

70199

AUG 25 1999

Merrilyn Pulver, Councilwoman
 Town of Fort Edward
 118 Broadway
 P.O. Box 127
 Fort Edward, New York 12828-0127

Dear Ms. Pulver:

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 Fort Edward 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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SURNAME -->	Hughes	Hauptman	McCabe	Caspe				
DATE -->	10/18/99		ugm	8/24/99				

10.6034

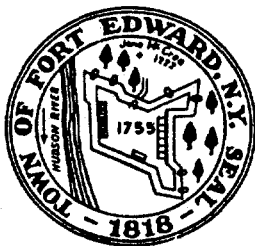
responsiveness summary that will be provided to the peer review panel for EPA's Baseline Modeling Report will include a copy of GE's modeling report and EPA's response to that report. In addition, as with the prior two peer reviews for this site, the public will be invited to attend the peer review meetings 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 FORT EDWARD

118 BROADWAY

P.O. BOX 127

FORT EDWARD, N.Y. 12828-0127

Dear Supervisor,

On behalf of the Fort Edward Town Board, I am writing to you once again to ask that your board join us in a resolution regarding the U.S. Environmental Protection Agency's reassessment of the Hudson River PCB Superfund project.

The future of the Hudson River and the communities that reside on its banks will rest on the data predicted by the model that EPA has recently released in its Baseline Modeling Report. General Electric has also recently released its own model. Both models predict future recovery of the river without any dredging action. The models do differ in the time the recovery will take. Obviously, this factor will be imperative to determining the future outcome of this reassessment. Certainly EPA must be aware of the lack of credibility it will demonstrate to all concerned if it does not deviate from its established procedure of only having its own document peer reviewed. One would have to wonder if EPA lacked confidence in its model otherwise!

Having come away from the May 18, 1999, EPA joint liaison group meeting regarding EPA's Baseline Modeling Report, feeling frustrated with the established peer review procedure being thrust upon us by EPA, I felt compelled to draft a resolution in hopes that it might be an effective tool that the Town of Fort Edward as well as other communities along the Hudson River may use to help convince EPA to have full side-by-side peer review of EPA's model and General Electric's model.

On behalf of the Fort Edward Town Board, I want to thank you for your continued support. By working together on this issue of common interest we can make sure our voices are heard. I have enclosed the resolution adopted by the Fort Edward Town Board that includes a list of the Federal and State officials to whom a resolution should be mailed.

Please accept our sincere thanks for your support, and we would appreciate a copy of your adopted sent to us for our files.

Sincerely,

Merrilyn Pulver

Merrilyn Pulver

Councilwoman

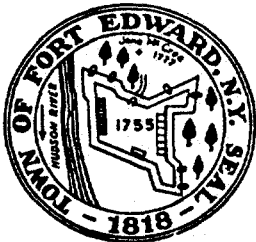
Town of Fort Edward

DIRECTOR'S OFFICE
1999 JUN 28 AM 8:44
U.S. EPA, REGION II
EMER. & REM. RES. DIV.

1999 JUN 25 PM 4:15
OPM/PPPB

US EPA

10.6036



TOWN OF FORT EDWARD

118 BROADWAY

P.O. BOX 127

FORT EDWARD, N.Y. 12828-0127

RESOLUTION NUMBER 40 of 1999

MOTION BY CCUNCILMAN PULVER

SECONDED BY CCUNCILMAN NICHOLS

URGING EPA TO SUBMIT BOTH ITS AND GE'S MODEL TO SIMULTANEOUS,
INDEPENDENT PEER REVIEW.

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

WHEREAS, the Town of Fort Edward 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 Co. 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 differ 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 Town of Fort Edward 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 Fort Edward, 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 Fort Edward 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. Sens. Moynihan and Schumer, Gov. 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.

DATED: June 14, 1999

VOTED: ALL AYES

Merrilyn Pulver
Councilwoman, Town of Fort Edward
2842 County Route 46
Fort Edward, N.Y. 12828
518-747-4985

June 18, 1999

Mr. Douglas Tomchuk
U.S. Environmental Protection Agency
290 Broadway 20th Floor
New York, New York 10007

Dear Doug:

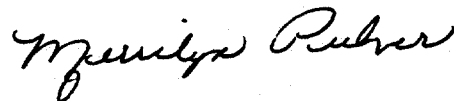
I am writing as co-chairman of the Agricultural Liaison Committee of EPA's Hudson River PCB Superfund Reassessment and as a member of the Fort Edward Town Board. My comments today are in regard to the most recent Baseline Modeling Report.

Having come away from the May 18, 1999, EPA joint liaison group meeting feeling frustrated with the established peer review procedure being thrust us upon by EPA, I felt compelled to draft a resolution in hopes that it might be an effective tool that the Town of Fort Edward as well as the Washington County Board of Supervisors may use to help convince EPA to have full side-by-side peer review of EPA's model and GE's model.

On Monday, June 14, 1999, the Fort Edward Town Board adopted Resolution No. 39 of 1999, **URGING EPA TO SUBMIT BOTH ITS AND GE's MODELS TO SIMULTANEOUS, INDEPENDENT PEER REVIEW**. On June 18, 1999, the Washington County Board of Supervisors adopted Resolution No. 180 Title: **URGING EPA TO SUBMIT BOTH ITS AND GE's MODELS TO SIMULTANEOUS, INDEPENDENT PEER REVIEW**. Please find enclosed both resolutions.

The future of the Hudson River and the communities that reside on its banks will rest on the data that this modeling effort will predict. There is no room for anything less than full cooperation from all parties. Both reports predict future recovery of the river without any dredging action. The reports do differ in the time the recovery will take. Obviously, this factor will be imperative to determining the future outcome of this reassessment. Certainly EPA must be aware of the lack of credibility it will demonstrate to all concerned if it does not deviate from its established procedure. One would have to wonder if EPA lacked confidence in its model otherwise! Let's resolve the fact that this side-by-side peer review will only make the science better.

Sincerely,



Merrilyn Pulver

RESOLUTION NO. 39

Urging EPA to submit both its and GE's models To simultaneous, independent peer review

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

WHEREAS, The Town of Fort Edward 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 Co. 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 but differ 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 Town of Fort Edward 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, EPA 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 Fort Edward, hereby endorses Congressman Sweeney's plan and commends his leadership on the issue, and, be it further

RESOLVED, that the Town Board of the Town of Fort Edward, 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 Town of Fort Edward 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. Sens. Moynihan and Schumer, Gov. Pataki, Congressman Sweeney, our state legislators, and the chief elected officials of all municipalities in Warren, Washington, Saratoga and Rensselaer counties with a request for their support of this resolution

RESOLUTION NO.180 June 18, 1999

By Supervisors Ferguson, Booth, Wilbur, Brown, Aspland, Cosey

TITLE: URGING EPA TO SUBMIT BOTH ITS AND GE's MODELS TO SIMULTANEOUS, INDEPENDENT PEER REVIEW

WHEREAS, the citizens, communities and prized agricultural, tourism and recreational resources of Washington County are directly affected by the U.S. Environmental Protection Agency's reassessment of PCBs in the Hudson River, and

WHEREAS, Washington County 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 Co. 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 but differ 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 Washington County and neighboring counties, 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 desire to have both models reviewed 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, EPA 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 Washington County Board of Supervisors hereby endorses Congressman Sweeney's plan and commends his leadership on the issue, and, be it further

RESOLVED, that the Board of Supervisors 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 Washington County 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. Sens. Moynihan and Schumer, Gov. Pataki, Congressman Sweeney, our state legislators, and the chief elected officials of all municipalities in Warren, Washington, Saratoga and Rensselaer counties with a request for their support of this resolution.