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22ND DISTRICT, NEW YORK

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INTERIOR

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August 23, 2004

The Honorable Erin M. Crotty
Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1011

Re: Morse Industrial Corporation site # 7-55-010

Dear Commissioner Crotty:

I am writing to encourage expedited remedial action concerning the former Morse Industrial Corporation site (now in operation as Emerson Power Transmission) in Ithaca, New York. It is my firm belief that the lessons we have gained from dealing with IBM's toxic contamination in the Village of Endicott could be usefully applied to the current situation in Ithaca. Based upon that experience, we know that it is best to work quickly to understand the extent of the problem and apply the appropriate response.

In the interest of the health and safety of the community, I urge DEC to exercise more authority over the investigation and remediation of this site to determine the full extent of the toxic contamination caused by Morse Industrial Corporation. Foremost, this site should be reclassified from Class 4 to 2, pursuant to the Registry of Inactive Hazardous Waste Disposal Sites in New York State. This site does not fit the definition of a Class 4 site; clearly it is not properly closed and it requires more than continued management. DEC soil gas tests performed this past June expanded the body of information that justifies reclassifying this site as Class 2, a significant threat to public health. As we have learned in Endicott and elsewhere, vapor intrusion -- the process by which certain toxic chemicals volatilize and permeate homes and workplaces -- is now recognized as a far greater health threat than it was just a few years ago. DEC's management of toxic sites in urbanized areas such as this site in Ithaca should reflect this new knowledge. I urge you to reclassify promptly this site from 4 to 2.

A number of homeowners have expressed concerns about the need to expand the scope of homes targeted for indoor air and (subslab) gas testing for volatile organic compounds (VOC) including trichloroethylene (TCE), tetrachloroethylene (PCE) and 1,1,1 trichloroethane (TCA). Experience gained from Endicott affirms my belief that every effort should be made to perform the testing of as many homes as necessary in order to assure residents that their dwellings are indeed safe and to identify unsafe

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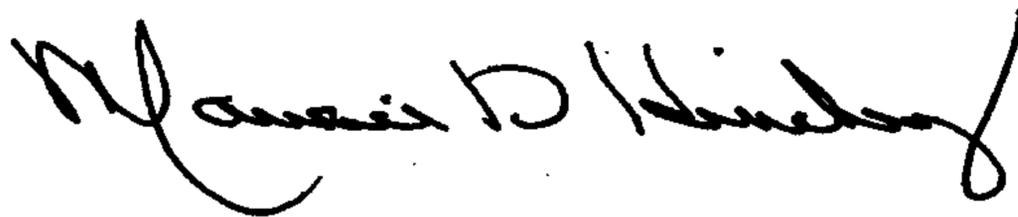
dwelling that require immediate remedial actions. The cost of additional testing should figure minimally into determinations about which homes are to be tested.

While threats to public health are of primary importance, property owners also deserve assurances that their homes are not located in a toxic zone. A broad testing program is the best way to learn the extent of the contamination and to formulate a mitigation plan that protects property values. I urge DEC to work with the residents and homeowners to establish consensus on this critical issue.

In May of this year, I wrote to your agency seeking documentation, under the NYS Freedom of Information Law, on various matters relating to this site. While I appreciate the response that I received some 12 weeks later, it is my hope that other aspects of this spill are being treated with a greater sense of urgency.

Best regards.

Sincerely,

A handwritten signature in black ink, appearing to read "Maurice D. Hinchey". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Maurice D. Hinchey

MDH:dll