

## **Appendix A**



Agency for Toxic Substances  
and Disease Registry  
Atlanta GA 30333

NOV 19 2002

DEC - 9 2002

Dear

In May 2002, you wrote to the Agency for Toxic Substances and Disease Registry (ATSDR) regarding the Rice Creek and Etonia Creek tributaries to the St. Johns River near Palatka, Florida. ATSDR acknowledged your letter to be a petition for a public health assessment. The following describes ATSDR's response to your petition.

Because of community concerns about the Rice Creek and Etonia Creek tributaries, ATSDR has asked the Florida Department of Health (FDOH) to prepare a public health consultation to address those concerns. ATSDR maintains a cooperative agreement with FDOH to conduct public health assessments and other public health activities that address hazardous substances concerns in Florida. The purpose of the public health consultation will be to evaluate health concerns associated with current exposures to fish caught in the tributaries, review and evaluate the other health concerns identified in your petition, and make follow-up recommendations, if warranted. The public health consultation will review and summarize the existing environmental data for the facility available from the U.S. Environmental Protection Agency, the Florida Department of Environmental Protection, and other sources. For your information, we have enclosed a fact sheet about public health consultations. We believe that the public health consultation is an appropriate response, as it will evaluate the concerns about the potential human health hazards associated with fish consumption and will allow a more timely response to those concerns.

FDOH plans to initiate the public health consultation during the current federal fiscal year, and anticipates completing the work in June 2003.

In conducting the public health consultation, FDOH will follow the same ATSDR technical guidelines used for all ATSDR health assessment products. Ms. Debra Gable, ATSDR's technical project officer for FDOH, will provide technical oversight, review, and certification of the document before it is released to the public. FDOH will make a public comment draft available to you and other interested parties as part of the public health consultation process.

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Your petition requested that ATSDR conduct fish tissue sampling for the St. Johns River. Generally, biota sampling may be considered as a possible recommendation of a public health consultation, as described above. If significant data gaps are identified while evaluating human exposure pathways, FDOH and ATSDR will consider the need for exposure investigations and other appropriate public health activities. However, as we understood your concerns to be the Rice Creek and Etonia Creek tributaries, we are only considering possible human exposures from fish in the tributaries, not the entire St. Johns River.

Your petition asked that ATSDR issue a public health advisory for the Rice and Etonia Creeks. ATSDR has found no evidence that levels of dioxin or other hazardous substances could cause acute health effects among persons exposed to environmental contamination in the tributaries. Therefore, ATSDR does not intend to initiate a public health advisory. Please see the enclosed fact sheet that describes an ATSDR public health advisory, which is different from a health advisory for fish consumption.

Thank you for forwarding your concerns to ATSDR. We apologize for the delay in completing our response to your petition, and thank you for continuing patience. If you have additional questions about our proposed plan of action, please contact Mr. Bob Safay, ATSDR Senior Regional Representative, Region IV in Atlanta, at telephone (404) 562-1782 or CAPT John Steward, ATSDR Petition Coordinator, at telephone (404) 498-0444. You also may contact Mr. Randy Merchant, our principal contact at FDOH, at telephone (850) 245-4249. Community members may also contact ATSDR staff members by calling our toll-free telephone number, 1-888-42ATSDR (1-888-422-8737).

Sincerely yours,

/S/ SHARON O. WILLIAMS-FLEETWOOD, Ph.D. 

Robert C. Williams, P.E., DEE  
Assistant Surgeon General

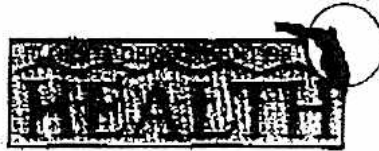
Director, Division of Health Assessment and Consultation

Enclosures

cc:

Randy Merchant, Florida Department of Health

## **Appendix B**



Jeb Bush  
Governor

John O. Agwunobi, M.D., M.B.A.  
Secretary

November 5, 2003

Linda Greer, Ph.D.  
Senior Scientist  
Environment and Health Program  
Natural Resources Defense Council  
Suite 400  
1200 New York Avenue, Northwest  
Washington, DC 20005

Dear Dr. Greer:

Thank you for your October 21 letter concerning the levels of dioxin in fish taken from Rice Creek and the Saint Johns River. I share your desire to assure that diseases of environmental origin are prevented, and that the health of Florida's citizens and visitors is protected. I am providing the following comments to address each of the issues raised in your letter. The comments are based on the best available scientific data provided by our staff in the Division of Environmental Health. Quotes from your letter are followed by our response.

"Key deficiencies in the data collection and sampling:"

1. "Method of collection of fish samples:" The samples collected in 2001 and 2002 must be addressed separately. In 2001, the Georgia Pacific samples were collected without incorporating Department of Health (DOH) recommendations. As a result, the number of fish collected was not adequate to determine whether or not the dioxin concentration in the fish was above acceptable levels. In 2002, the number of fish collected was sufficient, but analytical problems rendered the collected data unusable (see answer 3 below). The number and size of fish included in the composite sample may vary from the Environmental Protection Agency (EPA) guidelines, if it still is representative of the fish that will be consumed by recreational anglers.
2. "Method of Preparing fish samples for analysis:" We found no statements in the references cited that indicate Florida anglers consume the heads and skin of fish. In the 1992-93 Florida Fish Consumption study, data was collected on the method of preparing fish consumed in Florida households. The preparation method used in samplings of different types of fish for dioxin testing reflects the usual preparation procedure for that region of Florida; that is, in this sampling catfish were skinned and bluegill were scaled, but not skinned.

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3. "Method of selecting sampling sites:" In 2001, a Georgia-Pacific contractor collected bluegill and catfish from a two-mile area of the Rice Creek, because adequate numbers of fish could not be collected from a smaller area. For the 2002 sampling, all the bluegill in a quarter mile area at the distal end of the 2001 sampling zone were collected. The DOH did not accept the 2002 sampling area as sufficient to characterize all of Rice Creek, since the usual range of bluegill is about one-quarter to one-half mile. To characterize all the populations of bluegill that could be present in Rice Creek, the creek should have been divided into one-quarter to one-half mile sections with samples collected from each area. Alternatively, bluegill could have been collected from the two extremes of the creek. An advisory would then be based on the higher of the dioxin values. Because they migrate in and out of the creek, Largemouth Bass are not an appropriate species to determine the risk from consuming fish from Rice Creek.
4. "Failure to sample the same species consistently over time:" The DOH only considered fish collected from Rice Creek during its evaluation. The dioxin concentrations in fish from other water bodies have no impact on determining the risk from consuming fish collected in Rice Creek. Unfortunately, none of the data collected from Rice Creek in 2002 could be used, because the lab blank was contaminated with levels of dioxin congeners greater than the levels found in the "test" samples.

"Despite Skewed Data Collection and Analysis, Risks Found are Still Significant"

The evaluation of DOH data in 2001 did not conclude that the dioxin content in fish from Rice Creek presented a significant risk to human health. The uncertainty associated with the assumptions and methods used by EPA to establish their current 1.2 parts per trillion (p.p.t.) dioxin advisory level resulted in the DOH undertaking an independent evaluation of the acceptable level of dioxin in fish. Until this evaluation is completed, the DOH will continue to recommend that fish with dioxin levels of higher than 7 p.p.t. not be consumed. This Florida cut-off value (7 p.p.t.) is below the value used by other southeastern states to prohibit consumption of fish due to dioxin contamination.

The 2001 samples were all below the DOH cut-off value, but there were not enough fish collected to adequately characterize the population of bluegill and catfish in Rice Creek. As previously mentioned, this resulted in the re-sampling of Rice Creek in June 2002. These samples also were not adequate for any type of evaluation, because some or all of the samples were contaminated with dioxin congeners at the laboratory. The only data on fish collected from the Saint Johns River, itself, were included in the 2002 sampling, and therefore, were not evaluated.

In July 2003, a Georgia Pacific contractor collected fish from Rice Creek using a protocol developed in cooperation with DOH as part of a petition evaluation to the Agency for Toxic Substances and Disease Registry (ASTDR). The DOH Health Assessment staff monitored the collection of the sampling nearest the discharge point into Rice Creek. The DOH recently received, and is currently evaluating, the results of this sampling. Based on the results of this evaluation, the DOH will determine if the fish consumption advisory is warranted. These data