

Peter Lopez  
Regional Administrator  
US EPA Region 2  
290 Broadway  
New York, New York 10007-1866

Basil Seggos  
Commissioner  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233-1011

January 12, 2018

**Re: Safe Drinking Water Source for Hoosick Falls &  
Meaningful Public Participation**

Dear Regional Administrator Lopez and Commissioner Seggos:

We, the undersigned, write you today to urge EPA and DEC, as agencies leading on the Hoosick Falls Superfund site, to approve a clean, PFOA-free, surface water source to serve as the drinking water supply for town and village residents. We also strongly request a transparent, participatory and democratic regulatory cleanup process that fully informs and involves the impacted community with the procedures outlined in this letter. We look forward to working with you and your agencies in fully cleaning up Hoosick Falls and holding the polluters accountable in a timely manner.

As you both know, for too many years, the irresponsible actions of the polluting companies at Hoosick Falls, Saint-Gobain Performance Plastics and Honeywell, went unchecked. This resulted in residents and workers drinking water poisoned with PFOA, as well as being possibly exposed through contaminated air and soil. PFOA levels as high as 130,000 parts per trillion have been detected through groundwater sampling.

It has been just over two years since residents learned of this pollution - the responsible parties now have a responsibility to rectify their past irresponsible actions which resulted in major health consequences to people and an ongoing public nuisance.

To *remediate* in the true sense of the word is to restore, put right, and make whole a community devastated by toxic pollution. It is incumbent on the responsible parties to take action and do everything possible to fully clean up their toxic legacy and ensure the community has a permanent source of safe, clean water.

**Selecting and installing a new drinking water source is the only way Hoosick Falls will be able to become whole again.**

Providing a clean source of surface water to Hoosick Falls residents and businesses will go a long way to restoring the health of the community—its economic viability, its environmental resources, and, most importantly, people’s health. **Filtration of the water alone is *not* the answer as it is not a permanent solution that will provide safe and clean water.** There will always be a risk of having filter breakthrough, resulting in people being exposed to poisoned water yet again. Therefore, water filtration alone is an unacceptable remedial option.

The bottom-line is businesses and home-owners want and deserve surety that the water from their tap won’t make them sick. Prior to the discovery of the PFOA pollution in Hoosick Falls, the community was beginning to see an economic renaissance. If Hoosick Falls is forced to rely upon a polluted water source, it will be deprived of economic growth and see property values steeply decline. This is not the future that Hoosick Falls deserves.

There are viable surface water sources which need to be fully investigated. For instance, the water source for the city of Troy is the Tomhannock Reservoir, a man-made reservoir 6 ½ miles northeast of the city. The reservoir is 5 ½ miles long and holds 12.3 billion gallons when full. The quality of the water from the Tomhannock Reservoir is good to excellent, and is located approximately 12 miles away from Hoosick Falls.

To provide economic and environmental health justice to the Hoosick Falls community, we request that your agencies implement the following initiatives or site actions in the Superfund process.

#### Environmental Remediation & Restoration

- 1. The Feasibility Study and Record of Decision on the polluted water must result in a clean, alternative drinking water source for Hoosick Falls.** Severe stress over water quality has led to a sharp decline in the quality of life for residents and business owners. It will not end until there is a permanent source of surface water that is safe and clean as described above. Clearly, residents should not have to foot the additional costs because of a toxic problem caused by polluters. The polluters should pay for any cost increase in excess of the existing water rates as a result of the installation and maintenance of the new water source.
- 2. All homeowners with private wells should be strongly encouraged to connect to the municipal water system, with the hook-up cost covered by the polluters included in the Feasibility Study and Record of Decision.** It is burdensome for homeowners with private wells to maintain a carbon filtration system. In addition, typically, at other Superfund site communities, private well water filtration is seen as a “temporary” initial solution and is *not* a long-term, permanent solution for obvious health and environmental justice reasons.
- 3. The Feasibility Study and Record of Decision should require the polluters to offer market value buy-outs and provide property value compensation payments for homes with contaminated water.** Many homes, particularly those with private wells, will lose value as a direct result of the stigma and economic loss associated with polluted water, making it exceedingly difficult to sell. This is not the fault of any homeowner, but the polluting companies. Therefore, the polluters should compensate innocent homeowners in this situation.

#### Meaningful Public Participation

4. **The Feasibility Study Work Plan should be immediately released to the public**, if it has not been already, with a descriptive fact sheet, and a 90 day public comment period on the Work Plan. The community deserves to have this information and involvement. Most importantly, the above three recommendations can be discussed and considered for inclusion in the Work Plan, especially because they are strongly supported by the undersigned community residents, organizations, businesses and professionals.

5. **A comprehensive and transparent Public Participation Plan for the Hoosick Falls community is needed**, starting with a 90 day public comment period and a community meeting on the *draft* Public Participation Plan. For instance, residents should have input on the draft Plan's local "repository" where all site documents are located to ensure the repository is open in the evening or weekends for working people to review documents. The State and Federal Superfund process for the Hoosick Falls community requires many decisions that will have long-term impacts on the daily lives of residents and business owners. The residents of Hoosick Falls must have ample opportunities to weigh-in on these decisions. We cite the citizen participation section of the State Superfund 2003 law, Section 27-1417, and strongly recommend its full implementation for this wronged community. The law states, "...citizen participation plans shall embody the following principles of meaningful citizen participation: (1) *opportunities for citizen involvement should be provided as early as possible in the decision making process prior to the selection of a preferred course of action* by the department and/or the applicant. (2) activities proposed in such plan should...allow[ing] the public the opportunity to have their views heard and considered, which may include *opportunities for two-way dialogue*. (3) *full, timely, and accessible disclosure and sharing of information by the department shall be provided, including the provision of technical data and the assumptions upon which the analyses are based*.

6. **Immediately establish a Community Advisory Group (CAG)** with at least six impacted community residents, impacted business owners, and at least three representatives of environmental or health organizations. A CAG, which should have been established months ago, provides an organized and scheduled process for regular input from public representatives. It is not a replacement for a comprehensive Public Participation Plan which informs and involves the entire community; however, it is an important additional mechanism for early input and allows community representatives to become more informed and involved. The sooner Hoosick Falls has a CAG in place, the better it will be for the community so the agencies have a forum they can consult with and keep informed -- including consulting with the CAG on the best ways to inform and involve the community, such as when and where to hold a community meeting that the most people can attend. The CAG also provides an important listening venue for the agencies to hear of people's concerns in-depth and to discuss with them the site process and be honest about any difficulties in achieving remedial goals and how to overcome such obstacles.

7. **Support the receipt of both a Federal Superfund Technical Assistance Grant (TAG) and a DEC Environmental Justice grant for the New York Water Project, Hoosick Falls community group.** The remedial process is highly technical and complex. Hoosick Falls is a very small community with limited resources, and steps should be taken to ensure impacted residents and community groups are not "outgunned" or taken advantage of by the polluting companies in the site decision-making process. The aforementioned grants would empower

Hoosick Falls residents to work with technical experts and learn how to provide technical comments that help move the community towards its remedial goals throughout the Superfund process. At a minimum, please provide written information to New York Water Project on the grants, any deadlines, and any agency staff that can provide assistance in understanding the application requirements, including providing sample applications and sample budgets.

**8. We request a community meeting in Hoosick Falls with both of you to discuss these seven issues.** It is especially important that both of you come to Hoosick Falls to talk with us about these priority issues. Hoosick Falls has been harmed, not just by the exposure to PFOA from water, and possibly the air and soil, but by the lack of action on the part of the state agencies which resulted in people unnecessarily drinking polluted water for over a year. There is distrust and anger in the community toward state agencies. In the interests of taking steps to begin to develop a working relationship, we respectfully request that both of you attend a well-advertised community meeting.

All of these actions will ensure the Hoosick Falls community can obtain a remediation plan that meets its environmental health and economic justice goals, namely a clean and safe water supply and the elimination of any chemical contamination in the environment. Thank you in advance for what we hope will be your serious consideration and a decision to put these recommendations into action.

Sincerely,

Charles K. Alexander II Retired State Worker	Elizabeth Moran Water and Natural Resources Director Environmental Advocates of NY
Don Allard Area Resident	James Morier Hoosick Falls Resident
Ann Atwater Hoosick Falls Resident	John Mylod Hudson River Commercial Fisherman
Cara Benson Rensselaer County resident	Jonathan Nemer NY Resident
David Bond Academic Professional	Kathleen Neuffer Concerned Citizen
Sarah Bratspis Retired College Professor	Natalie Nussbaum Elders Climate Action
Erin Brockovich Environmental Activist	Michelle O'Leary NY Water Project member and former Hoosick Falls resident
Paul Burns Executive Director VPIRG	Joan O'Sullivan Organization Senior Advocacy Committee
Carol Butt Environmental Health Professional	Ann O'Bryan NYS Resident
Leslie Carey Rensselaer County Resident	Renee Panetta Academic Professional
Scott Carlone Hoosick Falls Resident	Arnold Patashnick
David Carpenter	Hope Perlman

Academic Professional	Concerned Albany County Resident
Barbara Carreker Concerned Citizen	Scott Phillipson President SEIU Local 200United
Balzer Chip Neighboring community resident	Sandra Pike Relative of Hoosick Falls Resident
Joyce Marie Cockerham Concerned neighbor	Jennifer Plouffe Hoosick Falls Resident
Bob Cohen Policy Director Citizen Action	Constance Plouffe Petersburgh NY Resident
Mark Creighton Hoosick Falls resident	Connie Plouffe Petersburgh NY Resident
Marilyn Dame Citizen	Edward Plouffe Petersburgh NY Resident
Andy Davis Neighbor	Silvia Potter Hoosick Falls Resident
Catherine Dawson Hoosick Falls Resident	Robert Potter Hoosick Falls Resident
Lawrence Dawson Retired	D. Victor Pytko Former resident, born and raised in Hoosick Fall
Heather Dawson NYS resident/relative of HF residents	Anne Rabe Community Concerned about NL Industry
Deborah Dewey SNYFG	Jeannette Rice MSHed & concerned grandmother
Catherine Doucette Hoosick Falls Resident	Bill Ritchie NYS Resident
Kelley Duggan Hoosick Falls Resident	Kathryn Russell Academic Professional
Maud Easter Concerned Neighbor	Gail Rychlewski Concerned Citizen
Brian Eden Academic Professional	Glenn Sanders Concerned Citizen
Edna Litten Concerned Citizen	John Schmidt Hoosick Falls Resident
Howard Freed, MD Former Director NY State DOH Center for Environmental Health	Ted Senecal Jr. Hoosick Falls Resident
Lois Gibbs Founder Center for Health, Environmental Justice	Stephanie Sicko Rensselaer County Resident
Christopher Glover Hoosick Falls Resident	Donald R. Smith Hoosick Falls Resident
Roger Gray Concerned Citizen	Dan Spilman NYS Resident
Katharine Harris Albany County Resident	Barbara Spink Stop NY Fracked Gas Pipeline
Katharine Harris Albany County Resident	Marion Stevens Hoosick Falls Resident
Russ Haven General Counsel NYPIRG	Frank Strickler Area Resident
Dorothy Heath	Ellen Tanner

Individual NYS resident	Friend of Hoosick Falls Resident
Gwendolyn Hoeffel Religious Sister	Tatianna Moragne Upper Hudson Green Party
W. Hunziker Concerned Citizen	Regi Teasley, Ph.D. Academic Professional
Kay Johnson Resident In Neighboring Village	Bonnie Terry Resident of Saratoga County
Lee Kaplan Albany County Resident	Judy Thomson Capital District Resident
Sister Honora Kinney Concerned Citizen	Paul Tick Social Worker
Sara Knapp Academic Professional	Kelly Travers-Main United Neighbors concerned about General Electric & Dewey Loeffel Landfill
Ayal Kushner State of NY	Barbara Warren, RN, MS Executive Director Citizens' Environmental Coalition
Jeannine Laverty P&S committee, Easton Quaker Meeting	Renate Weber Friend of a Hoosick Falls Resident
Michelle Leffler Rensselaer County Resident	Eric Weltman Food & Water Watch
Pam Lever Co-Founder & Board member United Neighbors Concerned About General Electric & Dewey Loeffel Landfill	William Marcoux Jr. Hoosick Falls Resident
Tina Lieberman People's Climate Movement- Capital Region	Susanne Williams Friend of Hoosick Falls Resident
Charles Manning Concerned Citizen	Diana Wright PAUSE
William E Marcoux Hoosick Falls Resident	Mary Ellen Wright Hoosick Falls Resident
Jackie Marozas Former Resident/ Cancer patient due to PFOA	Daniel Wright Hoosick Falls Resident
Maryann Jacobs Hoosick Falls Resident	
Janet Mattox NYS Resident	
Robin McClellan NYS Resident	
Christy McElligott NYS Resident	
Ryan McNeal Relative to Hoosick Falls Resident	
Rev. Emily McNeill Executive Director Labor-Religion Coalition of NYS	
Jan Messina Concerned Capital Region Citizen	
Gary Michael NYS Resident	

CC: Hon. Kirsten Gillibrand, Senator  
Hon. Charles Schumer, Senator

Hon. Kathy Marchione, State Senator

Hon. Kemp Hannon, State Senator

Hon. Steve Englebright, Assemblyman

Hon. Richard Gottfried, Assemblyman

Hon. Steven McLaughlin, Rensselaer County Executive

Hon. Robert Allen, Hoosick Falls

Martin Brand, Deputy Commissioner, Remediation and Materials Management, DEC

Cathy Calhoun, Director of State Operations, Executive Chamber

Kate Dineen, Chief of Staff to the Director of State Operations, Executive Chamber

Venetia Lannon, Deputy Secretary, Environment, Executive Chamber