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 Central New York Council on Occupational Safety & Health (CNYCOSH)
 Citizens Against Ruining the Environment
 Citizens' Environmental Coalition
 Citizens for a Clean Pompton Lakes
 Citizens for Safe Water Around Badger (CSWAB)
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 Clean Air Coalition of WNY
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 Concerned Citizens of Russell
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 Cumberland Countians for Peace & Justice
 The Detroit Catholic Pastoral Alliance
 Dogwood Alliance
 Don't Waste Arizona
 Duwamish River Cleanup Coalition
 Earth Circle Conservation & Recycling
 Eco-Cycle Inc.
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For A Better Bronx
Friends of the Deschutes Estuary
Friends of the Fenholloway River
Friends of Rich Fork Creek
Galveston Houston Association for Smog Prevention and Mothers for Clean Air
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Global Community Monitor
Global Exchange
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March 30, 2010

RE: EPA Draft Recommended Interim Preliminary Remediation Goals for Dioxin In Soil at CERCLA and RCRA Sites: Docket ID Number: EPA-HQ-SFUND-2009-0907

Dear EPA Administrator Jackson:

We thank you for the attention EPA has given to the Dioxin Reassessment over the past year.

On behalf of communities impacted by Dioxins, local, state and national environmental health, environmental justice, consumer, labor, parenting and health-affected organizations, we are writing in regards to the EPA's Draft Recommended Interim Preliminary Remediation Goals for Dioxin in Soil at CERCLA and RCRA Sites (Docket ID Number: EPA-HQ-SFUND-2009-0907).

We fully support and applaud the EPA for developing interim preliminary remediation goals (PRGs) for Dioxins. As you know, for approximately two decades, efforts by EPA to assess the risks of Dioxins have been delayed. We commend EPA for finally moving forward with the development of preliminary remediation goals to protect the health of the American people from exposure to Dioxins. We urge EPA to continue this process by revising the PRGs and finalizing them as remediation goals in a timely manner. In relation to the proposed PRG's, we offer the following comments and recommendations.

EPA must address Dioxin's classification as a human carcinogen. We are extremely concerned the EPA is proposing a PRG for Dioxins that is based only on non-cancer health effects and does not adequately address the risk of developing cancer. This may result in unsafe PRGs since the levels derived to protect against a one-in-million cancer risk are lower 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 fails to scientifically justify its decision to propose interim remediation goals of 72 parts per trillion (ppt) of Total Dioxin Equivalents (TEQ) for residential use and 950 ppt TEQ for commercial/industrial use when the PRGs derived for a one-in-a-million cancer risk are 3.7 ppt and 17 ppt, respectively. The National Contingency Plan requires the agency to use the one-in-a-million cancer risk value as the point of departure for determining PRGs. You must lower both the residential and commercial/industrial proposed interim PRGs to reflect this requirement.

EPA must strengthen commercial/industrial standards for Dioxins. The EPA is proposing a “commercial/industrial” PRG for Dioxins at 950 ppt, significantly higher than the proposed “residential” level of 72 ppt. This fails to protect workers and sensitive populations from exposure to Dioxin, and does not adequately address Dioxin’s cancer risks. Additionally, many public schools are unfortunately being built on historically contaminated land. The property purchased by public schools was often commercial or industrial property in the past and if it is contaminated by Dioxins, it would only be remediated to 950 ppt. There are no federal laws prohibiting schools from building on that land and young children would be exposed to unsafe levels of dioxin in soil and dust. Many remediated areas are often used for parks and playgrounds, which again would result in hazardous exposures to young children and parents if the property was cleaned to the proposed commercial/industrial PRG. In addition, the public has access to many commercial/industrial sites that can be sources of contamination to adjacent property. Wildlife that may be hunted as a source of food may also have access to these sites and can become contaminated.

EPA’s proposed cleanup levels of 72 ppt TEQ for residential use and 950 ppt TEQ for commercial/industrial use are significantly higher than “background” levels and the cancer risk value of one-in-a-million. In the most recent draft of the Dioxin Reassessment, the mean background value for Dioxins in soil is 2.7 ppt TEQ for rural areas and 9.3 ppt TEQ for urban areas (Summarized in Volume 2, Table 3-15 of the latest draft of the dioxin reassessment document). We are concerned that 72 ppt and 950 ppt are well above the one-in-a-million cancer risk value, as well as this background range. In the proposed interim recommendations document, EPA’s proposed alternative value of 3.7 ppt TEQ is more in line with recognized “background” levels of Dioxins.

EPA must consider children’s unique vulnerabilities to the harmful effects of Dioxins. The standards should be protective of children, taking into account children’s unique vulnerability to Dioxins and their soil hand-to-mouth ingestion behaviors. Children can be exposed to relatively large quantities of chemicals through normal developmentally appropriate pica behavior – the intentional ingestion of non-food items. Pica is estimated to occur in about half of children ages one to three. Because young children’s breathing zones are so much closer to the ground, their exposure to contaminated soil via inhalation is more likely. Developing children are uniquely vulnerable to the toxic effects of chemicals due to an increased susceptibility and an increased risk of exposure; children’s metabolic pathways, especially in the first months after birth, are immature; their ability to metabolize, detoxify, and excrete many toxicants differs from that of adults; they are less well able to deal with a number of chemical toxins such as lead and organophosphate pesticides. Therefore, we again urge EPA to revise the PRG’s and base them on both cancer and non-cancer risks. Children must be protected from both the cancer and non-cancer effects of exposure to dioxins.

To protect the health of American families, EPA must set health-protective PRGs for Dioxins that are based on both cancer and non-cancer health effects. There is no justification for only using non-cancer endpoints. EPA needs to revise the PRGs to ensure that the cleanup goals for Dioxins in soil take into consideration a cancer risk of one-in-a-million, as well as non-cancer effects.

Thank you for your attention to this critical environmental health and justice issue. We appreciate the opportunity to comment on this important matter.

Sincerely,

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