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Stephen D. Ramsey
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November 17, 1997

Ms. Jeanne M. Fox
Regional Administrator
U.S. EPA Region 2
290 Broadway
New York, NY 10007-1866

Fox
Muszynski
cc: Caspe
Mugger
Bellow

Re: Hudson River PCB Superfund Site

Response due
12/5/97

Dear Ms. Fox:

R.A.S.

EPA's testimony at the hearing conducted by Congressman Solomon last month showed that EPA has failed to maintain a current and complete administrative record for the Hudson River PCB Superfund Site ("Site").

As you are aware, section 113(k) of CERCLA requires that EPA provide "for the appropriate participation of interested persons in the development of the administrative record . . . [which] shall include all items developed and received" by the Agency (emphasis added). The failure to include any materials in the administrative record since 1991 does not meet this statutory mandate. GE alone has submitted voluminous materials and has shared with the Agency the data we have collected in the River. Without an adequate and current administrative record, GE and other interested parties are not fully informed of information and analysis provided to or obtained by EPA or of EPA's response thereto. This deprives the public, including GE, of full and meaningful participation in the reassessment.

It is my understanding that at the hearing EPA promised that it would bring the administrative record up to date. This is essential to open and fair decision making. Failure to do so is prejudicial to GE and to the public generally.

We look forward to the Agency's fulfillment of this obligation.

Very truly yours,


Stephen D. Ramsey

cc: Richard Caspe
John Cahill
Douglas Tomchuk

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