



ASSOCIATED GENERAL CONTRACTORS OF NEW YORK STATE



The New York State Chapter of the
Associated General Contractors of America

July 6, 2018

Mr. Peter Lopez
Regional Administrator
U.S. Environmental Protection Agency Region 2
290 Broadway
New York, New York 10007

Dear Regional Administrator Lopez:

Many members of Associated General Contractors of New York State (AGC NYS) do business and help to build critical infrastructure along the 200-mile span of the Hudson River Superfund site. The outstanding and important work of construction firms and contractors helps support New York's multibillion-dollar tourism industry and is integral to the prosperity of the real estate market and overall economy of the Hudson Valley region.

Continuing and building upon this momentum depends on a cleaner, healthier Hudson River. Continued contamination of the river, including its fish, sediments, river and wildlife, are obstacles to the economic gains our industry hopes to foster. For nearly seven decades, this pollution has prevented efforts to realize the river's full potential, including waterfront development, multi-modal transportation hubs, unrestricted commercial traffic on the Champlain Canal, revival of commercial fishing, and expanded opportunities for recreational fishing and boating.

As you consider the fate of the river in the Hudson's Second Five Year Review, we ask you to do everything possible to ensure that action can be taken that will help accelerate the river's return to health and to realize the core mission of the USEPA Superfund program, as identified by EPA, to expedite reduction of risks to human health and the environment and accelerate the reuse of properties affected by hazardous waste contamination while creating jobs. As the leading association for the construction industry in the New York, we are proud of the substantial role our industry professionals play in advancing this core objective of the EPA.

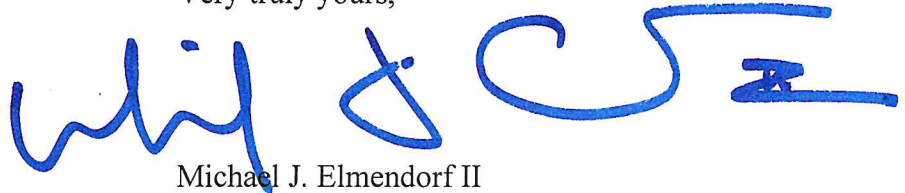
More than 5.5 million man-hours, five prime contractors, multiple construction firms and 300 sub-contractors and vendors have contributed to the progress at the Hudson River Superfund cleanup to date. However, new data collected by New York State and confirmed by the National Oceanic and Atmospheric Administration (NOAA) reveals that time and nature alone will not fix this project's shortcomings. Our members stand ready to implement any additional cleanup program ordered by EPA.

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Therefore, we strongly urge you to recognize that the remedy for the entire Hudson River Superfund site is "not protective of human health and the environment" and eliminate the unsubstantiated forecasts in the draft Hudson Second Five Year Review that it "will be protective" at some unknown time in the future. Additionally, we hope you will refrain from issuing General Electric a Certificate of Completion until the cleanup fulfills its mandated goal to be "protective."

More action and additional dredging may be necessary to make the Hudson environmentally healthy and economically viable. Our industry stands ready to partner with you to make this happen.

Very truly yours,



Michael J. Elmendorf II
President & CEO
Associated General Contractors of New York State

CC: The Honorable Andrew Wheeler, Acting EPA Administrator
Kenneth Wagner, Senior Advisor to the Administrator
Erin Chancellor, Counsel to the Administrator
Ryan Jackson, EPA Chief of Staff
Byron Brown, EPA Deputy Chief of Staff
The Honorable Kirsten Gillibrand, U.S. Senate
The Honorable Charles Schumer, U.S. Senate
The Honorable Eliot Engel, US House of Representatives
The Honorable Nita Lowey, U.S. House of Representatives
The Honorable Sean Patrick Maloney, U.S. House of Representatives
The Honorable Paul Tonko, U.S. House of Representatives
Aurelia Skipwith, Deputy Assistant Secretary, Dept. of Interior
Paul Doremus, NOAA Assistant Secretary for Conservation and Management
Basil Seggos, NYSDEC Commissioner
Venetia Lannon, Deputy Secretary for the Environment, NYS Executive Chamber