70296

John H. Claussen Counsel

Corporate Environmental Programs General Electric Company 3135 Easton Turnpike, Fairfield, CT 06431 203 373-2714

May 29, 1992

Douglas R. Blazey Regional Counsel U.S. Environmental Protection Agency, Region II Jacob K. Javits Federal Building New York, NY 10278

Dear Doug:

I am writing to call your attention to an upcoming event that will, if unchanged, strongly reinforce the perception that some aspects of the Hudson River Reassessment process are not being conducted in an unbiased manner.

We have been told that an "open liaison committee meeting" will be held by EPA on June 18 to discuss the Agency's Phase I Responsiveness Document and Phase 2B Work Plan. The fact that such a meeting is being conducted will of course look "open" but the location for the meeting is far from fair. We understand that the current plan is to hold the meeting at the Greene County Community College outside of Hudson, New York, <u>about 100</u> <u>miles from the site</u>.

When I previously raised the issue of the location of public meetings, I was told that Poughkeesie and Hudson are compromise mid-points. I must reply "mid-points for what?" EPA has repeatedly stated that the Reassessment is about remediation in the upper River, not the lower River. The Agency has also stated that PCB concentrations in the lower River are caused by a multitude of sources that are not within the scope of this reassessment. The focus has always been PCB-contaminated sediments in the upper River and their impact on upper River fish. Why then does the Agency continue to have meetings south of Albany?

If this upcoming meeting is truly for the liaison committees, you should look at where those committee members reside. The overwhelming majority reside near Fort Edward. In fact, by my count, 38 out of 42 members on the four committees reside north of Albany. Hudson, New York, is clearly nowhere near these liaison committees. Is it fair to have the citizens and communities most impacted by the Reassessment decision travel 200 miles round trip at night for a public meeting? Is there any other site within the Region where you have citizens travel that far? Rather than encouraging citizen participation as the Community Interaction Program was originally intended, the location of this meeting will chill that participation. I can only deduce three possible reasons for the proposed venue:

- The person scheduling the meeting fails to understand the facts about the location of the site, what impacts are being addressed and where the liaison committees reside; or
- the location has been selected for the convenience of persons other than the citizens and communities most impacted; or
- there is a desire to stir up controversy in the lower River.

Whatever the reason, however, the location for this critical meeting is simply wrong. I would appreciate your prompt attention to this issue before the location becomes fixed and we find ourselves embroiled in an unnecessary public controversy.

On a separate matter, I am enclosing a recent newspaper article reporting on Dr. Bopp's public support for dredging as the preferred remedy. You may recall that I questioned whether it is appropriate for EPA's contractor or its subcontractors to be so biased at this stage of the Reassessment.

Sincerely,

John H. Claussen

JHC/j

ROCKLAND JOURNAL NEWS (W. NYACK, NY) 5/13/92

PCBs in Hudson still dropping, scientist says But state should still dredge, he adds

By Lon Manipop But Witer

STONY POINT - PCB levels in the Hudson River are continuing to drop, but that doesn't mans New York state should abandon plans to drodge the toxic chemical from the river, a scientist said yesterday.

"Levels of PCBs (is striped base) are getting tastalizingly visco to the 2 parts per million that is regarded safe," said Richard Ropp, a geochemist who has studied contaminants in the Hudson since the late 1979s.

But despite that decline, Bopp mid, some scientists and environmentalists fear these levels could again climb if beavy mins flood the river, stirring up PCBs that have become buried by sediments.

PCBs in striped bass dropped from 16 parts per million in the late 1976s to 2.70 ppm in 1996. What's more, PCB contamination of river sediments has prevent-

What's more, PCB contamination of river sediments has prevented the dredging of the Champlain Caual, interforing with commercial shipping beading sorth from Albany, Bopp said.

Before going to Rensselase Polytechnic Institute in Troy during the past year, Bopp worked for the state Department of Environmental Conservation for 15 mental conservation for 15 mental and, before that, the Lamont-Doberty Geological Observatory in Pallandes.

Because of PCB contamination, : most commercial fishing is the Hudson has been hanned since the mid-1970a. From 1947 to 1976, about a half million pounds of PCBs were dumped into the Rudson from two General Electric plants north of Albany.

For more than a decade, state environmental efficials have proposed dredging the most contaminated sediments from the river. The project is now estimated to cost about \$200 million and the federal government is studying the project.

Breaking yesterday at the enrual meeting of the Rockland County Conservation Association, Bopp said New York state was correct in planning for removal of an estimated 256,000 pounds of PCBs from the Hudson bottoch, its river banks and from several inadfills contaminated with PCBs that were dredged from the river to keep the Hudson open for navigation.

However, officials at General Electric, which could be responsible for cleanup costs, have long opposed the dredging, pointing to stadies which suggest that PCBe could be broken drwn in the river.

General Electric scientist Dantel Abramowics salé yesterday those studies are promising but need additional work.