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Hudson River PCBs Reassessment
Presentation to Steering Committee
July 14, 1993
By David D. Adams

First, I want to thank Ann Rychlenski for giving me time to address you today. My name is David Adams. I am a member of the Saratoga County Environmental Management Council (EMC) and am the EMC's representative on the Government Liaison Committee.

The Saratoga County EMC has been following with interest the Hudson River PCBs Reassessment program. On March 9, 1993 the EMC sponsored a meeting of Liaison Chairs and Co-Chairs to evaluate and provide input to EPA regarding the effectiveness of the public participation program. Agreement was reached at this meeting that EPA's response to comments and questions from the public has not always been adequate. It was further agreed that this Steering Committee is an appropriate body to which to present this concern as the Steering Committee is in a position to seek corrective action by virtue of its charter, its membership and its ties to the Oversight Committee. At the March 9 meeting I agreed to make a presentation to the Steering Committee on this concern if allowed to do so.

Let me start on a positive note. Last July and again last Fall I questioned why EPA was not obtaining PCB concentrations in fish samples contemporaneous in space and time with water and sediment samples as a way to help validate the method of predicting future fish PCB concentrations. I was pleased to see in the May 1993 issue of "River Voices" that, between November 1992 and May 1993, EPA has reconsidered this matter and will now obtain contemporaneous PCB concentrations in fish. However, details of this sampling have not been made available to the public or, to my knowledge, the Scientific and Technical Committee (STC).

But other issues remain. I will focus today on the issue most important to me which is EPA's failure to date to make available for public review the method or model which EPA will use to predict future PCB concentrations in fish from data on PCB concentrations in water and sediment. These predictions will be a major factor in EPA's decision regarding the need for corrective action. By model, I mean a complete description of the process of data manipulation including all of the mathematical functions which will be used to process the data, the assumptions made in generating these functions or in their application to this program, and any additional assumptions necessary to use the data in the mathematical functions. A complete model description would also include a discussion of why the mathematical functions and assumptions are applicable.

I first raised this issue to EPA in a July 21, 1992 letter without any reply. In October 1992 I submitted a written question for the joint STC/Liaison Committees meeting of November 5, 1992 asking if the STC had reviewed the EPA model. The answer was

Page 2

that EPA had not yet given the model to the STC. Unfortunately the discussion ended there as I was not able to attend the meeting due to a previous travel commitment in Europe. I again raised this issue in an open letter to EPA published in the May 1993 issue of "River Voices". In this same "River Voices", EPA replied that the overall scope of the modeling effort is described in the Phase 2 Work Plan and that the specific details and assumptions will be included in the Phase 2 Report.

I submit that publishing details of the model and the assumptions in the Phase 2 Report which comes after data collection is complete is too late. Quoting from my letter in "River Voices", "Without the specific details of EPA's plan, it is impossible for anyone, especially the STC, to critique EPA's course of action. We don't know if the right data or data in sufficient quantity are being obtained." In the May "River Voices", EPA said the sampling plan was evaluated for data sufficiency by the same people who outlined the modeling approach. This is reassuring but if we are to solely rely on EPA's judgment, why do we have the STC and the Liaison Committees? I have been witness to discussion by the STC of the Phase 2 sampling plan and observed their inability to come to grips with the issue because of the lack of EPA's detailed model. This problem also surfaces in some of the discussion recorded in the minutes of the November 5, 1992 meeting. The recent data from the Bakers Falls area of the Hudson River suggests strongly that the PCB levels in fish are predominately controlled by PCB levels in the water. This in turn suggests that any effect of old PCB deposits on fish will depend heavily on scouring events in the River which emphasizes again the need for review by the STC of EPA's model.

I urge you to use all means available to you to persuade EPA to make the details of their model and accompanying assumptions available for public review and that EPA specifically request review of the same, including the sufficiency of the Phase 2 sampling plan, by the STC on an expedited basis.

One last point. I have also suggested to EPA that the STC comment on the method EPA proposes to use in calculating human health risk and that the STC assess the uncertainty range of the final risk assessment. In the May issue of "River Voices", EPA stated that this would not be proper as the methodology is established at the national level. I acknowledge that the methodology is mandated nationally by EPA but I do not agree that this makes my request improper. There may be inputs to the risk assessment which are subject to local definition and as such be fair game for review. In any case, review and comment by the STC would help put the risk assessment in perspective for the affected public when it comes time to review and comment on EPA's recommended action.