

Hudson River Sloop Clearwater
Natural Resources Defense Council
Riverkeeper
Scenic Hudson

December 1, 2010

Via Email and First Class Mail

Robert Sussman
Senior Policy Advisor
U.S. Environmental Protection Agency
Ariel Rios Building, Mail Code 1101A
1200 Pennsylvania Avenue, N. W.
Washington, D.C. 20460

Re: Hudson River Dredging Project – GE PCBs

Dear Mr. Sussman:

Thank you so much for meeting with us yesterday during this critical time -- we found the discussions very informative. We are pleased that EPA is moving towards a two-pass approach to the dredging, which should be required as needed. However, we are very unhappy to hear of the high percentage of capping that is being discussed.

In the conversation that continued yesterday after you had to leave, we learned that EPA is considering allowing PCBs to be left behind, at levels higher than the 1ppm Tri+ PCBs stated in the 2002 Record of Decision, in up to 24% of the area to be dredged in Phase 2. As we understand this scenario, in addition to the 10% where capping is expected to be unavoidable (e.g., because of extreme site constraints), an additional 10-14% of the Phase 2 area could be capped. As discussed at the meeting, this would be unacceptable to our organizations and a violation of the Record of Decision.

Again, thank you for your time and attention to this critical matter. We appreciate that Administrator Jackson will be available to meet with us next week, and we look forward to that opportunity.

Sincerely,



Rebecca Troutman
Senior Counsel, Riverkeeper



Lawrence Levine
Senior Attorney, Natural Resources Defense Council



Manna Jo Greene
Environmental Action Director, Hudson River Sloop Clearwater



Ned Sullivan
President, Scenic Hudson

Cc (by email):

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