

SEP 16 1999

Councilman Schroeder
 Town of Charlton
 Town Hall
 784 Charlton Road
 Charlton, New York 12019

Dear Mr. Schroeder:

This is in response to your letter of August 9, 1999, to EPA Regional Administrator Jeanne Fox, concerning the Hudson River PCBs Superfund site. Specifically, your letter forwards a resolution stating that the Town of Charlton 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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AMBOL -->	ERRD-SP/CT	ERRD-SP/CT	ERRD-DD	ERRD-D				
SURNAME -->	Hughes	Hauptman	McCabe	Caspe				
DATE ----->	9/15/99		9/15/99	9/15/99				

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

STATE OF NEW YORK
TOWN OF CHARLTON
COUNTY OF SARATOGA

RESOLUTION 88
AUGUST 9, 1999

A RESOLUTION URGING THE ENVIRONMENTAL
PROTECTION AGENCY TO SUBMIT BOTH ITS
AND GENERAL ELECTRIC'S MODEL TO
SIMULTANEOUS INDEPENDENT PEER REVIEW

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

WHEREAS, the Town of Fort Edward has closely monitored the Environmental Protection Agency's performance and, in view of the potentially grave consequences of its decision, has urged the Environmental Protection Agency to rely on the soundest scientific principles and the most valid data analyses; and

WHEREAS, the Environmental Protection Agency 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, the models both predict future recovery for the river but differ as the time that recovery will take; and

WHEREAS, the inadvertent use of inaccurate, outdated or misinterpreted data could lead the Environmental Protection Agency to order an unnecessary and destructive dredging and dumping project with serious, long-term environmental, social and economic damage to the 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 the Environmental Protection Agency'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, the Environmental Protection Agency has refused repeated requests to agree to a simultaneous scientific peer review of both its model and the General Electric Company 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 Charlton, urges the Environmental Protection agency to reverse its opposition and promptly submit both its model and the General Electric 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 the ~~Regional Protection Agency Administrator Carol Brown~~, Regional Protection Agency Administrator Jeanne Fox, Congressman Sweeney, our State Legislators, and the chief elected official of the Town of Fort Edward and the Saratoga County Board Chairman Richard Lucia.

MOVED BY Councilman Schroeder VOTING:
SECONDED Councilman Mitchell

Councilman Grattidge	<u>ABST</u>
Councilman McLoughlin	<u>Yes</u>
Councilman Mitchell	<u>Yes</u>
Councilman Schroeder	<u>Yes</u>
Supervisor Acunto	<u>Yes</u>