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NEWSDAY, WEDNESDAY, DECEMBER 5, 2001

River Plan To Proceed

EPA: Hudson cleanup can move forward

By Dan Fagin
STAFF WRITER

The 25-year battle to force General Electric Corp. to dredge the contaminated upper Hudson River cleared another hurdle yesterday when U.S. Environmental Protection Agency Administrator Christie Whitman announced she would hold off on a key decision activists said could have torpedoed the planned $460-million project.

Instead, Whitman said plans for the massive cleanup would continue to move forward while the EPA further studies the crucial question of establishing performance standards designed to ensure the Hudson's waters will benefit from the plan, which calls for scooping up 2.65 million cubic yards of river-bottom sediment contaminated with toxic polychlorinated biphenyls, or PCBs.

At issue is exactly how much resuspended, or stirred-up, PCBs should be permitted in the river during the dredging project, with GE pushing for a very strict standard that could have the effect of stopping the shovels as soon as they start digging — and thus letting the company off the hook for the project's $460-million price tag.

"We're pleased ... [Whitman] has done the right thing and finally issued this cleanup plan without the threatened performance standards that would have acted as a sort of poison pill to stop the cleanup," said Katherine Kennedy of the Natural Resources Defense Council.

GE spokesman Mark Behan said he couldn't comment on Whitman's decision until he had seen the details, but reiterated the company would continue to push for "enforceable performance standards" for the dredging project.

Some GE allies, including Rep. John Sweeney of Clifton Park, an upstate Republican, said they were heartened the EPA at least has not abandoned the idea of setting a strict resuspension standard, as some activists had urged it to do. "We find that encouraging," said Kevin Madden of Sweeney's office.

In a press release yesterday, Whitman said the EPA would hold public hearings and involve independent experts in the process of determining how strict the resuspension rule should be. The EPA said the new review process won't slow down the cleanup because the EPA already had planned to spend the next three years designing the details of the planned dredging, including settling the controversial question of where the dredged material will be dumped.

"We will spend the next three years deciding how to implement the plan before any shovel hits the sediment," said Jeff Jones of Albany-based Environmental Advocates, a pro-dredging group.

Whitman's decision also was a victory for Gov. George Pataki, who had joined environmentalists in lobbying Whitman against setting a specific standard.

GE for years has acknowledged the PCBs came from its two upriver factories, but argues the dredging project will stir up so many toxic particles that it actually will worsen the PCB contamination that has made many Hudson fish unsafe to eat.

Andrew Metz of Newsday's Albany Bureau contributed to this story.

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