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Group hits state treatment of GE

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ALBANY — An environmental watchdog group said Monday that the state is letting General Electric Co. off the hook on PCB discharge violations at the company's Fort Edward capacitor plant.

Both GE and the state Department of Environmental Conservation denied the charge.

Cara Lee, environmental director for Scenic Hudson, said her non-profit environmental organization is "deeply distressed" about a consent order reached between the state Department of Environmental Conservation and GE last June.

"The consent order serves to absolve General Electric of a series of notices of violation that were brought by DEC and the Attorney General's office in April and October of 1994, when major new discharges from the site were discovered," Lee said at a

Cites PCB pollution in Fort Edward

news conference in Albany.

Scenic Hudson Inc., based in Poughkeepsie, is asking Gov. George E. Pataki to "right this egregious action by DEC."

The violations pertain to illegal discharges of PCBs — polychlorinated biphenyls, a suspected carcinogen — from an old GE plant effluent pipe that contaminated soil on the banks of the Hudson River. The violations and the consent order were publicly reported by DEC in 1994 and 1995.

Lee added that the Attorney General's office did not have any input into the consent order of June 13, 1995. Lee said this shows DEC's "willingness to lay down the tools of enforcement before a major polluter."

Lee charged that the consent order also endangers the possibility of establishing a record of new PCB discharges into the Hudson. She said the new illegal discharges are "legally

important in light of a settlement made 20 years ago that limited GE's liability for contaminating the river in exchange for a pledge to stop PCB discharges."

Spokesmen for GE and DEC both said the consent order — which calls for the remedial investigation of the Fort Edward, Washington County, site — does not preclude possible penalties against GE, nor does it prevent cleanup of the site.

Mark Behan, a GE spokesman, said the consent order "neither raised nor resolved" the issue of penalties. He added that the cleanup work at the Fort Edward plant has been under way since the PCBs were found near the river and the work continues as part of an estimated \$55 million PCBs cleanup project at the Fort Edward and Hudson Falls capacitor plant sites.

"GE stopped using PCBs in the late

1970s but residual contamination remained in the soils, rock and groundwater of the two plant sites," Behan said of the Fort Edward and Hudson Falls plants.

"We plan to hold GE accountable for this situation; we plan to get moving what has been a paralyzed process," said Gary F. Sheffer, a DEC spokesman.

State Assemblyman Richard Brodsky, D-Westchester County, chairman of the Assembly's environmental conservation committee, also attended the news conference. He said he will hold hearings on the alleged problems with the Fort Edward consent order and also scrutinize other consent orders between DEC and GE.

Earlier this year, Brodsky criticized DEC Commissioner Michael Zagata for being too lenient to GE in a settlement of pollution violations at the company's Waterford plant in Saratoga County.