing

facilities, traffic, noise, and also address compliance with local codes within the framework of remediation activity.


- **The EPA should develop a scientific mechanism for monitoring VOC levels in the atmosphere along the river – to be done as a baseline prior to any remediation, and thereafter on an on-going and scheduled basis.**
- **Any clean up work should not significantly interfere with activity on the river or traffic in the cities, towns, and villages along the banks, which could cause major deterioration of economic, social, and community structures.**
- **Should dredging occur, hydraulic suction should be used to the maximum amount practicable.**

RESOLVED, that the EPA should first conduct any active remediation on a test basis and monitor PCB flow for impact on Dutchess County's river water supply before a final course of action, and

RESOLVED, that the Dutchess County Legislature supports off-site disposal of any dredged sediment and opposes the creation of any local landfills for disposal of dredged sediments and, be it further

RESOLVED, that a copy of this resolution be forwarded to United States Senators Charles E. Schumer, and Hillary Rodham Clinton, Congresswoman Sue Kelly and Congressman John E. Sweeney, Douglas Tomchuck and Alison Hess, USEPA Region 2, Governor George E. Pataki, Senators Stephen M. Saland and Vincent Leibell, Assemblymen Willis H. Stephens Jr., Thomas Kirwan, Joel M. Miller, and Patrick R. Manning.

APPROVED


WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

RES. 75 2/23/01 bk/tq Revised 3/8/01 bk/j
Amended on the floor 3/12/01 lw/cm

Date 3/23, 2001

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of March, 2001, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of March, 2001.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

10.6164