

JAN - 6 2000

Stephen D. Ramsey  
Vice President - Corporate Environmental Programs  
General Electric Company  
3135 Easton Turnpike  
Fairfield, CT 06431

Dear Mr. Ramsey:

This is in response to your letter of November 9, 1999 to Jeanne Fox, U.S. Environmental Protection Agency (EPA) Region 2 Administrator, regarding the Hudson River PCBs Superfund site. Specifically, your letter expresses General Electric Company's (GE's) disappointment with EPA's decision not to conduct a simultaneous peer review of the modeling studies prepared by EPA and GE.

EPA's Science Policy Council Handbook on Peer Review (Peer Review Handbook) defines peer review as a "documented critical review of a specific Agency major scientific and/or technical work product" (Peer Review Handbook at 1.2.3), and encourages peer review of all such work products used in Agency decision making. As stated in my June 10, 1999 letter to you, the purpose of the Hudson River PCBs site peer review is to ensure that science underlying the Agency's ultimate remedial decision is technically adequate, competently performed, properly documented, and satisfies established quality requirements. This can be achieved through the review of EPA's documents without side-by-side comparison of EPA's and GE's modeling reports. As indicated in my June 10 correspondence, the peer review is not intended to be a forum in which the peer reviewers judge what they believe to be the best among two or possibly more scientific work products. Moreover, as EPA intends to use its own models, rather than GE's, in its remedial decision making for the Hudson River PCBs site, the Peer Review Handbook does not require EPA to arrange for peer review of GE's modeling work.

The peer reviewers will be asked to base their review primarily on the Revised Baseline Modeling Report and the Responsiveness Summary on the Baseline Modeling Report, each of which will be released in January 2000. The Responsiveness Summary on the Baseline Modeling Report will include public comments, including GE's, received on EPA's Baseline Modeling Report, and the Agency's responses to significant public comments. The Responsiveness Summary also will include EPA's review of GE's modeling report *PCBs in the Upper Hudson River*. In addition, the reviewers will be provided with copies of the May 1999 Baseline Modeling Report and GE's modeling report so that they can refer to these documents to the extent that they believe that such reference would assist their review.

Your letter also proposes that EPA provide your consultants with two hours to make a presentation on GE's modeling efforts to the peer review panelists. As the reviewers will be provided with copies of GE's modeling report, we do not believe it is necessary for GE's consultants to present the findings of their modeling report to the peer reviewers. Of course, GE and the public are invited to attend the peer review meeting for the Baseline Modeling Report and will be afforded an opportunity to address the peer review panel during scheduled observer comment periods.

If you have further questions regarding this issue, please contact me at (212) 637-4392.

Sincerely,

Richard L. Caspe, Director  
Emergency and Remedial Response Division

cc: John Cahill, Commissioner  
New York State Department of  
Environmental Conservation

bcc: Ann Rychlenski, CD  
Douglas Fischer, ORC ✓  
Doug Tomchuk, ERRD