



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, NEW YORK 10278

JUL 15 1991

Mr. John F. Welch, Jr.
Chairman and Chief Executive Officer
General Electric Company
3135 Easton Turnpike
Fairfield, Connecticut 06431

Dear Jack:

At our June 19, 1991 meeting in Administrator Reilly's office, you asked me to review the advisability of releasing a preliminary quantitative baseline risk assessment on the danger to human health from the consumption of Hudson River fish. I agreed to consider this question, recognizing your concern that the release at this time of a baseline risk assessment, based on currently available data, would lead the public to assume that a final decision as to the nature of the ultimate remediation, if in fact any is required, was pre-ordained as a result of the release of this assessment.

I have carefully thought about this question, but continue to believe that it would be unwise to change the Phase I Work Plan of the Reassessment RI/FS at this time. I believe it was proper to prepare the preliminary baseline risk assessment, and believe it is important to include the quantitative risk assessment for consumption of fish. I do not believe it would be appropriate to delay presenting this information to the public. Indeed, inasmuch as the New York State fish advisories and commercial fishing bans remain in effect, information which might permit the public to better understand the risks involved in eating the fish should be made available to it.

The reasons for performing a preliminary baseline risk assessment were several. First, we decided that the best way to describe the nature and scope of the planned risk assessment was to prepare an actual preliminary work product. Second, the preliminary risk assessment process would help identify data needs to be supplied during Phase 2. Third, we wanted to obtain meaningful public response on our risk assumptions and the significant amount of currently available data. Fourth, we needed to confirm whether, based on available data, a current risk to human health or the environment persists in order to verify the need for continuing the reassessment. And finally, we wanted to give the public timely information regarding the risks posed by the PCBs in the Hudson. In addition, changing the Phase 1 Work Plan at this time by deferring to a later phase information expected to be included in the Phase 1 Report undermines the viability of the public interaction program that

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we so carefully developed and have committed to implement for this project. I believe it is in the public's interest to provide reliable and timely information as it becomes available.

The data on PCB concentrations in fish is presently available for fourteen years, from 1975 through 1988. (inclusive). This is sufficient to permit the performance of a scientifically valid quantitative human health risk assessment for that pathway. Because there are already fourteen years of fish tissue data available, EPA can not only evaluate risk based on the most recent available concentration data (1986 - 1988), but also validly project the trend in fish tissue concentrations over time. This trend will be projected out for a 30 year period and an average PCB concentration value will be deduced and used in the preliminary risk assessment. Of course, the 1990 data will be factored into the final Reassessment RI/FS as it becomes available, as will all other timely scientifically valid information that becomes available.

I recognize that General Electric has sponsored studies intended to re-evaluate the toxicity of PCBs. If, as a result of that work, the scientifically acceptable cancer potency factors currently used by the Agency change, the risk assessment will be modified accordingly. This is, however, a matter for decision on a national level. I also recognize that GE has underway extensive research efforts on in-situ bioremediation. EPA encourages the development of new remedial technologies, and I will be pleased to receive and fully consider the results of GE's efforts, to the extent they are available on a timely basis.

At the same time, I want to reiterate that EPA Region II, and I, myself, have not reached any conclusions as to what, if anything, should be done to remedy this situation in the long run. Furthermore, EPA Region II expects to use all valid, relevant scientific evidence available to it in selecting the final remedy for the site. As we discussed at our meeting, the science must control this process. I hope that we and our staffs can continue to work through this complex project.

Sincerely,


Constantine Sidamon-Eristoff
Regional Administrator

cc: William K. Reilly
Hon. Gerald Solomon
Hon. Hamilton Fish
Don R. Clay
Erich W. Bretthauer
Thomas C. Jorling, Commissioner - NYSDEC

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