

Samuel



SARATOGA COUNTY
ENVIRONMENTAL MANAGEMENT COUNCIL
PETER BALET
CHAIRMAN
GEORGE HODGSON
DIRECTOR

July 27, 1998

Mr. William McCabe, Deputy Director
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
290 Broadway, 26th Floor
New York, NY 10007-1866

Dear Mr. McCabe:

The Saratoga County Environmental Management Council (SCEMC) applauds USEPA's revisions to the Hudson River PCB's Reassessment's Community Interaction Program (CIP) which were announced at the January 21, 1998 Oversight Committee meeting held in Latham, NY. These revisions include USEPA's commitment to the following minimum Reassessment activity schedule:

- Two HROC meetings per year;
- Two Steering Committee meetings per year;
- At least one Joint Liaison Group meeting per report, and follow-up availability session;
- One public comment period per report;
- One responsiveness summary per report; and
- Public meetings

The SCEMC was especially heartened to learn that Phase 2 report based responsiveness summaries to address public comments would be prepared and distributed to the public.

At the January 21, 1998 HROC meeting you stated, "EPA is developing ideas as to how it would conduct peer review, and exactly what would be subject to peer review.

Representatives of the SCEMC attending the April 27, 1998 meeting of that body were quite disturbed to learn that EPA's proposed scientific peer review of the Hudson River Reassessment process would be extremely restrictive in scope. EPA representatives attending the April 27, 1998 meeting stated the scientific

peer review would be confined to a 2-part evaluation of only EPA's scientific information consisting of:

1. The appropriateness of EPA's models and assumptions
2. The scientific findings of the Phase 2 reports

Several members of the Steering Committee as well as representatives of the SCEMC present at the meeting expressed extreme concern over the validity of a scientific peer review restricted solely to EPA generated information without the review and evaluation of public comments and scientific information gathered by G.E. Subsequently, this restricted approach appears to have been somewhat relaxed based upon EPA's discussion of the peer review process at the July 15, 1998 meeting of the Oversight Committee. At that time, it was stated by yourself and Doug Tomchuk that appropriate data and comments by G.E., as well as other questions submitted by the public, would also be subject to the peer review process. The SCEMC encourages EPA to be thorough and complete in providing the peer reviewers with all of the information they need. As the SCEMC stated in its correspondence to you of January 13, 1998:

We, a public advisory group of the Saratoga County Board of Supervisors, have been continually frustrated by the lack of substantive technical interchange between EPA and the public regarding scientific methods and analysis. Monitoring and methodology differences, deposition vs. re-suspension, congener-specific "fingerprinting" and the interpretation of data all contribute to a wide disparity between EPA and GE regarding the source of PCB contamination to the Thompson Island Pool and the mechanics of PCB uptake to the Hudson River water column and its fishery resources.

Common sense would suggest that an open, timely, comprehensive, and collaborative review of all technical information, regardless of its source, be undertaken by EPA and GE; "good-science" of course, requires this approach. Unfortunately, the potentially affected, under-informed public can only hope that this review will occur.

In the absence of the above "common-sense" approach, the SCEMC would recommend that an unbiased, independent scientific peer review be conducted outside of the Scientific and Technical Committee structure to evaluate all EPA and GE reassessment information including modeling hypotheses and Phase 2 report findings. It is further recommended that a series of summary

information reports be generated by the scientific peer review group and provided to the public for its review and comment.

In summary, the SCEMC believes that a comprehensive scientific peer review process would be extremely useful in determining the validity of the scientific assumptions, methodologies and data utilized in the Hudson River PCB Reassessment. Such a scientific peer review should be comprehensive in scope and should not be restricted, however, only to the review and evaluation of EPA reassessment methodologies and data. Particularly important is information pertinent to determining the source of the PCBs currently being found in Hudson River fish. Correctly determining this source (or sources) is fundamental to a correct determination of the proper course of action for the Hudson River. The process should provide for a review of all pertinent scientific information, regardless of its source, which has been submitted to EPA relative to the Reassessment. The Hudson River is too important a resource to do otherwise!

Sincerely,



Peter M. Balet
Chairman

PB/bd

cc: Ms. Carol Browner, Administrator, USEPA
 Ms. Jeanne Fox, Regional Administrator, Region 2 USEPA
 Mr. Richard Caspe, Director, ERRD, Region 2 USEPA
 Mr. Doug Tomchuk, HRR Reassessment Project Manager, Region 2 USEPA
 Ms. Ann Rychlenski, Public Affairs Specialist, Region 2 USEPA
 The Honorable Gerald Solomon
 The Honorable Alphonse D'Amato
 The Honorable Daniel Moynihan
 The Honorable George Pataki
 Mr. John Cahill, Commissioner NYSDEC
 The Saratoga County Board of Supervisors
 David Wickerham, Administrator, Saratoga County
 Hudson River PCB Reassessment Liaison Group Chairs
 SCEMC members & staff