

Housatonic Environmental Action League, Inc.

Post Office Box 21, Cornwall Bridge, CT 06754-0021

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November 15, 2005

Susan Svirsky, Project Manager, Rest of River
GE/Housatonic River Site
US Environmental Protection Agency
c/o Weston Solutions
10 Lyman St., Suite 2,
Pittsfield, MA 01201

sent via electronic mail to: svirsky.susan@epamail.epa.gov

RE: GENERAL ELECTRIC'S INTERIM MEDIA PROTECTION GOALS

Dear Susan,

HEAL is a grassroots coalition of citizens and organizations from the tri-state area dedicated to the protection of the Housatonic River watershed. Please accept HEAL's below comments on General Electric's (GE) Interim Media Protection Goals (IMPG).

Although we appreciate the opportunity to provide EPA with "informal" comments, we believe that all documents issued related to this site should have a formal and noticed public comment period.

1. General Electric's dumping of PCBs has, for multiple generations, stolen the natural resource from the stakeholders and the wildlife that derive life, sustenance, enjoyment, religious practices and economic benefits from the river system. The stakeholders, citizens, wildlife and future generations deserve a clean, safe, fishable and swimmable river. We ask EPA to unconditionally reject the ludicrous General Electric IMPGs and formulate its own Media Protection Goals for Rest of River that actually protect people and wildlife. (see attached press release)
2. The Human Health (HHRA) and Ecological Risk Assessment (ERA) processes, both of which included comprehensive peer reviews, and included EPA, GE, other agencies and the public should be the studies used to derive real protection goals. To now allow GE to assign higher acceptable PCB levels outside of the process essentially negates the entire costly, taxpayer funded, multi-year Risk Assessment and peer review processes. Although HEAL continues to take issue and disagrees with many findings in the EPA's HHRA and ERA (particularly the lack of CT data), all Protection Goals should be based on these documents.
3. The ultimate protection goals should be 0 ppm PCB in all Media. That goal should be qualified with the current acceptable governmental and public health standards. Additionally, there should be provisions in the Protection Goals that allow for the inevitable LOWERING of acceptable PCB levels by governmental and public health entities because of emerging peer reviewed scientific findings. The EPA federal standards for arsenic in drinking water was recently lowered and EPA needs to build into any Protection Goals adequate protections to revisit the site when more adverse effects of PCBs come to light from the scientific community to be followed by EPA's eventual lowering of acceptable PCB consumption and exposure levels. (see attached newspaper article)
http://www.abqtrib.com/albq/nw_local/article/0,2564,ALBQ_19858_4233986,00.html

4. At this point, no Media Protection Goals will be accurate for the Connecticut section of the river due to the paucity of sampling, analysis and studies conducted in CT. In 2005, the CT Department of Public Health added Northern Pike to consumption advisories due to a spike exhibited from tissue analysis. In addition, Housatonic River tributaries in CT have been newly added to the advisory for waterbodies that contain PCB-contaminated biota. There has been no floodplain testing in CT. The Schaghticoke Tribal Nation based in Monroe, CT shared with EPA during a private meeting that they have conducted their own sampling of riverbank sediment and the results do match the data in EPA's compilations. Until such time that the CT section of the watershed is adequately sampled, tested and characterized, no Media Protection Goals will accurately reflect what currently exists in CT.
5. GE's IMPGs advocate for levels of PCBs in species that only make allowances that the population is able to reproduce. Dr. Peter deFur wrote in his September 2003 comments to EPA on the ERA:

“A reproducing population is not healthy if the individual members of the population are unhealthy, despite their reproductive capability. [T]his position will allow a population of animals to suffer any range of ill effects so long as enough animals reproduce and the next generations continue as before, no matter the health of the individuals or the population age structure. This problem of protecting the population and allowing the individuals within the population to remain or become unhealthy, poorly functioning, etc., is unacceptable.”

All Protection Goals should be based on a given population's individual's health and well being.

6. No consideration is addressed in the IMPG for synergistic effects from the multiple chemicals that exist in the system (whether or not dumped by GE). The lack of consideration of combined effects of the PCB's, PAH's, pesticides and metals is another problematic deficit in the computation of GE's Protection Goals. Compelling new studies in the body of scientific literature clearly indicates what some scientists have been saying for decades that the risks and adverse health effects from “toxic soups” can be completely different, yet as significant or worse, than if the individual is exposed to only a single chemical such as PCBs.
7. Where does the logic exist when EPA allows General Electric to conduct a public presentation to the Citizens' Coordinating Committee only to tell us that they suggest goals for PCB levels in wildlife that 1) would render them TSCA-regulated hazardous material (e.g. eagle 93ppm, fish 43-92ppm) or 2) would render them dead, or close to death, by EPA's own comprehensive and peer reviewed studies (e.g. mink 3.7ppm)?
8. HEAL requests that EPA stop wasting our time, and wasting taxpayer dollars, on GE's junk science.

We look forward to EPA's response to our concerns and comments. Do not hesitate to contact us with any questions or for clarifications.

Sincerely,

Judith Herkimer
healct@snet.net

Attached:
IMPG Press Release 11.01.05
Meeting New Arsenic Standards The Albuquerque Tribune 11.12.05

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PRESS RELEASE

November 1, 2005

FOR IMMEDIATE RELEASE

Contact:

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Executive Director, Housatonic River Initiative
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Housatonic Environmental Action League
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Housatonic River and Wildlife to Remain Contaminated with PCBs *General Electric Presents Goals for Rest of River*

Pittsfield, MA-Lee, MA-Cornwall Bridge, CT -- On Wednesday, October 26th at a public meeting in Great Barrington, General Electric presented a report named "Interim Media Protection Goals" (IMPG) for the "Rest of River". The proposal sets "clean up" goals for the protection of human health and ecological health that would be acceptable for planning future remediation of the river from Pittsfield, MA through Lake Housatonic in Connecticut.

Two sets of numbers were released. One based on EPA's risk assessments and one based on General Electric's distorted science. The high ranges of EPA's numbers are not protective of the wildlife and need challenging. However, we will focus on the high end of General Electric's range, as these numbers are extremely problematic. According to GE, it will be okay if fish in the river still have 185 parts per million in their tissue, although they cut that back to 55 ppm for the fish that people would eat. We hope you can tell which fish is which when you catch one! The United States Food and Drug Administration sets limits of 2 parts per million. The reports says mink can have greater than 3.7 parts per million even though an EPA study showed 50% of mink puppies die when fed a diet of Housatonic River fish with levels of 4 parts per million. GE's report states that bald eagles can have 93 parts per million and ducks can have 68 parts per million.

"GE's proposed protection goals seem almost deliberate in their senselessness. Now is the time for EPA to hear from concerned citizens who care about the health of the Housatonic River", said Judy Herkimer of HEAL, a tri-state grassroots watershed protection group based in Cornwall Bridge, CT.

If the citizens of Berkshire County and Connecticut will ever claim their river back from decades of GE's irresponsible toxic pollution, this report and GE's arrogance will have to be loudly challenged once again. First, a toxic landfill next to an elementary school, then 100's of barrels of chemicals that GE intends to

11.01.05
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cap, and now a report that says, *who cares if the entire wildlife of the Housatonic River is contaminated with levels of PCBs far above food consumption advisories.*

"The Housatonic River Initiative has always maintained that we should be working toward a fishable, swimmable river", said Tim Gray, Executive Director.

"People should be OUTRAGED! Now is the time to let EPA know that we want a clean river to swim in and healthy wildlife to share it with", said Jane Winn with BEAT, a Berkshire County environmental watchdog.

We feel that the public needs to know how much toxic waste GE wants to leave, not only in the river, soil, sediment, and wildlife, but also in our potential food supply! GE's full Interim Media Protection Goals proposal can be viewed at www.epa.gov/ne/ge. Click on Rest of River, and the IMPG proposal is in the section called GE Reports and Documents, near the bottom of the page. Concerned citizens should send letters to the Environmental Protection Agency at the following address before November 15th.

Susan Svirsky, Rest of River Project Manager
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Pittsfield, MA 01201
(617)-918-1434
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The Albuquerque Tribune

URL:

http://www.abqtrib.com/albq/nw_local/article/0,2564,ALBQ_19858_4233986,00.html

Meeting new arsenic standards difficult for rural N.M. areas

By Sue Vorenberg
Tribune Reporter
November 12, 2005

For small New Mexico communities, preparing to meet new lower federal arsenic standards is a bit like trying to stop a dam from breaking with your finger.

When you try to shore up one area, new problems - sometimes worse than the original - come to the fore, causing a deluge of tainted water or unacceptable costs for small, often poor, rural water customers, said Karen Nichols, secretary-treasurer of Desert Sands Mutual Domestic Water Consumers Association in Doña Ana County.

"You might fix one thing with one technology, but then 100 other things pop up," Nichols said of her association's efforts so far. "The technology's not ready for this - at least not for smaller water systems."

The Environmental Protection Agency has mandated that all community water systems drop their arsenic standards from 50 parts per billion to 10 parts per billion by Jan. 23, 2006.

Some of New Mexico's water systems - many of which have naturally high levels of arsenic - will have to be ready by that date.

But almost all of them will have to be ready in the next three years, which still isn't a long time considering the costs and problems involved, said Sue Collins, an environmental engineer at Sandia National Laboratories.

"In some cases, we're looking at people in rural communities paying twice what they're paying now for their water bills," Collins said. "And the technology isn't a one-size-fits-all solution."

The labs recently received a \$1 million grant from Congress to help smaller communities like those served by Nichols' company figure out how they will meet the new standards - both technologically and financially, Collins said.

"Sometimes the solution might be just to turn off a bad well because you have enough good wells," Collins said. "But it's tough. A lot of systems will have to try to remove the arsenic, and that gets expensive and complex."

And some technologies to remove the arsenic, especially chemical ones, cause other problems in the water system - such as too much chlorine or chemical buildup, Collins said.

The main technology to remove arsenic is through an iron oxide filter, essentially a filter full of rust. The arsenic binds to the rust and sticks to the filter as water flows through.

"It sort of looks like rusty kitty litter inside the filters - it's a granular media," Nichols explained.

Different water chemistry in wells also changes how effective each filter is, how long it will last and how much it will cost, Collins said.

"The cost and technology depends on how much arsenic you have, but it also depends on other things like the pH of the water," she said. "At a higher pH, a filter won't last as long. So then you have to start looking at adding an acid or other chemicals to change the chemistry."

On top of the technological problems, scientists are split on whether the reduced standards are even necessary. Some studies show a little arsenic is good for people, although they all agree very large amounts of arsenic can be deadly.

"Show me somebody who has an adverse reaction to 50 parts per billion - I don't think you'll find anybody," Nichols said. "I drink our water from the tap all the time. I think if you're going to spend the kind of money we're talking about here on this, you could get so much more bang for your buck doing other things."

But despite the debate, and a series of lawsuits by water companies all over the country fighting the new standard, the deadline remains and must be met, Nichols acknowledged.

"It's like going through a terminal illness," she said. "You hit denial, then rage. Now we're at acceptance, and we're just trying to deal with it."

Sandia plans to work with more than 90 small New Mexico communities over the next year to try to help them find the right individual solution. The four people working on the project will analyze water samples from different systems around the state and suggest technologies that might fit, Collins said.

"We'll also help them look at financial loans and grants," Collins said. "We can tell them where to ask for loans, which rate structures might work the best."

The Desert Sands water association has two wells. The main one has an arsenic level of 23 parts per billion and the secondary well runs between 11 and 12 parts per billion.

It has been looking for solutions for the past few years, but so far the solutions found are unacceptable, Nichols said.

"So we started testing filters in January 2004, and we found a media that worked, but it was very expensive and only lasted about a third of its expected lifetime," Nichols said.

That technology - rust filters - would cost the association \$24,000 every 18 months, not counting the labor to maintain it. That might not sound like much for a big city like Albuquerque, but it's a lot to lay on the 475 families in Monte Vista and Las Palmeras colonias, which the association serves.

"It concerns me that our customers are going to have to go without the basic necessities of life so they can pay their water bill," Nichols said. "We're afraid they might go off the water grid and start using nasty shallow water wells, which aren't inspected as much and can have a host of contaminants in them."

As part of its project, Sandia analyzed the association's water and found the main well had a more hearty type of arsenic than those in other wells, Nichols said.

"Sandia has been a big help, and they're coming up with some tools for us to try to deal with this," she said. "But what we've learned so far is there is no good solution. We're going to have to pick the least-bad solution."

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