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THE NATION

Hudson River Cleanup Clash to Echo in U.S.

■ **Pollution:** If EPA scales back PCB dredging plan, environmentalists fear a pattern of future policy rollbacks by Bush.

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NEW YORK -- According to legend, the summer thunderstorms that erupt over the Hudson River Valley are really the sounds of explorer Henry Hudson and his 17th century crew bowling in the nearby highlands. But these days the thunder over the majestic river is political--an epic environmental clash that could set the tone for how the Bush administration deals with pollution issues nationwide.

At the heart of the struggle is whether the General Electric Co. can be forced to clean up the Hudson River, which has become the nation's largest Superfund cleanup site. The company's plants along the river flooded the waterway with more than 1 million pounds of PCBs--chemicals linked to cancer in humans and animals--until the practice was banned by the federal government in 1977.

In December, the New York office of the U.S. Environmental Protection Agency decided that GE should pay \$460 million to dredge a 40-mile bucolic stretch of the river.

But Jack Welch, the company's outspoken chief executive, has been waging a fierce battle against the dredging, and it appeared Thursday that EPA Administrator Christie Whitman was seeking a compromise plan. During a U.S. Senate hearing, Whitman said there have been "a lot of proposals" on the issue and that she expects to make a preliminary decision by the end of this week.

Earlier, New York Atty. Gen. Elliot Spitzer said he had learned from EPA sources that Whitman is considering a scaled-back plan that would impose a \$100-million cleanup fee on GE and dredge only six miles of the Hudson.

Environmental activists, who met Thursday with Whitman to voice their concerns, blasted such a compromise. Any watering down of the EPA's original plan "is going to be a catastrophe for the river, where so many fish are now inedible because of pollution," said Alex Mathiessen, director of Riverkeepers, an environmental group. "But this is not just about the Hudson River. This is a clear indication of how President Bush is going to be handling tough environmental calls in years to come across the nation."

The dispute is yet another hot potato for Whitman, who sparked controversy earlier by backing tough carbon dioxide emission standards for industrial plants only to see Bush come out for more relaxed standards. Her push for a compromise on the Hudson River is "an attempt to find common ground," said one EPA official, adding that the agency's final decision will be made in September.

But emotions have become so heated that any compromise plan may satisfy no one. General Electric has filed a lawsuit challenging the constitutionality of the Superfund law, a federal statute that requires polluters to pay for the cost of cleaning up contaminated sites. The company also has sought to rally opposition to the EPA plan, spending an estimated \$60 million on TV, newspaper and billboard ads, Internet publicity and Washington lobbying. Dredging Called Disruptive

Welch contends that dredging the river would be economically disruptive to the region and only make matters worse by stirring up long-buried PCBs. He told GE shareholders at an annual meeting in April: "This is not about money. We'll pay whatever it takes to do the right thing."

Meanwhile, many residents of the Upper Hudson River Valley, where the dredging would take place, remain staunchly opposed to it.

"We aren't giving an inch," said Tim Havens, director of Citizen Environmentalists Against Sludge Encapsulation, a local group of homeowners and merchants. He explained that people living in the small towns north of Albany fear that EPA trucks will deposit contaminated mud in their backyards; they believe dredging would disrupt businesses and tourism.

Whitman's compromise "solves nothing," Havens added. "We'll fight this idea until hell freezes over, and then we're going to fight on the ice."

On summer afternoons, the 315-mile-long waterway rolling from the Adirondacks down to Manhattan is a swirling tableau of boaters, anglers and sunbathers. Underneath, however, the river bottom contains one of the world's largest deposits of PCBs. And the battle over how to remove them--as well as who should pick up the cost--has been rumbling through the valley for 30 years.

For Mathiessen and other environmentalists, the issue is clear: GE created an intolerable problem with PCBs and bears full responsibility for solving it. Because of the pollution, they note, New York state has put strict limits on the number of fish caught in downstate waters that can be safely eaten.

A host of environmental advocates, including folk singer Pete Seeger and Robert F. Kennedy Jr., son of the late senator, has taken up the cause. They insist that the only reason Whitman would suddenly overrule an agency recommendation that took 15 years to develop--a highly unusual action--is hard-core politics.

"The people at GE handled the river like other polluters have treated lakes and streams," said John Shannon, a Saratoga Springs resident. "They thought it was their property, and now they want to escape responsibility. They're trying to use all their political clout to wriggle off the hook." PCBs Once Viewed as 'Miracle Chemicals'

Few companies have as much influence here as GE, which for years operated industrial plants in upstate New York. Welch and other GE officials say they have been good corporate citizens and had no way of knowing that the chemicals called polychlorinated biphenyls were dangerous in 1947.

At the time, PCBs were considered "miracle chemicals" because they insulated electric capacitors in a way that prevented them from catching fire, said Mark Behan, a GE spokesman. Those capacitors "went a long way" toward providing power and other services in suburbs all over the nation, as housing and industrial production boomed during the late 1940s.

The Hudson River, however, began showing unmistakable signs of environmental damage in the next decade. Deformed birds were seen picking at diseased fish. Pollution from a variety of sources turned the river red, brown and black, and scientists finally identified PCBs and DDT, another toxic chemical now banned, as the major culprits.

General Electric already has spent more than \$200 million to clean up the contamination, and PCB levels have been reduced by 90%, Behan said. Left to its own devices, he said, the river will deposit tons of mud on top of the PCB deposits and eventually be free of such pollution.

But EPA officials strongly disagree, saying the river's unusually vigorous currents are constantly dislodging PCBs from the bottom and that nothing less than a major dredging operation over five years is needed.

"This river needs to be cleaned; it will not clean itself," former EPA Administrator Carol Browner said in December, when the controversial \$460-million cleanup plan was unveiled. "Failure to clean up this important river will leave fish highly contaminated for generations."

As Whitman's decision nears, lobbying on both sides has intensified. This week, New York Gov. George Pataki telephoned Whitman and urged her to support the full cleanup plan. Earlier, Bob Wright, president of NBC, a GE subsidiary, lobbied members of the New York City Council to oppose the EPA plan. On the streets of New York, Riverkeepers has placed a series of ads in bus shelters reading: "GE and PCBs: They bring good things to life?"

There also are signs opposed to dredging on the lawns of homes through the Upper Hudson River Valley. Havens has one, as do his neighbors, and he expects more to sprout in the days before the EPA's final decision.

"A lot of people in New York City want this [dredging] but they're 200 miles away," he said. "In this part of the world, we don't believe that you should be saving the Earth at the expense of those who live here."

PHOTO: The Hudson River flows in the foreground at Hudson Falls, N.Y. A General Electric plant, in background, dumped PCBs into the waterway before the practice was banned by the federal government in 1977. A plan to dredge in the river is being fought by GE.

PHOTOGRAPHER: WILL WALDRON / Newsday

GRAPHIC-MAP: (no caption), Los Angeles Times

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