

# Hudson River PCBs: Frequently Asked Questions

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General Electric's polluting polychlorinated biphenyls (PCBs) have contaminated nearly 200 miles of the Hudson River from Fort Edwards, N.Y. to the Battery in New York City. As a result, the Hudson River is the largest federal Superfund site in the Country. In 2023, the Environmental Protection Agency (EPA) plans to release its draft third "five year review" of the Hudson River PCBs Superfund Site for public comment.

## **Why is the Hudson River a Superfund site?**

For 30 years, General Electric (GE) dumped PCBs into the Hudson River from two manufacturing plants located in the towns of Fort Edward and Hudson Falls, N.Y. High levels of PCBs were discovered in Hudson River fish, and due to the grave public health threat posed by PCBs, the commercial fishing industry was shut down. The EPA designated a 200-mile stretch of the Hudson from Fort Edward to New York Harbor as a Superfund site, and ordered GE to clean up PCB contaminated sediment in the Upper Hudson River, a 40-mile section of the Hudson River between Fort Edward and Troy, N.Y.

## **Why are PCBs a problem?**

PCBs are known carcinogens, linked to asthma, diabetes and neurological damage. They break down very slowly and bioaccumulate, meaning they build up in organisms as they move up the food chain. PCBs persist over long periods of time in water, sediment, air and in the bodies of humans, fish, and other wildlife. PCBs have been found in mothers' milk, and at such high concentrations in river otter and mink that the bodies of such animals qualify as hazardous waste.

## **Didn't the EPA say GE completed the cleanup of PCBs in the Hudson?**

Neither the EPA nor the polluter GE knows or will admit to how much PCB pollution was dumped into the river. Although the EPA gave GE a certificate that said GE "completed the work" they were asked to do in the Upper Hudson River, they left behind significantly more PCBs than was estimated.

## **What is a five year review and why is it important for the Hudson River?**

Because the Hudson River is a Superfund site, EPA is required under federal Superfund law to conduct a study every five years for hazardous waste cleanups that do not completely remove all contaminants from the site. The purpose of the study is to determine whether the remedy selected is achieving the agency's goals for the cleanup, specifically whether the cleanup is protective of human health and the environment.

## **What did EPA conclude in its second five year review back in 2017?**

EPA accurately acknowledged that the cleanup does "not currently protect human health and the environment." At the same time, without credible scientific data, it also concluded that the remedy for the dredged area "will be protective" of human health and the environment at some unknown point in the future. EPA made no determination for the 160 miles of the river below the Troy Dam, referred to as the Lower Hudson River.

## **Why did the EPA say that the remedy "will be protective" at some point in the future?**

Following the second five year review, EPA said that after several decades of "natural attenuation" of PCBs, the cleanup will be protective of public health and the environment. This suggests that PCBs will break down through natural forces. However, PCBs break down very slowly – over decades or even hundreds of years. In reality, contaminants will continue to flow downriver, contaminating other parts of the Hudson, including New York Harbor, and circulating in waters and wildlife around the globe. In fact, PCBs are found in polar bears and whales thousands of miles from any source.

## **Wasn't the Upper Hudson Superfund project supposed to reduce the amount of PCBs poisoning the entire river?**

Yes. While the remediation was never meant to remove all of GE's PCBs, it was intended to reduce the levels of these toxins flowing over the Troy Dam and polluting the Lower Hudson River. However, EPA admits that the Lower Hudson River is seeing limited benefit from the upriver dredging project.

## **What if EPA and GE do nothing to address the remaining contamination?**

Those who live, work or recreate on or along the Hudson River will continue being exposed to high levels of PCBs through the air, water, sediment and fish for at least another century. Advisories against eating fish will remain in place for the indefinite future, with women of

childbearing age and children under 15 continuing to be advised to eat no fish at all. Economic development and job creation will be stifled by the contaminated river and the dark cloud of Superfund designation.

### **Have other scientists warned EPA that the cleanup has not been protective of human health and the environment?**

Yes. The National Oceans and Atmospheric Administration (NOAA), New York State Department of Environmental Conservation (NYSDEC), the New York State Attorney General and an independent panel of scientists all have gone on the record with concerns that the recovery of the Upper and Lower Hudson River will not be reached due to elevated PCBs remaining in surface sediment.

### **What will it take to achieve the EPA's cleanup goals?**

In the final version of the third draft five year review, which will be published soon, EPA should acknowledge that the cleanup is “not protective” of the environment and human health, period. The report should identify the additional sampling required to determine when and if it will be protective, outline additional remedial actions that will be needed to address the contamination of sediments, water, and fish in the Upper and Lower Hudson, and incorporate the findings and recommendations of New York State, the Natural Resource Trustees and the Hudson River Foundation. Finally, the report should also expedite planning for the Superfund cleanup of the upriver floodplains and instead of declaring that PCB pollution in the Lower Hudson will remain a problem forever, EPA must undertake a comprehensive investigation of this contamination with transparency and accountability.

### **What can I do?**

The EPA claims it needs another eight years of data to understand if its remedy is working. One thing is for sure: New Yorkers will not be able to eat fish from the river for decades, or longer, without significant restrictions. This is unacceptable. We all must urge EPA to officially state that the cleanup is not protective and to acknowledge that more work is needed to ensure a healthy Hudson River.

- Reach out to EPA Regional Administrator Lisa Garcia and ask her to put the Hudson River on a real path to recovery and not accept decades of delay. Demand that EPA acknowledge that the Upper Hudson River remedy is not protective of human health and the environment.
- Urge Governor Hochul to take the lead using all the first-class science and resources that NYS has available to advance a negotiated PCB settlement with GE, EPA, NYS and the Federal Hudson River Trustee Agencies that will finally begin to remove the legacy of PCB contamination that prevents the river's environmental recovery and fails to safeguard public health and economic benefits for millions of New Yorkers.
- Urge DEC Commissioner Basil Seggos to act now to push EPA to render not protective determination.
- Send your concerns to your U.S. Senators and representatives and urge them to contact the EPA and ask for a five year review that acknowledges the true state of the Hudson – and not protective of the environment and public health for a comprehensive cleanup.
- File a comment. When EPA releases its draft third five year review. The EPA will seek public comments on the third five year review for the Hudson River PCBs Superfund Site.
- Attend meetings of the Community Advisory Group, which communicates with EPA and other agencies tasked with Superfund oversight.
- Join the Friends of a Clean Hudson (FOCH). We will notify you when it is time to act and will keep you up to date with any new information available.

