



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

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NEW YORK, NEW YORK 10278

**COMMENTS OF THE STEERING COMMITTEE
TO THE HUDSON RIVER OVERSIGHT COMMITTEE
TUESDAY, OCTOBER 22, 1991
POUGHKEEPSIE, NEW YORK**

Presented by Ann Rychlenski, Chairperson
Steering Committee

In addition to Bill's comments, I would like now to read into the record the questions raised at the Steering Committee Meeting held last week in Saugerties, N.Y. Although the initial agenda of that meeting centered around discussion of the Phase 1 Report, that agenda was not held to as you have just heard via Bill's opening statement.

As Chairperson of the Steering Committee, I would like to report on that meeting. Because of the serious nature of the questions, I will read my report and submit it as an attachment to the minutes of tonight's meeting. Following are the questions posed by the Steering Committee:

1. Why participate in the extensive Community Interaction Program that EPA has designed for the Reassessment if in fact public input will not have an impact and DEC will dredge no matter what EPA's ultimate decision is?

Steering Committee members, many speaking for their membership, stated they will need their time and energy to oppose the DEC project and therefore anticipate having to choose between the two efforts if DEC can indeed dredge as it has stated it will.

2. In a question of ultimate jurisdiction, if EPA's decision on a federal level is a remedial alternative other than dredging, does DEC have the authority to proceed arbitrarily with the Project Sponsor Group's dredge project?

3. In a related question, members asked that since DEC is actively participating in the reassessment process, will DEC abide by the EPA decision if it is other than a dredging decision?

4. Are federal permits (EPA, Army Corps) being processed for the Project Sponsor Group's effort before the Reassessment decision under Superfund can be made (i.e., TSCA, wetlands, etc.)?

The unanimous feeling among Liaison Group members was that if this is so, it presents a great credibility question re the entire Reassessment project.

5. Are DEC's costs reimbursable if these contract funds for Site 10 are being spent prior to EPA's making a decision as part of the Reassessment? Are the funds reimbursable at all?

6. Is there anything EPA can do to stop DEC from proceeding with its activities pertaining to the development of Site 10 until the completion of the Reassessment?

Steering Committee membership felt this would go a long way toward reinforcing the concept of objectivity which EPA has been stressing during this project, and which is the foundation of the Community Interaction Program. The membership feels that these activities by DEC are totally undermining the current federal process to which they have given much of their time already.