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JUL 17 1991

Mr. Darryl L. Decker
Chair, Government Liaison Group
Washington County
Board of Supervisors
Fort Edward, New York 12828

Dear Mr. Decker:

This is in response to your letter of May 8, 1991 concerning the release of a preliminary risk assessment as part of the Phase 1 Report of the ongoing Reassessment Remedial Investigation and Feasibility Study (Reassessment RI/FS) for the Hudson River PCBs Superfund site.

The U.S. Environmental Protection Agency (EPA) believes it is appropriate to include a preliminary baseline risk assessment as part of the Phase 1 Report, which is scheduled to be released in mid-August. As you know, EPA currently has available to it a substantial amount of scientific data regarding the site, which enables us to prepare a quantitative preliminary risk assessment as to at least some exposure pathways. For example, we have data regarding PCB concentrations in fish over approximately a 14-year period up to and including 1988. We believe that this data is sufficiently comprehensive and current to make performance of a preliminary risk assessment appropriate.

It is important to realize that because there are 14 years of fish tissue data available, EPA can analyze the trend in fish tissue concentrations over time. Through this analysis, EPA can safely make the assumption that the 1990 values for PCB concentrations in fish will not differ significantly from the 1988 values. In addition, the trend can be projected out for a thirty year period and an average concentration value can be deduced and used in the risk assessment. The risk assessment will reflect reasonable maximum exposure scenarios which are required by our regulations.

Of course, the preliminary risk assessment prepared for Phase 1 will be updated and adjusted as necessary during later stages of the Reassessment RI/FS to include the 1990 DEC fish data and/or other information which becomes available on a timely basis, before a decision is made regarding the selection of remedy for the site.

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I should also mention that an important result of the Phase 1 risk assessment will be the identification of the data which must be added to the existing database to more fully define human health risks at the site. This will help direct any Phase 2 data gathering efforts that are needed to fill data gaps and enable us to better estimate baseline risks. EPA Region II will make use of any and all valid, relevant scientific evidence available to it in selecting the final remedy for the site. All use of data will be in the context of applicable national policy and guidance.

Since sufficient scientific information currently exists to quantify the risk associated with the consumption of fish from the Upper Hudson River, EPA believes that it would not be appropriate to withhold this information from the public in the Phase 1 Report. EPA's credibility is based on giving reliable, timely information to the public as it is available, and the Agency has set up an extensive interaction process to keep the public informed and involved in the Reassessment process. We believe that withholding of information such as this from the public will jeopardize the credibility of the Reassessment RI/FS process, as well as damage the viability of our public interaction program. In addition, we note that the public has been aware since 1976 that there is a threat from eating upper Hudson River fish, because fish tissue concentrations remain above the Food and Drug Administration limit, and therefore, the fishing ban still remains in effect.

EPA believes that the Reassessment RI/FS must be based on good science and has taken the measures necessary to do so. EPA has also undertaken extensive efforts to involve and educate the public as to the process being used. By implementing these actions, EPA is doing its best to keep this study unbiased, and based upon sound science.

If you have any further questions or need additional information, please let me know or have your staff contact Ann Rychlenski of the Office of External Programs at (212) 264-7214.

Sincerely,

/s/

Constantine Sidamon-Eristoff
Regional Administrator

cc: Thomas Jorling, Commissioner
New York State Department of Environmental Conservation

bcc: Ann Rychlenski, OEP
Paul Simon, ORC ✓
CCO

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