

Congress of the United States
Washington, DC 20515

April 16, 2024

The Honorable Michael Regan
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator Regan,

As members of the U.S. House of Representatives, we strongly urge the U.S. Environmental Protection Agency (EPA) to issue a “not protective determination” in the third five-year review (FYR) for the Hudson River Polychlorinated Biphenyls (PCB) Superfund Site. We also urge the EPA to acknowledge the Upper Hudson River dredging remedy did not succeed in meeting the goals and rapid-reduction objectives of the 2002 Record of Decision, and that additional remedial action is warranted. PCB toxicity in the Hudson River is a compounding issue; these chemicals resist degradation, biomagnify in food chains, and bioaccumulate in human and animal tissue. Without additional actions, the health risks and impacts to our constituents that live and recreate near this heavily polluted Superfund site will continue. EPA has an obligation under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to ensure that the environmental health of the Hudson River is restored.

For 30 years, from 1947-1977, General Electric discharged PCBs into the Hudson River from two capacitor manufacturing plants located in the towns of Fort Edward and Hudson Falls, New York. PCBs are “forever chemicals,” man-made, bioaccumulative, persistent organic pollutants known to contribute to increased risks of cancer, diabetes, liver toxicity, skin ailments, and immune, neurological, and respiratory issues. PCBs dumped by General Electric are present at unacceptably high levels across the Hudson River ecosystem in nearby soil and sediment; in the living tissue of wildlife (from microorganisms to larger animals such as birds and fish) and periodically, suspended in the river’s water column or in the air posing a threat to everyone and everything that breathes.

Evidence shows that far more PCBs remain in the river’s sediment post-dredging than was originally estimated. Unfortunately, despite calls from local elected officials and environmental advocates, EPA issued a Certificate of Completion of the Remedial Action to General Electric in 2019 upon the conclusion of General Electric’s dredging operations. The public health and ecosystem risks are beyond EPA’s acceptable risk ranges and, based on current trends in fish and sediment PCB levels, it is clear that the Hudson River Superfund Site will not be in the acceptable range for an unreasonably long time, potentially the end of this century. The

persistence of PCBs also means that the river is not a safe source of food. EPA's reliance on fish consumption advisories to protect people from the risks of eating contaminated fish is not an adequate nor a just intervention for addressing human health risks.

The health and beauty of the Hudson River is critical to the economic vitality of the communities surrounding it, as well as the state and the country at large. We join New York Senator Kirsten Gillibrand, leading environmental organizations, Hudson River advocates, local elected officials, and residents across New York and New Jersey in calling on EPA to follow the science and issue a "not protective determination" in the draft third FYR. We also call on the EPA to recognize that the dredging remedy has not been as effective as originally promised to our constituents and start the process of addressing new remedial actions to protect the environment and our vulnerable populations along the Hudson River, who without further actions by EPA will continue to be exposed to harmful levels of PCB toxins.

Thank you for your attention to this urgent and important matter.

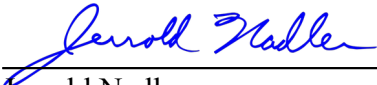
Sincerely,



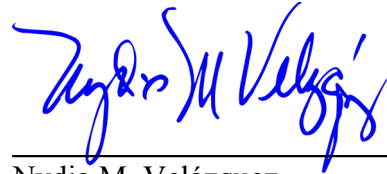
Patrick Ryan
Member of Congress



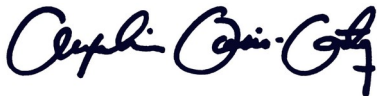
Marcus J. Molinaro
Member of Congress



Jerrold Nadler
Member of Congress



Nydia M. Velázquez
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress



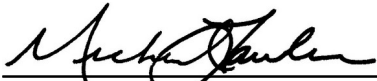
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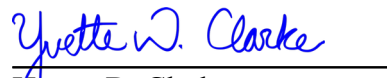
Grace Meng
Member of Congress



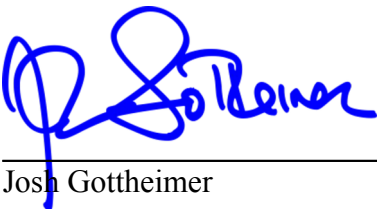
Ritchie Torres
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