

# G.E. Wins Delay of Study on Cleaning Up Hudson

By JAMES DAO

WASHINGTON, Feb. 24 — Under pressure from the General Electric Company and a powerful upstate Congressman, the United States Environmental Protection Agency has decided to slow down completion of an important study of PCB contamination in the Hudson River.

The move will probably delay for several years a final decision by the Government on how to revive the tainted waterway whose fisheries have been ruined by PCB's buried in sediments along 200 miles of its muddy shores and silty bottom. G.E., whose factories dumped the bulk of the oily chemical into the Hudson, would be largely responsible for any cleanup.

Environmentalists have argued that the only way to restore the river is to dredge the contaminated sediment — at a cost of hundreds of millions of dollars. General Electric argues that PCB's are not harmful in their current state and that the river would be best off if the sediment is not disturbed.

Federal environmental officials said today that they were pushing back final release of the report, which many New York officials had expected to be completed this year, to allow for additional outside scientific and public review of its findings. The officials said G.E. and Representative Gerald B. H. Solomon, a Glens Falls Republican, had been the leading proponents for the additional analysis.

"We are trying to walk a fine line that makes sure we do the right thing," said Richard M. Stapleton, a spokesman for the E.P.A.'s office in New York City. "And whatever we do must be eminently defensible in court, because whatever we do, someone will sue."

The agency's decision drew angry criticism today from some environmental organizations and a bipartisan group of five Congressmen representing districts along the Hudson from Westchester County to Albany, who have sent a strongly worded letter to the E.P.A.'s administrator, Carol A.

Browner, objecting to the delay.

"We've been waiting for years for the E.P.A. to get off the dime and take action which is absolutely necessary," said Representative Maurice D. Hinchey, a Democrat from Kingston who organized the group of legislators who wrote Ms. Browner. "Any delay is too long, and an abrogation of E.P.A.'s responsibility. It means that the nation's largest Superfund site will continue to be toxic."

But Mr. Solomon, whose district encompasses the upper reaches of the Hudson where much of the PCB contamination originated and where opposition to a massive PCB clean-up is strong, praised the E.P.A.'s decision and took aim at his dissenting colleagues to the south.

"This is a positive move," said William Teator, a spokesman for Mr. Solomon. "The Congressman is surprised by seeing some of these names on this letter. The Congress-

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man has always represented the Hudson Valley, and he has a lot more in the way of background on this issue than many of these people."

Mr. Solomon contends that the E.P.A. has been quietly considering plans to dredge PCB-tainted soil from the Hudson and dump it in landfills scattered near the dairy farms of the Upper Hudson Valley. Such concerns have sparked opposition from some local officials and farmers in the North Country to removing the river's toxic sediments.

Though Mr. Solomon's stance has clearly put him at odds with the Republicans who signed Mr. Hinchey's letter, Sue W. Kelly from Westchester and Benjamin A. Gilman from Middletown, he holds greater clout in Washington. As chairman of the powerful House Rules Committee, Mr. Solomon can block much legislation in Congress, meaning the Clinton Administration must address his concerns carefully.

Also signing Mr. Hinchey's letter were Representatives Nita M. Lowey, a Democrat from Westchester, and Michael L. McNulty, a Democrat from Albany.

Mr. Stapleton said the E.P.A. was revising its procedures in two ways to address concerns raised by Mr. Solomon and General Electric. First, he said, the agency would appoint more scientists who are likely to support the company's position on PCB's to a panel that will review scientific findings in the study.

Second, he said, the agency would issue more frequent responses to comments on the study, including comments from the company. Mr. Stapleton said this change was largely in response to public hearings held by Mr. Solomon last fall to criticize the E.P.A. for studying potential landfill sites in northern New York without public notification.

Because the same people who are conducting the study will have to write the responses, the result will be to slow down work on the report, Mr. Stapleton said, though he could not say by how much.

But officials with environmental groups said that they had been told by E.P.A. officials that the delay could be three years or longer. "The process will become so attenuated and drawn out, it is unclear to me that it will ever reach an end point,"

said Cara Lee, environmental director of Scenic Hudson, a nonprofit environmental group.

The E.P.A.'s decision comes just months after the Secretary of the Interior, Bruce Babbitt, assailed G.E. for trying "to weaken and gut" the Federal Superfund law that mandates restoration of the Hudson River and other polluted sites. "The fact is, the sickness of this river today is directly traceable to the General Electric Company," Mr. Babbitt said in September.

PCB's, or polychlorinated biphenyls, are a family of compounds once used as insulators in electrical equipment. They have been banned since 1977 amid evidence they can cause cancer. Government scientists contend that the chemicals have harmed wildlife along the Hudson and are a serious health risk to humans.

But G.E. officials argue that the PCB's that seeped out of their plants two decades ago and are now deposited in the river's soil are not dangerous, and that dredging them up would only create new environmental hazards.

"These are appropriate changes that the E.P.A. is making," said David C. Warshaw, a company spokesman. "We think an open process in which these issues are explored fully will lead to the right solution. And it is our view that the right solution is to attend to the on-shore sources of PCB's in the area of our plant site, and not disturb the ones that have been buried in the river for years."

The E.P.A.'s study, which began in 1990, is already years behind schedule. It was designed to be the most authoritative analysis of Hudson River PCB contamination, helping to provide the blueprint for a cleanup strategy. Based on the results, the E.P.A. could order G.E. to do one of two things: remove some or all of the PCB-tainted soil or cover the tainted soil with clay to contain the contamination. The agency could also recommend leaving the river alone.

If the E.P.A. ordered the company to dredge the river, it would not only cost the company hundreds of millions of dollars, but also set a precedent for cleanups in other rivers polluted by PCB's from G.E. plants.

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