UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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OFFICE OF THE REGIONAL ADMINISTRATOR

SEP 24 2018

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Department of Ecology
Eastern Washington Office

Ms. Adriane Borgias
Spokane River Regional Toxics Task Force
Washington State Department of Ecology
4601 North Monroe Street
Spokane, Washington 99205-1295

Dear Ms. Borgias:

Thank you for the May 9, 2018, letter on behalf of the Spokane River Regional Toxics Task Force. I appreciated the chance to attend the March Task Force meeting and to learn about some of your accomplishments, as well as about concerns members have regarding meeting the human health-based water quality standard for polychlorinated biphenyls (PCBs). The Task Force is a national model for how a diverse stakeholder group of dischargers, environmental groups, and public agencies can collaborate to develop a plan to meet environmental goals, and I commend this important work.

The EPA recognizes and appreciates the challenges you face in meeting the water quality standard for PCBs. As you know, on August 3, 2018, EPA Assistant Administrator for Water, David Ross, announced that EPA would reconsider its November 2016 actions on Washington's human health water quality criteria. Should EPA decide to conduct a rulemaking to amend any part of the federal rule, the Agency would provide an opportunity for public notice and comment.

Regarding concerns raised in your letter about regulatory consistency between the Toxic Substances Control Act (TSCA) and the Clean Water Act (CWA), the EPA agrees that actions to reduce PCBs need to include source reduction and technological measures, as well as enforcement. One of the challenges that EPA faces in approaching these issues is that TSCA requires the Agency to consider costs when developing a regulatory standard, and the CWA does not. For EPA to consider additional rulemaking under TSCA, the Agency must first make a finding that existing concentrations of inadvertently generated PCBs present an unreasonable risk to health or the environment and that any newly proposed levels would not. EPA currently has health assessment information for just 12 of 209 PCB congeners. EPA is working to develop additional data, as highlighted below:

- The National Toxicology Program (NTP) is evaluating PCB 11 for potential toxicity with emphasis on the similarities and differences between PCB 11 and other PCB congeners. The study includes the following PCB congeners:
  - PCB 126, a PCB with known "dioxin-like" activity;
  - PCB 153, a PCB that is persistent but does not cause effects like dioxin;
  - PCB 95, a PCB with neurotoxic activity;
  - Aroclor 1254 and Aroclor 1016, two commercial mixtures that were used heavily in the past, and which contain mixtures of "dioxin-like" and "non-dioxin-like" PCB congeners.
- The NTP is also evaluating the effects of PCB 11 in a human liver cell line measuring cell viability and changes in RNA expression.

These studies will indicate whether PCB 11 has activity similar with other PCB congeners tested and/or to the Aroclor mixtures, and will help us better understand the nature of and relative importance of the hazards posed by PCB 11.

Separately, EPA Region 10 leads a national workgroup focusing on inadvertently generated PCBs that has:

- Developed an inventory of available research on inadvertently generated PCBs (and shared with the Task Force's green chemistry workgroup);
- Secured funding for a limited number of product tests –
    - Any products with PCB concentrations above 100 ppb will undergo further evaluation to determine if PCBs are emitted from the product, and if so, at what rate and concentration.
    - One product will also undergo analysis to evaluate the PCBs that migrate into settled dust on the product.

As far as we know, this will be the first data generated on consumer products that demonstrates whether PCBs are emitted from consumer products into the air or migrate into settled dust. Results may allow for future evaluation of additional pathways of exposure, and support further study of the toxicity of inadvertent congeners. When available, my team will share the results of these tests with the Task Force. I also welcome your suggestions for additional research that would be most helpful to the Task Force.

Regarding help to identify products that contain PCBs, and help in identifying and promoting substitute products, EPA does not maintain this kind of a national database or website. However, in addition to sharing the results of product testing as noted above, the EPA will continue to look for ways to collaborate with stakeholders to identify substitutes. I am encouraged by public agencies and companies which use their purchasing power to drive down PCB concentrations in products. Examples such as the state of Washington Department of Transportation's decision earlier this year to prohibit use of diarylide yellows in its master contract for maintenance paint, and Hewlett Packard's recent announcement of a new tighter standard (0.1 ppm) inadvertent PCBs in specs for suppliers are both very promising.

Thank you again for taking time to communicate your concerns and interests. If you have any questions or would like to discuss these issues further, please feel free to contact me, or Lucy Edmondson on my staff at edmondson.lucy@epa.gov or (360) 753-9082. I look forward to continuing our work together to protect human health and the environment.

Sincerely,

Chris Hladick
Regional Administrator

cc: Ms. Maia Bellon, Director, Washington Department of Ecology
Ms. Heather Bartlett, Water Quality Program Manager, Washington Department of Ecology
Mr. Grant Pfeifer, Eastern Regional Director, Washington Department of Ecology

Mr. Jeffrey Morris, Director, US EPA Office of Pollution Prevention and Toxics
Ms. Charlotte Bertrand, Acting Principal Deputy Administrator, US EPA Office of Chemical Safety and Pollution
Mr. Tim Hamlin, Director, US EPA R10, Office of Air and Waste
Mr. Dan Opalski, Director, US EPA R10, Office of Water and Watersheds
Ms. Lucy Edmondson, Director, US EPA R10, Washington Operations Office

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