

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](mailto: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**

*Co-Founder and Chairperson  
Green Ossining*

**Aaron Mair**

*Founder, Board President  
Arbor Hill Environmental Justice  
Corporation*

**Dr. David Carpenter**

*Professor  
School of Public Health and Environmental  
Health Sciences  
SUNY Albany*

**Mayor Gary Bassett, Village of  
Rhinebeck**

*Chair  
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*

Kingston Land Trust

cc:

Michael Reagen, USEPA Administrator

Radhika Fox, USEPA Acting Administrator Office of Water

Marianne L. Engelman-Lado, USEPA Acting Director OEJECR

Robin Morris Collin, USEPA Senior Advisor for Environmental Justice

Dr. Richard W. "Rick" Spinrad, Under Secretary USC(OA), NOAA

Martha Williams, Director USFWS

Governor Kathy Hochul

NYSDEC Commissioner Basil Seggos

Acting NYSDOH Commissioner James McDonald

Senator Schumer

Senator Gilibrand

Representative Tonko

Representative Ryan

Representative Molinaro

Representative Lawler

Representative Adriano Espaillat

Representative Ritchie Torres

Representative Jerrold Nadler

Representative Nicole Malliotakis

Tom Brosnan, NOAA

Kathryn John, USFWS