

EPA RELEASES HUDSON RIVER RECORD OF DECISION

FOR RELEASE: TUESDAY, DECEMBER 4, 2001

EPA Administrator Christie Whitman today announced the Administration is proceeding with a major cleanup of the Hudson River. EPA has taken the next step in the process by forwarding the Record of Decision (ROD) to the State of New York for its three-week review of the dredging project that will remove PCBs (polychlorinated biphenyls) from the river.

"We are going ahead with this important cleanup," said Whitman. "We will do so with a continuing open process that will involve all parties. The affected communities also will have the opportunity to comment on all siting issues."

As announced in August, the cleanup plan will include several performance standards. Two standards—those for air quality and noise—are included in the ROD, consistent with state and federal law. The rest of the performance standards, which will include resuspension and production rates during dredging, will be developed in a transparent process with public input and in consultation with the state and federal natural resource trustees. "These enforceable performance standards, which will be based on objective environmental and scientific criteria, will promote accountability and ensure the cleanup meets the human and environmental protection objectives of the ROD," said Whitman.

Before these performance standards are finalized, EPA will ask an independent scientific peer review panel to evaluate them.

(Fact sheet attached.)

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FACT SHEET

Hudson River Record of Decision

December 4, 2001

- The Record of Decision (ROD), today transmitted to the New York State Department of Environmental Conservation (NYSDEC) for its review, calls for dredging an estimated 2.65 million cubic yards from a 40-mile section of the river to remove approximately 150 thousand pounds of PCBs (polychlorinated biphenyls). The PCBs were deposited over a 30-year period from two General Electric plants in Fort Edward and Hudson Falls, New York, which manufactured electric capacitors.
- A 200-mile portion of the Hudson River was declared a Superfund site in 1984 because of the widespread PCB contamination. PCBs bio-accumulate in fish and pose potential cancer and other health risks to people who eat the fish.
- After the NYSDEC completes its three-week review and submits its comments, Region 2 will consider them and make appropriate changes to the ROD, which could be finalized in January.

PERFORMANCE STANDARDS

- As Administrator Whitman announced in August, the cleanup plan will include several performance standards.
- Performance standards for air quality and noise will be included in the ROD consistent with state and federal law.
- Other performance standards will be developed in an open and transparent process with input from the public and in consultation with the state and federal natural resource trustees. EPA expects to involve all interested parties: New York officials, other federal agencies, environmental groups, local communities, Congress and industry.
- These standards will include, but may not be limited to, resuspension rates during dredging, production rates during dredging, and residuals after dredging. In addition, EPA will monitor PCB levels in fish and restoration of aquatic vegetation.
- Because of the complexity of the scientific issues, these performance standards will be developed over approximately a 12-month period from the date of the signing of the ROD, during the first part of the design phase of the project.
- The performance standards will be enforceable, based on objective environmental and scientific criteria. The purpose of the standards is to promote accountability and ensure that the

cleanup meets the human and environmental protection objectives of the ROD.

- Administrator Whitman has asked Jane Kenny, the new EPA Administrator for Region 2, to recommend by early January, the format, structure and timing of this public process.
- The recommended process will begin as soon as the ROD is issued, and will allow a full airing of the proposals.
- Before the performance standards become enforceable, EPA will ask an independent scientific peer review panel to evaluate them.

PROJECT PHASES

- The actual dredging work will be done in two phases.
- The design phase for the project, which will proceed in parallel with the development of the performance standards, and will also include a transparent public process, is expected to take approximately 36 months. As part of the public process, EPA will solicit input regarding siting issues, including location for phase 1 of the dredging.
- A separate source control action near the G.E. Hudson Falls plant is to be implemented by G.E., concurrent with the design of this remedy, under an administrative order issued by NYSDEC, in order to address the continuing discharge of PCBs from that facility.
- Beginning in phase 1 and continuing throughout the life of the project, EPA will conduct an extensive monitoring program. The data EPA gathers, as well as the Agency's ongoing evaluation of the work with respect to the performance standards, will be made available to the public in a timely manner and will be used to evaluate the project to determine whether it is achieving its intended environmental benefits.
- At the end of the first phase, EPA Region 2 will prepare a report on its operations based on the available data and the performance standards. This report will also be made available to the public and submitted for independent peer review. In its phase 1 report and throughout the project as appropriate, EPA will recommend any needed adjustments in the plan, or determine if modifications are necessary.