

Alaska Community Action on Toxics
Biofuel Watch
Breast Cancer Fund
California Communities Against Toxics
Catawba RIVERKEEPER
Center for Environmental Health
The Center for Health, Environment & Justice (CHEJ)
Citizens' Environmental Coalition
Citizens for Sanity.Com, Inc.
Clean New York
Clean Water Action
Community Coalition for Environmental Justice
Concerned Citizens of Russell
Coulee Partners for Sustainability
CounterCorp
Earth Circle Conservation & Recycling
Emerald Coastkeeper, Inc.
Empire State Consumer Project
Environmental Alliance of North Florida
Environmental Health Fund
Florida League of Conservation Voters
Floridians Against Incinerators In Disguise
Friends of the Fenholloway River
Galveston BAYKEEPER
Global Exchange
Greenpeace
Green Delaware
Greenwich Citizens Committee, Inc.
Hackensack Riverkeeper
Healthy Building Network
Healthy Schools Network
HOPE (Help Our Polluted Environment)
Hopewell Junction Citizens for Clean Water
Housatonic River Initiative
Indiana Toxics Action
Ironbound Community Corp
Kentucky Environmental Foundation

LEAD Agency, Inc.
Lone Tree Council
Louisiana Environmental Action Network
Lower Mississippi Riverkeeper
Massachusetts Breast Cancer Coalition
Mobile Baykeeper
Montana Environmental Information Center
Mossville Environmental Action Now Inc.
NY/NJ Baykeeper
NYCOSH
New York Public Interest Research Group
PC PRIDE
(Person County People Rising in Defense of Ecology)
Physicians for Social Responsibility
Rosedale Recycles
San Francisco Baykeeper
Sierra Club
St. Johns Riverkeeper
Turtle Island Restoration Network
Western North Carolina Alliance
WNYCOSH

Jeffrey Zients, Acting Director, Deputy Director for Management and Chief Performance Officer
Rob Nabors, Acting Deputy Director
The Office of Management and Budget (OMB)
725 17th Street, NW
Washington, DC 20503

October 25, 2010

Dear Mr. Zients and Mr. Nabors,

We are writing in regard to the EPA's proposed interim preliminary remediation goals (PRGs) for Dioxins that the Office of Management and Budget is currently reviewing.

We fully support and applaud the EPA for developing interim preliminary remediation goals (PRGs) for Dioxins. For approximately two decades, efforts by EPA to assess the risks of Dioxins have been delayed. EPA completed its first comprehensive review of the health effects of dioxin in 1985. In 1995, the EPA released a draft reassessment report finding that the cancer risk to humans from dioxin exposure was by far the highest defined for any chemical by any government agency anywhere in the world. Subsequent research and scientific reviews have only added to our understanding of the extreme toxicity of dioxin. Yet remarkably, the

reassessment report has yet to be completed. After 25 years of study, the time is long overdue for EPA to finalize and implement preliminary remediation goals (PRGs) for dioxins. We commend EPA for moving forward with the development of preliminary remediation goals to protect the health of the American people from exposure to Dioxins. **We urge OMB to complete its review and return its comments to EPA so that the agency can finalize and release the PRG's in a timely manner.**

Until EPA releases its preliminary remediation goals (PRGs), state and federal governments will waste precious resources trying to determine appropriate remedial cleanup levels to adequately protect public health at individual sites. Finalizing the dioxin PRG's is essential for a strong, coordinated state, federal and industry effort directed at cleaning up numerous Superfund sites contaminated with dioxins. Numerous communities across the country are plagued by dioxin pollution from historical industrial and military activities that created and released dioxin-containing hazardous wastes. Efforts to restore environmental quality at these sites will continue to languish until EPA sets a consistent dioxin PRG.

Some state agencies have already set cleanup values comparable to EPA's proposed interim alternative PRGs that are consistent with values derived from a one-in-a million cancer risk. In the supporting document *Review of State Soil Cleanup Levels for Dioxin* (December 2009) released by EPA with the Public Review Draft on PRGs, 23 states are listed that have established unrestricted residential cleanup values for dioxin in soil. All of these states used cancer risk as the basis for establishing their soil cleanup level for dioxin. Twelve of these states used a one-in-a-million cancer risk (1E-6) value as the target cleanup goal. These cleanup values ranged from a low of 4 ppt to a high of 19 ppt. The mean value was 7.18 ppt. Eight states used a 1E-5 cancer risk value as the target cleanup goal with levels ranging from 20 ppt to 120 ppt. The mean was 61.1 ppt. Only one state (Hawaii) used a 1E-4 cancer risk value in setting their cleanup goal at 450 ppt. A total of 17 states currently have cleanup guidelines that are less than the EPA's proposed recommended interim value for residential use of 72 ppt. A decision by EPA to derive PRGs based on a 1E-6 cancer risk would be consistent with the decisions made by more than 50% of the states in the U.S. that have already set cleanup guidance levels for dioxin in soil. EPA should set PRGs for residential use and for commercial/industrial use that are consistent with most other state agencies that have already set cleanup guidelines.

EPA must address dioxin's classification as a human carcinogen in its derivation of the proposed recommended interim PRGs. We are concerned the EPA proposed PRGs for dioxin are derived only using non-cancer health effects and does not adequately address the risk of developing cancer. This may result in unsafe PRGs since the PRGs derived to protect against a one-in-a-million cancer risk are lower (more protective) than those for non-cancer end points. Dioxin has been classified as a human carcinogen by the World Health Organization's International Agency for Research on Cancer and the U.S. Department of Health and Human Services' National Toxicology Program. The human epidemiological evidence provides consistent findings of increased risk for all cancers combined and lung cancer in occupational studies as well as evidence of tissue specific increases in cancer. Increased mortality from soft-tissue sarcomas and all cancers among workers exposed to dioxin has also been reported. Dioxin is also generally considered the most potent man-made carcinogen ever tested.

EPA should establish its PRGs using a cancer risk of one-in-a-million, or 1E-6, as required by the National Contingency Plan (NCP), the legislation that directs EPA to establish PRGs (see 40

CFR §300.430(e)(2)(i)(A)). The NCP requires the agency to use the one-in-a-million cancer risk value as the point of departure for determining PRGs. Given the strong evidence that dioxin (as TCDD) is a human carcinogen, the one-in-a-million point of departure should be the value the agency uses to establish the PRGs in order to adequately protect the public from exposures to dioxin in soil. The EPA should lower both the residential and commercial/industrial proposed recommended interim PRGs to reflect this requirement.

We can support the alternative PRG of 3.7 parts per trillion (ppt) for residential use and 17 ppt for commercial/industrial use. These levels represent a cancer risk of one in a million which is consistent with NCP rules and at least twelve states. Because there is no truly safe level of exposure to dioxin this should be the absolute maximum level of risk that is tolerated at Superfund and other contaminated site clean ups.

The American public is already being exposed to unsafe levels of dioxin, and therefore the OMB and EPA should finalize and release the preliminary remediation goals (PRGs) as soon as possible.

Thank you for your attention to this critical environmental and public health issue.

Sincerely,

Pamela K. Miller, Executive Director
Alaska Community Action on Toxics (ACAT)
Anchorage, AK

Lois Marie Gibbs, Executive Director
Center for Health, Environment & Justice
Falls Church, VA

Rachel Smolker, Ph.D., Co-Director
Biofuelwatch
Hinesburg, Vermont

Clay G. Colson, Board director and Water
Issues Chair
Citizens for Sanity.Com, Inc.
Land O' Lakes, Florida

Janet Nudelman, Director of Program and
Policy
Breast Cancer Fund
San Francisco, CA

Barbara J. Warren, Executive Director
Citizens' Environmental Coalition
Albany, NY 12210

Jane Williams, Executive Director
California Communities Against Toxics
Rosamond, CA

Kathy Curtis, Policy Director
Clean New York
Albany, NY

C. David Merryman
Catawba RIVERKEEPER
Catawba Riverkeeper Foundation, Inc.
Charlotte, NC

Lynn Thorp, National Campaigns
Coordinator
Clean Water Action
Washington, DC

Sue Chiang, Pollution Prevention Director
Center for Environmental Health
Oakland, CA

Jonathan Betz-Zall, Board Treasurer
**Community Coalition for Environmental
Justice**
Seattle WA

Jana Chicoine Spokesperson
Concerned Citizens of Russell
Russell, MA

Glen Jenkins, Co-Chair
Coulee Partners for Sustainability
La Crosse, Wisconsin

John Wilner, Director
CounterCorp
San Francisco, CA

Gretchen Brewer, Executive Director
Earth Circle Conservation & Recycling
Roslindale, MA

Chasidy Fisher Hobbs, Coastkeeper
Emerald Coastkeeper, Inc.
Pensacola, Florida

Judy Braiman
Empire State Consumer Project
Rochester, NY

Rick Causey, Chair
Environmental Alliance of North Florida
Dekle Beach, FL

Judith Robinson, Associate Director
Environmental Health Fund
Marlboro, VT

Joy Towles Ezell, Chair
Florida League of Conservation Voters
Perry, FL

Susie Caplowe, Director
Floridians Against Incinerators In Disguise
Tallahassee, FL

Rebecca Edwards, Chair
Friends of the Fenholloway River
Perry, FL

Charlotte Wells, Executive Director
Galveston BAYKEEPER
Seabrook, TX

Dr. Kevin Danaher, Co-Founder
Global Exchange
San Francisco, CA

Rick Hind, Legislative Director
Greenpeace
Washington, DC

Tracy Frisch, President
Greenwich Citizens Committee, Inc.
Greenwich, NY

Alan Muller, Executive Director
Green Delaware
Port Penn, DE

Captain Bill Sheehan, Executive Director
Hackensack Riverkeeper, Inc.
Hackensack, NJ

Tom Lent , Policy Director
Healthy Building Network
Berkeley, CA

Claire Barnett, Executive Director
Healthy Schools Network
Albany, NY

Ted Ezell, Chair
HOPE (Help Our Polluted Environment)
Perry, FL

Debra Hall, Founder
Hopewell Junction Citizens for Clean Water
Hopewell Junction, New York

Tim Gray, Executive Director
Housatonic River Initiative
Lenoxdale, Ma

Lin Kaatz Chary, PhD, MPH
Indiana Toxics Action
Gary, IN

Ana I. Baptista, Ph.D., Environmental &
Planning Projects Director
Ironbound Community Corp
Newark, NJ

Elizabeth Crowe, Executive Director
Kentucky Environmental Foundation
Berea, KY

Earl Hatley, Grand Riverkeeper
LEAD Agency, Inc.
Vinita, OK

Michelle Hurd Riddick
Lone Tree Council
Saginaw, MI

Marylee M. Orr, Executive Director
Louisiana Environmental Action Network
Baton Rouge, LA

Paul Orr
Lower Mississippi Riverkeeper
Baton Rouge, LA

Deborah Shields, J.D., M.P.H., Executive Director
Massachusetts Breast Cancer Coalition
Quincy, MA

Casi Callaway, Executive Director
Mobile Baykeeper
Mobile, AL

Anne Hedges, Program Director
Montana Environmental Information Center
Helena, MT

Edgar Mouton, President
Dorothy Felix, Vice President
Eranica Jackson, Secretary
Mary Dupree, Member
Erica Jackson, Member
Shirley Johnson, Member
Debra Ramirez, Member
Haki Vincent, Member
Mossville Environmental Action Now Inc.,
Westlake, LA

Christopher Len, Staff Attorney
NY/NJ Baykeeper
Keyport, NJ

Laura Haight, Senior Environmental Associate
New York Public Interest Research Group
Albany, NY

Joel Shufro, Executive Director
NYCOSH
NY, NY

Pat Hill, Co-Chair
PC PRIDE (Person County People Rising in Defense of Ecology)
Roxboro, NC

Kristen Welker-Hood, ScD MSN RN,
Director, Environment and Health Programs
Physicians for Social Responsibility
Washington, DC

Margaret Weber
Rosedale Recycles
Detroit, MI

Jason Flanders, Staff Attorney
San Francisco Baykeeper
San Francisco, CA

Ed Hopkins, Director, Environmental Quality Program
Sierra Club
Washington DC

Neil A. Armingeon
St. Johns Riverkeeper
Jacksonville, FL

Teri Shore, Program Director
Turtle Island Restoration Network
Forest Knolls, CA

Hartwell Carson
French Broad Riverkeeper
Western North Carolina Alliance
Asheville, NC

Roger Cook, Executive Director
WNYCOSH
Buffalo, NY

CC: Nancy Sutley, Chair, White House Council on Environmental Quality
Lisa Jackson, Administrator, US Environmental Protection Agency
Mathy Stanislaus, EPA Assistant Administrator, EPA Office of Solid Waste and
Emergency Response (OSWER)
Senator Barbara Boxer, Chairwoman, US Senate Committee on Environment and Public
Works
Senator Frank Lautenberg, Chairman, US Senate Subcommittee on Superfund, Toxics
and Environmental Health
Rep. Henry Waxman, Chairman, US House Committee on Energy and Commerce
Rep. Edward Markey, Chairman, US House Subcommittee on Energy and Environment