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22D DISTRICT, NEW YORK

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Congress of the United States
House of Representatives

Washington, DC 20515-3222

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Administrator Carol Browner
Environmental Protection Agency
401 M Street Southwest, 1101
Washington, DC 20640

Dear Administrator Browner,

I found your recent testimony before the VA, HUD and Independent Agencies Subcommittee to be very informative. As you are well aware, I do not believe that the Environmental Protection Agency has made a good faith effort to include local residents of the Hudson Valley in the decision making process of the PCB reassessment of the Hudson River. I believe, however, that your testimony is a step in the right direction. To continue this process of increased disclosure, I have several questions regarding the Hudson River PCB problem. An immediate response to the questions below would be of great value to both myself and my constituents and serve to improve the credibility of your agency with respect to this project.

In your testimony, you pointed out that the Agency has not made a final decision on the Hudson River PCB problem, however your remarks suggest that you personally have reached a decision that dredging is the preferred remedy. EPA Region II representatives have repeatedly told my constituents and the news media that the EPA is not predisposed to dredging. Yet, your statements, which made no reference to any alternative remedial options, would lead both myself and my constituents to believe that the EPA is indeed predisposed to dredging and landfilling.

With so many aspects of the EPA's Reassessment still yet to be completed, I am concerned that your statements have compromised Region II's capacity to make a fully informed, objective decision. Would you please provide my office with an explanation of how you intend to insulate Region II from your personal influence on this matter?

You also testified that the EPA has instituted measures to create a more open process of reassessment with respect to community participation in decision making. If this is true, why were my district director Martin Torrey and Fort Edward Councilwoman Marilyn Pulver prevented from attending a March 18th press conference held by your agency on the Peer Review process?

Also, on April 12th the EPA held an Oversight Committee meeting. This meeting was held on the same day the Fort Edward Town Council was scheduled to hold its regular meeting. Two Fort Edward Town Council members and the Chair of the Agricultural Liaison Committee

requested that the Oversight Committee meeting be rescheduled. Why was their request denied, preventing their participation at this very important meeting?

As you know, I was very disappointed by the Peer Review process that recently concluded. The Peer Review group was impaneled to be an objective third party in order to ensure that all scientific information be studied. From this process public confidence can begin to grow, simply by determining what of that information is relevant and what is not. Why the Peer Review process only looked at previous studies by the EPA and not look at the full scope of the Hudson River PCB problem, such as the potential environmental impact of landfilling contaminated sediments is begged.

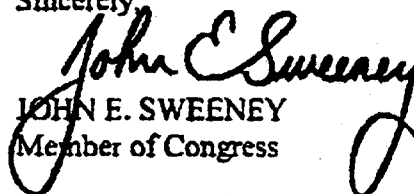
It is very important that I know precisely the amount of research your agency has devoted to finding alternative solutions to dredging and landfilling. Would you please provide my office with an explanation of any and all of the non-dredging remedial alternatives EPA is evaluating and an explanation as to why such alternatives have been disqualified from consideration? I also want to know what information the EPA is using to determine to what degree a dredging project poses on the resuspension of PCBs and its potential effects downriver.

Additionally, please provide my office with the data the EPA is using to evaluate the economic impact of a dredging project, specifically as it relates to the agricultural community.

Finally, the EPA decided in 1984 that no dredging of PCBs should take place in the Upper Hudson River. Since PCB levels have continued to decline since 1984, what condition now exists that might warrant a dredging project that was ruled out 15 years ago?

Again, an immediate response to these questions would be appreciated. I also will be contacting your office within the next week to schedule a meeting with you. I wish to discuss with you personally the many concerns that I have regarding reassessment and I hope we can look for ways to improve the dialogue between my constituents and your agency.

Sincerely,


JOHN E. SWEENEY
Member of Congress

cc: Representative James T. Walsh