March 14, 2023

Environmental Protection Agency
Lisa Garcia, Regional Administrator, Region 2
Main Regional Office
290 Broadway
New York, NY 10007-1866

Re: Request for Lower Hudson Superfund Site Public Engagement

Via email: garcia.lisa@epa.gov

Dear Administrator Garcia,

We write as groups and elected/appointed officials tasked with the responsibility of ensuring the health and safety of people and natural resources in communities along the Hudson River. To date, three generations in our communities have grown up facing significant threats from living near one of the nation’s largest hazardous waste sites. Our communities continue to be burdened by the staggering economic and environmental costs of General Electric’s legacy PCB contamination. It is up to the EPA — and in particular your office — to right these wrongs once and for all.

During the cleanup efforts that took place throughout the six-year Upper Hudson Remedial Action, communities below the Federal Dam at Troy believed those actions would significantly improve the toxicity levels of fish, water and sediment along the 140 miles of waterfront where many populations continue to fish in order to feed their families. Unfortunately, for several years we have been aware that your sister agencies that serve as the federal Natural Resource Damages Trustees — specifically, the National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service — have raised serious concerns about the adequacy of the cleanup to achieve its mandated goals. In fact, NOAA has publicly concluded that “fish in the Lower Hudson River won’t achieve EPA’s protective goals until decades later than predicted in the 2002 Record of Decision.”

As your office focuses on the Lower Hudson, we respectfully request that you take the following actions in the next two months) to ensure a transparent process that provides for meaningful public input and results in tangible actions to reduce human and wildlife exposures to PCBs:

(1) Hold at least 2 accessible public information sessions in Mid- and Lower-Hudson River communities that will allow local officials and new partner groups to understand the process, current status and potential future actions of the Hudson River Superfund Site, especially with respect to the Lower Hudson;
(2) Move forward expeditiously with invitations for Lower Hudson stakeholders, with an emphasis on vulnerable communities, to join the existing Community Advisory Group and form the Lower Hudson subcommittee as soon as possible; and

(3) Commit to conduct an angler survey so that an accurate understanding of current fish consumption levels can inform agency decision-making.

We appreciate that EPA continues to review the remedial action under the ongoing third 5-Year Review process and, as always, we have strong communication with partners maintaining an active role on the Hudson River Community Advisory Group. But headline announcements in newspapers and closed-door technical reviews make it impossible for us to meaningfully participate, when we must.

We look forward to your response and a more transparent and participatory public process. In turn, we will continue sharing our concerns.

Sincerely,

Hayley Carlock
Director of Environmental Advocacy and Legal Affairs
Scenic Hudson

Rebecca Martin
Director, Community Partnerships Program
Riverkeeper

Peggy M. Shepard
Executive Director
WE ACT for Environmental Justice

Tim Guinee
Climate Reality Leader
The Climate Reality Project Hudson Valley & Catskills Chapter

Suzie Ross
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Mayor Gary Bassett, Village of Rhinebeck
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Hudson River Drinking Water Intermunicipal Council (Hudson 7)

Maureen Cunningham
Town Board Member
Town of Bethlehem

Supervisor Fred Costello
Town of Saugerties

Manna Jo Greene
Environmental Director
Hudson River Sloop Clearwater
Rich Slingerland  
*President*  
Historic Hudson River Towns  

**Kathy Nolan**  
*Senior Research Director*  
Catskill Mountainkeeper  

**Dave Walker and Diana Fabacher Abadie**  
*Peckham Action Group / Citizen Scientists*  
Keep It Greene  

**Doretta Cornell and Carol DeAngelo**  
ROAR (Religious Organizations Along the River)  

**Greg Remaud**  
*Baykeeper and Chief Executive Officer*  
NYNJ Baykeeper  

**Ted Hoover**  
*President*  
Catskill Mountains Chapter of Trout Unlimited  

**Alex Beauchamp**  
*Northeast Region Director*  
Food & Water Watch  

**Jennifer Rawlison**  
*Co-Chair, Steering Committee member*  
Newburgh Clean Water Project  

**Shaniqua Bowden**  
*Director, Cultural Engagement and Sustainability Living*  
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cc:  
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Senator Schumer  
Senator Gilibrand  
Representative Tonko  
Representative Ryan  
Representative Molinaro  
Representative Lawler  
Representative Adriano Espaillat  
Representative Ritchie Torres  
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Representative Nicole Malliotakis  
Tom Brosnan, NOAA  
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