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AUG 12 1999

Barbara J. Plummer, Clerk
 Saratoga County Board of Supervisors
 40 McMaster Street
 Ballston Spa, New York 12020

Dear Ms. Plummer:

This is in response to your letter of July 20, 1999, to EPA Administrator Carol M. Browner, concerning the Hudson River PCBs Superfund site. Specifically, your letter forwards a resolution that the Saratoga County Board of Supervisors supports an independent peer review of all PCB-modeling studies developed for the Hudson River PCBs Superfund site.

With respect to the peer review process, I believe it would be useful for me to clarify for you some aspects of EPA's peer review policy to avoid any misunderstanding about the peer reviews being conducted for this site. EPA's policy generally requires the Agency to subject to peer review those major Agency technical work products, such as risk assessments and technical models, that are innovative or focus on significant emerging issues and serve to support Agency decision-making. At the Hudson River PCBs site, specific issues in EPA's scientific work are being reviewed in four distinct sessions. Two of the six reports prepared in connection with the Hudson River PCBs Reassessment -- the Data Evaluation and Interpretation Report and the Low Resolution Sediment Coring Report -- were reviewed earlier this year. EPA's Modeling Approach, including EPA's Preliminary Model Calibration Report, was peer reviewed in September 1998. The Baseline Modeling Report, which is EPA's modeling report for the site, and the Human Health and Ecological Risk Assessments, will be peer reviewed next year to ensure that all six scientific work products that support a remedy decision will receive a critical evaluation by independent experts.

The purpose of the peer review is to ensure that EPA's science is technically sound; it 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. EPA therefore will not provide a side-by-side peer review involving EPA's modeling report. Nevertheless, EPA has agreed to provide the peer reviewers with copies of public comments received on its reports and the Agency's responses to these comments, which are documented in responsiveness summaries. The responsiveness summary that will be provided to the peer review panel for EPA's Baseline

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DATE -->	8/11/99	8/11/99		8/11/99				

Modeling Report will include a copy of GE's modeling report and EPA's response to that report. In addition, as with the prior two peer reviews for this site, the public will be invited to attend the peer review meetings for the Baseline Modeling Report, Human Health Risk Assessment and Ecological Risk Assessment. The public also will be invited to address the peer review panels for the upcoming peer reviews, just as the public was given the opportunity to address the expert panels for EPA's Modeling Approach and Data Evaluation and Interpretation Report/Low Resolution Sediment Coring Report peer reviews.

We hope that this letter addresses your concerns. EPA appreciates your interest in the Reassessment process, and we encourage you to continue to express your concerns regarding the Reassessment. If you have any questions or require more information, please feel free to contact Ann Rychlenski at (212) 637-3672.

Sincerely yours,

Richard L. Caspe, Director
Emergency and Remedial Response Division

bcc: Ann Rychlenski, CD
Douglas Fischer, ORC

SARATOGA COUNTY BOARD OF SUPERVISORS

40 McMaster Street
Ballston Spa, New York 12020
(518) 885-2240

Attached is a copy of Resolution No. 128-99 adopted by the
Saratoga County Board of Supervisors at their meeting held on
July 20, 1999.

BARBARA J. PLUMMER, CLERK
BOARD OF SUPERVISORS

7/20/99

RESOLUTION 128 - 99

Introduced by Supervisors Stokes, Hall, Johnson, King, McDonald, Scirocco and Trieble

REQUESTING USEPA TO CONDUCT PEER REVIEW OF
ALL MODELING INFORMATION RELATING TO THE
HUDSON RIVER SUPERFUND PCB REASSESSMENT

WHEREAS, the Hudson River is a major and important water resource of the Nation, New York State and the County of Saratoga, forming the northerly and easterly boundaries of Saratoga County; and

WHEREAS, during a 30-year period ending in 1977 some 1.1 million pounds of PCB's were discharged into the Hudson River from two GE capacitor manufacturing plants located in Ft. Edward and Hudson Falls, New York; and

WHEREAS, the US Environmental Protection (USEPA) has identified the Hudson River from Hudson Falls to the Battery as a federal Superfund Site and is presently conducting a federal Hudson River Superfund PCB Reassessment to determine whether remedial actions are warranted; and

WHEREAS, the County of Saratoga with the assistance of its Environmental Management Council has been actively involved in reviewing and commenting on various Hudson River Superfund PCB reassessment reports completed by USEPA since 1992; and

WHEREAS, USEPA and GE have recently completed independent modeling reports with disparate and contradictory conclusions which will be instrumental in determining the degree of health and ecological risks posed by PCB contamination of the Hudson River and ultimately the decision of whether to dredge the Hudson River; and

WHEREAS, utilizing the most scientifically correct models in reaching human health and ecological risk determinations is one of the most critical components of the reassessment's decision-making process; and

WHEREAS, the County of Saratoga believes there is a need to conduct a comprehensive, independent peer review of both USEPA's and GE's Reassessment models to resolve major technical differences between them before the more scientifically correct modeling information is utilized to reach human risk and ecological risk determinations concerning PCB contamination of the Hudson River; and

WHEREAS, the USEPA has refused to incorporate GE's modeling information into the Agency's peer review process and will utilize its own models prior to any peer review process to make human health and ecological risk assessments in August 1999 which will be the basis of making a decision of whether to dredge PCB's from the upper Hudson River; now, therefore, be it

RESOLVED, the Saratoga County Board of Supervisors requests that the US Environmental Protection Agency conduct a comprehensive peer review and/or reconciliation of all modeling information in order that the most scientifically correct Reassessment modeling information is used as a basis for the Hudson River Superfund PCB Reassessment decision-making, before completing human health and ecological risk assessments scheduled to be released in August of 1999; and, be it further


RESOLVED, the Clerk of the Board forward copies of this resolution to Carol Browner, Administrator, USEPA; Jeanne Fox, Region 2 Administrator, USEPA; John Cahill, Commissioner NYSDEC; the Honorable George Pataki, Governor; John E. Sweeney, Congressman; Senator Charles E. Schumer; Michael R. McNulty, Congressman, Senator Joseph Bruno, Senator Hugh T. Farley, Assemblyman Sheldon Silver, Assemblyman Robert D'Andrea, Assemblyman James N. Tedisco, Assemblyman Robert Prentiss, Assemblyman Pat M. Casale and the Chairman of the Washington County Board of Supervisors.

BUDGET IMPACT STATEMENT: No budget impact.

STATE OF NEW YORK)
) ss:
COUNTY OF SARATOGA)

I, BARBARA J. PLUMMER, Clerk of the Board of Supervisors of Saratoga County, do hereby certify that the foregoing is a true copy, and the whole thereof, of a resolution duly adopted by the Board of Supervisors of said county, on the 20th day of July 1999.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed hereto the official seal of said Board of Supervisors this 21st day of July 1999.


Clerk of the Board of Supervisors
Saratoga County, New York