

Fox
Muszynski
cc: Casey / Action

July 10, 1998

Honorable Carol Browner
Administrator
U.S. Environmental Protection Agency
401 M Street SW
Washington, D.C. 20460

1998 JUL 21 PM 1:26
DIRECTOR'S OFFICE**RE: Hudson River PCB Superfund Site**

Dear Administrator Browner:

If the goal of your testimony to Assemblyman Richard Brodsky on July 9 was to increase public confidence in the scientific principles upon which EPA's Reassessment is based upon, you failed. What you did accomplish, however, was convincing the public that the Agency is predisposed to dredging Hudson River PCBs — a fact which taints EPA's entire Reassessment process.

According to your prepared statement, EPA "will not turn away from [its] responsibilities, even when they require dredging." That comment, coupled with the fact that EPA kept secret from the public a controversial landfill siting study that attempted to identify sites in Washington, Rensselaer and Saratoga counties for Hudson River PCBs, leads to the conclusion that the Agency has already made its decision to dredge the river and is only now accumulating the scientific justification for that decision.

Your contradictory statements regarding the science upon which the Reassessment is based upon also leads me to believe a disastrous Hudson River dredging project is in our future. On the one hand, you claim that EPA "do[es] not have every single answer, nor every single piece of data." On the other hand, you state that EPA has all the data it needs to render a decision; additional, more up-to-date information is not necessary.

If the Agency wanted a decision based on sound science, it would consider the latest research which shows PCB levels in the water, fish and sediment of the Hudson are steadily declining. These improvements are a result of GE's and DEC's efforts to cut off sources of PCBs at the Hudson Falls plant site. In addition, the Agency would learn that dredging PCB hotspots in the Thompson Island Pool would not improve river conditions faster than is already occurring — because these are not the PCBs that are getting into the fish.

The scientific integrity of the government's view is of the utmost importance to the people who live on the shores of the Hudson River. Yet your appearance in front of Assemblyman Brodsky prejudices that view, making your staff look selectively at the data to substantiate your politically-motivated decision that dredging is appropriate for the Hudson.

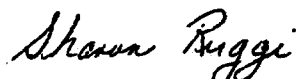
Your decision to testify at Mr. Brodsky's "media event" was nothing more than a transparent political ploy, one that is especially appalling since you have never spoken to the people, like myself, who have been instrumentally involved on this issue for more than 20 years — people, I might add, who have different views from your own. You recently testified in front of Congress that public participation should be an integral component of every Superfund decision. Your decision to not answer public questions during Assemblyman Brodsky's hearing sends the message that you are only interested in involving those public constituencies who unconditionally support your views. All others you ignore.

The Hudson River is the largest Superfund site in the country. It is also unique in that EPA is conducting the Reassessment on its own, rather than overseeing work produced by the Potentially Responsible Party (PRP). EPA should be setting the standard by which every future Superfund assessment is based. Instead, PRPs are learning the following:

- You don't need all the science to choose a clean-up approach;
- You can selectively choose the data you incorporate into your Reassessment to justify your politically-charged decision;
- You can thumb your nose at the interested public and those who would be most directly affected by your decision; and,
- You can conduct your assessment like a political campaign, presenting inaccurate information to the media in an attempt to curry public favor for your views.

EPA should take its own advice and "work together" with GE, DEC and the citizens who live and work along the Hudson River — instead of making politically-charged statements that have nothing to do with the facts.

Sincerely,



Sharon Ruggi
Member

EPA Environmental Liaison Group

cc: Rep. Gerald B.H. Solomon, Chairman, House Rules Committee
Rep. Tom Bliley, Chairman, House Commerce Committee
Rep. Sherwood L. Boehlert, Chairman, House Subcommittee on Water
Resources & Environment
Rep. Jerry Lewis, Chairman, House Subcommittee on Veterans, HUD
& Independent Agencies
Rep. Bob Livingston, Chairman, House Appropriations Committee
Rep. Michael G. Oxley, Chairman, House Subcommittee on Finance &
Hazardous Materials
Rep. Bud Shuster, Chairman, House Transportation & Infrastructure
Committee
Sen. Christopher S. Bond, Chairman, Senate Subcommittee on VA,
HUD & Independent Agencies
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Mr. Douglas Tomchuk, EPA
Mr. John Cahill, DEC
Mr. Melvin Schweiger, GE
Hon. Richard Brodsky, NYS Assembly
Hon. Ronald Canestrari, NYS Assembly
Hon. Dan Fessenden, NYS Assembly
Hon. John McEneny, NYS Assembly
Hon. Robert Sweeney, NYS Assembly