

**Resolution In Support Of Continued Removal Of PCBs In The Hudson River**

The Environmental Subcommittee (Co-Chairman Petit and Co-Chairman Shapiro and Legislators Belfiglio, Robert Parete and Rodriguez) and Co-Sponsors: The Governmental Services, Environmental and Administrative Committee (Chairman Roberts and Legislators Belfiglio, Fabiano, Petit, Ronk, Richard Parete, Robert Parete, Rodriguez and Shapiro) offer the following:

WHEREAS, on April 12, 2001, the Ulster County Legislature adopted Resolution No. 133 outlining Ulster County's comments and concerns about the United States Environmental Protection Agency's Hudson River Polychlorinated Biphenyls (PCBs) Reassessment Feasibility Study of December, 2000, and

WHEREAS, the Hudson River has been designated an American Heritage River, and the Valley as a National Heritage Area and the health and beauty of the Hudson River is critical to the economic vitality of our community and the Hudson River is a treasured asset, and

WHEREAS, Polychlorinated Biphenyls (PCBs) are the most significant contaminant limiting full use and enjoyment of the Hudson River; and nearly 200 miles of the Hudson River - from Hudson Falls to New York City - are a federal Superfund site due to the polychlorinated biphenyl (PCB) contamination, and

WHEREAS, PCBs were banned in 1976 because of a variety of known and suspected impacts on humans and wildlife; and yet millions of pounds PCBs remain in the Hudson River exposing humans and wildlife to their effects, and

WHEREAS, an estimated \$90 million annually has been lost over the last forty years because of the closure of Hudson River commercial fisheries and restrictions on recreationally caught fish. As a result, the Hudson Valley has lost an important cultural heritage and the economic vitality of the Hudson River is hampered by the stigma of PCB contamination, and

WHEREAS, U.S. Environmental Protection Agency (EPA) Superfund officials determined in February 1997 that PCB "hot spots" in the sediment of the upper Hudson are the "dominant source" of PCB contamination to the River, and that microbial breakdown will not rid the River of PCBs, and

WHEREAS, the EPA's Hudson River Record of Decision of 2002 selected environmental dredging and off-site disposal of PCB-contaminated sediment from the Upper Hudson River as the best remedy to reestablish the environmental and economic health of the Hudson River, and

**Resolution No. 312 December 21, 2010**

**Resolution In Support Of Continued Removal Of PCBs In The Hudson River**

WHEREAS, EPA and General Electric (GE) in August 2003 signed an Administrative Order on Consent for Remedial Design and Cost Recovery pursuant to which GE, the Settling Defendant, agreed to perform design activities needed for implementation of the remedial action selected in the ROD, and

WHEREAS, both EPA and the Peer Review Panel evaluated Hudson River PCB 2009 dredging and determined that in spite of the challenges that were faced, the lessons learned from Phase 1 demonstrate that Phase 2 can and should be completed successfully and that Phase 2 should be implemented in 2011 without delay, with a plan for ongoing adaptive management, and

WHEREAS, the EPA also determined that without remediation, present levels of contamination will continue for many generations and

WHEREAS, EPA's efforts to ensure responsible polluters clean up current and historic toxic discharges are essential to protect public health and environmental resources; and

WHEREAS, the Hudson River Remediation Project must be guided by sound science towards full revitalization and a clean future, now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby expresses support for the continued removal of PCB-contaminated sediment from the Hudson River and urges General Electric to complete Phase 2 of the Hudson River PCB Remediation Project by resuming dredging in Spring of 2011 without delay and with improved remedial actions, which include adaptive management practices that are in keeping with the remedy selected in the 2002 Record of Decision, and, be it further

RESOLVED, the Ulster County Legislature urges completion of the Hudson River Remediation as comprehensively and expeditiously as possible in order to restore the Hudson River to its full health and value as a natural and economic resource, and be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor David Paterson, Senate Majority Leader Pedro Espada Jr., Senate Minority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader Brian M. Kolb, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin A. Cahill, Clifford W. Crouch, Peter Lopez and Frank K. Skartados and the New York State Association of Counties,

Resolution No. 312 December 21, 2010

**Resolution In Support Of Continued Removal Of PCBs In The Hudson River**

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 27 NOES: 4  
(NOES: Legislators Aiello, Frey, Sweeney and Terrizzi)  
(Absent: Legislators Richard Parete and Stoeckeler)

FINANCIAL IMPACT:  
NONE

122112

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 21<sup>st</sup> day of December, 2010, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 27<sup>th</sup> Day of December in the year Two Thousand and Ten.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature