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AUG 13 1999

Diana Eggleston, Town Clerk
Town of Arglye
41 Main Street
Argyle, New York 12809

Dear Ms. Eggleston:

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

7/21/99

Glenn R. Jones
Supervisor

Gordon Aubrey
H/W Superintendent

Diana Eggleston
Town Clerk

TOWN OF ARGYLE

41 Main Street
ARGYLE, NEW YORK 12809
(518) 638-8681

Town Council
Melvin McWhorter
Patrick Sullivan
Carl Lufkin
John Fillmore

RESOLUTION 34-99: URGING EPA TO SUBMIT BOTH ITS AND GE'S MODEL TO SIMULTANEOUS, INDEPENDENT PEER REVIEW

Motion made by Councilman McWhorter and seconded by Councilman Fillmore

WHEREAS, citizens, the community and the agricultural, tourism and recreational resources of the Town of Argyle are directly affected by the U.S. Environmental Protection Agency's reassessment of PCB's in the Hudson River, and

WHEREAS, the Town of Argyle has closely monitored EPA's performance and, in view of the potentially grave consequences of its decision, has urged EPA to rely on the soundest scientific principles and the most valid data analyses, and

WHEREAS, the EPA and the General Electric Company each have recently developed computerized models to simulate river dynamics and forecast future progress in the river's recovery, and

WHEREAS, these computer models are likely to be the best available quantitative tools on which to base future policy decisions about the river, and

WHEREAS, the models both predict future recovery for the river by differing as to the time that recovery will take, and

WHEREAS, the inadvertent use of inaccurate, outdated or misinterpreted data could lead EPA to order an unnecessary and destructive dredging and dumping project with serious, long-term environmental, social and economic damage to the Town of Argyle and neighboring communities, and

WHEREAS, an open public process designed to narrow and reconcile the technical differences between the two models can reduce the risk of error and help foster a higher level of public confidence in EPA's ability to make the correct decision, and

WHEREAS, Congressman John Sweeney has announced his intention to send both models for thorough review by an independent panel of scientists convened by the General Accounting Office, and

WHEREAS, EPA has refused repeated requests to agree to a simultaneous scientific peer review of both its model and the GE model by qualified, independent experts, and

WHEREAS, nevertheless plans to use the projections from its model in the development of ecological and human health reports even before its model has been examined by independent scientists,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Argyle urges EPA to reverse its opposition and promptly submit both its model and the GE model to independent peer review simultaneously before any model projections are used as the basis for any other Hudson River reports, and

BE IT FURTHER RESOLVED, that the simultaneous peer review be conducted at an open public meeting with full opportunity for public comment and discussion by the citizens and elected officials of the Town of Argyle and all other interested parties, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to U.S. EPA Administrator Carol Browner, Regional EPA Administrator Jeanne Fox, U.S. Senators Moynihan and Schumer, Governor Pataki, Congressman Sweeney, our State legislators, and the chief elected official of all municipalities in Warren, Washington, Saratoga, and Rensselaer counties with a request for their support of this resolution.

Carried - All voting aye.

This is to certify that I, the undersigned, Clerk of the Town Board of the Town of Argyle, have compared the foregoing copy of resolution with the original resolution now on file in the office and which was passed by the Argyle Town Board on the 14th day of July 1999, a majority of all the members elected to the board voting in favor thereof, and that the same is a correct and true transcript of such original resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the Town of Argyle, this 21st day of July 1999.

Diana Eggleston
Diana Eggleston, Town Clerk