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AUG 13 1999

Mary J. Pearson, Town Clerk  
 Town of Halfmoon  
 111 Route 236  
 County of Saratoga  
 Halfmoon, New York 12065

Dear Ms. Pearson:

This is in response to your letter of July 22, 1999, to EPA Regional Administrator Jeanne Fox, concerning the Hudson River PCBs Superfund site. Specifically, your letter forwards a resolution stating that the Halfmoon Town Board 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

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DATE -->	8/12/99	8/12/99	8/12/99	8/12/99				

responsiveness summary that will be provided to the peer review panel for EPA's Baseline 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

# TOWN OF HALFMOON

"SOLARTOWN U.S.A."

TOWN CLERK  
MARY J. PEARSON  
TEL: 371-7410, EXT 214  
FAX: 371-0936



U.S. EPA, REGION II  
EMER. & REM. RES. DIV.

1999 JUL 27 PM 4:30

111 ROUTE 236  
HALFMOON, NEW YORK 12065  
COUNTY OF SARATOGA

DIRECTOR'S OFFICE

TO: Regional Administrator Jeanne M. Fox  
FROM: Town Board Town of Halfmoon  
DATE: July 22, 1999  
RE: USEPA RESOLUTION

*Handwritten:* JN  
M. J. Pearson  
cc. Censor/Action

The Town Board of the Town of Halfmoon approved the referenced at the July 20, 1999 regular Board meeting. A certified copy of the resolution is enclosed.

Should you require anything further, please do not hesitate to contact the Town of Halfmoon.

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Rgs

US EPA  
1999 JUL 26 PM 5:00  
OPM/PPFB

10.6025

**RESOLUTION REQUESTING USEPA TO CONDUCT PEER REVIEW AND/OR RECONCILIATION OF ALL MODELING INFORMATION RELATING TO THE HUDSON RIVER SUPERFUND PCB REASSESSMENT PRIOR TO DETERMINING HUMAN HEALTH AND ECOLOGICAL RISKS**

**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 the Town of Halfmoon, 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 Agency (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 assistance of its Environmental Management Council has since 1992 been actively involved in reviewing and commenting on various Hudson River Superfund PCB reassessment reports completed by USEPA; and

**WHEREAS**, USEPA and GE have recently completed independent modeling reports with disparate 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 or not; and

**WHEREAS**, the importance of utilizing the most scientifically correct models in reaching human health and ecological risk determinations cannot be overstated, it being one of the most critical components of the reassessment's decision-making process; and

**WHEREAS**, the Town of Halfmoon believes there is a need to conduct a comprehensive peer review of both USEPA's and GE's Reassessment models to resolve major technical differences between them before utilizing the most scientifically correct modeling information to reach human health 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 or not; now therefore be it

**RESOLVED**, the Town of Halfmoon Town Board requests, due to the importance of the Hudson River resource, the US Environmental Protection Agency take the additional time necessary to conduct a comprehensive peer review and/or reconciliation of all modeling

information in an effort to use the most scientifically correct Reassessment modeling information 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

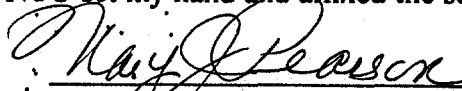
**RESOLVED**, the Town of Halfmoon Town Board transmit copies of this resolution to Carol Browners, Administrator, USEPA, Jeanne Fox, Region 2 Administrator, USEPA; John Cahill, Commissioner NYSDEC; the Honorable George Pataki, Governor; and all state and federal elected officials representing the Town  
DATED: July 13, 1999

MARY PEARSON, TOWN CLERK  
TOWN OF HALFMOON

STATE OF NEW YORK     )  
COUNTY OF SARATOGA   ) ss.:  
TOWN OF HALFMOON     )

I, MARY J. PEARSON, Town Clerk of the Town of Halfmoon, Saratoga County, New York do hereby CERTIFY that the foregoing RESOLUTION REQUESTING USEPA TO CONDUCT PEER REVIEW AND/OR RECONCILIATION OF ALL MODELING INFORMATION RELATING TO THE HUDSON RIVER SUPERFUND PCB REASSESSMENT PRIOR TO DETERMINING HUMAN HEALTH AND ECOLOGICAL RISKS is a true and correct copy of such original and the whole thereof.

IN TESTIMONY WHEREOF, I HEREUNTO set my hand and affixed the seal of said Town, this 22nd day of July 1999.

  
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Mary J. Pearson, Town Clerk  
of the Town of Halfmoon  
Saratoga County, New York