6//17/2011 Draft #4 cover memo with focus questions to Other Agencies

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Hello;

The Washington Department of Ecology is asking for your input regarding specific technical questions related to the attached *Draft Fish Consumption Rates Technical Support Document.* Ecology would appreciate your response to the questions before we distribute this document for public review.

Please provide comments by July 5th via email to Martha Hankins at martha.hankins@ecy.wa.gov.

This *draft* technical support document is designed to respond to the general question: What is a technically defensible range for fish consumption rates that protect fish consuming populations in Washington from which a default may be selected? The document provides fish consumption related information and is intended to identify a range. We are asking your review and input regarding the methodologies used in setting the range.

This draft technical support document includes information on:

- Water-based resources associated with the harvest and consumption of fish/shellfish in Washington.
- Population estimates of fish consumers in Washington.
- Review of the fish/shellfish dietary information, dietary survey methodologies, and technical defensibility of the dietary information relevant to Washington fish consumers.
- Fish/shellfish dietary information to support a range and default fish consumption rate for Washington fish consumers.

Currently Ecology is working on updates to the Sediment Management Standards. In the future, Ecology will consider updates to the Water Quality Standards and MTCA rules. Ecology plans to use this report to facilitate discussions on fish consumption related issues with multiple audiences. We acknowledge the cultural and dietary significance of fish and shellfish to tribal populations. Consequently, the discussions begin with Washington tribes and tribal organizations. In the fall of 2011, while continuing tribal discussions, we will invite public comments and convene a sediment cleanup advisory committee. The committee will review this report and discuss this and other issues related to updating the Sediment Management Standards.

This document focuses solely on data around fish consumption. It does not evaluate regulatory impacts or implementation issues. Setting standards that protect human health is complex and fish consumption rates are only part of the analysis. Ecology recognizes that resolving these issues involves more than fish consumption rates, and is looking forward to robust and productive dialog over the next several months.

If you have questions please contract Craig McCormack at or 360-407-7193 or-
craig.mccormack@ecy.wa.gov .

Specific Focus Questions For Reviewers

Question 1: Does the draft document appropriately characterize Washington's fish consuming populations?

The draft Technical Support Document includes estimates on the number of high fish consumers in Washington State. In preparing those estimates, Ecology has used an approach that is similar to the June 2008 Oregon DEQ Human Health Focus Group Report (HHFG Report) on Oregon Fish and Shellfish Consumption. Both the Oregon and Washington estimates are based on information from the 2002 EPA Estimated Per Capita Fish Consumption in the United States. Ecology has supplemented the national data with information from the Washington's Department of Health Behavioral Risk Factor Surveillance System (BRFSS). Ecology has used these two sources of information to prepare bounding estimates for fish consuming populations in WA State.

- Do you agree with the way the report documents and characterizes fish consuming populations in WA State? In particular, is it reasonable to use the information from the 2002 EPA report to characterize Washington fish consumption?
- We have used the 90th percentile fish consumption rate from the 2002 EPA report to define high fish consumers. Does this approach seem reasonable given other available information and the limitations of the 2002 EPA report?
- Are there additional qualifications and limitations associated with the use of the EPA August 2002 Estimated Per Capita Fish Consumption in the United States report?
- Is there other national fish dietary information similar in scope and scale that can be used to estimate WA State fish consuming populations and provide national fish dietary information for fish consumers?

Question 2: The draft report identifies a range of fish consumption rates for consideration during the regulatory process. Are the approaches used to identify that range consistent with current information and statistical methods?

The draft report provides the scientific and technical foundation for making regulatory policy decisions on one or more default fish consumption rate(s) that are representative of Washington high fish consumers. As discussed above, we are planning to include a technically defensible range of fish consumption rates that synthesizes information from multiple studies. We are exploring different techniques and statistical methods for defining that range.

- Ecology has considered a FC rate range based on an averaging of upper percentile rates from the available dietary information. Is this a technically defensible and statistically valid approach to determine a range of FC rates from the limited available dietary data?
- Another approach being considered to help select a FC rate range is to calculate the 90th and 95th percentiles confidence interval around the median FC. Is this a technically defensible and statistically valid approach to determine a range of FC rates from the limited available dietary data?
- A visual inspection of various graphical displays of the dietary information is another tool that can be used to help select a FC rate and range. This method relies more on best professional judgment – is this method a valid approach to provide a FC rate and range tha is within a range of technical defensibility?

- Are there other statistical methods that can or should be applied to this dietary information to help estimate a FC rate and range?

Question 3: Should salmon be included when developing one or more statewide default fish consumption rates?

The FC Rate report notes the complexity of the salmon life cycle and that most of the salmon contaminant body burden is difficult to attribute to a particular source. Salmon are included in the fish consumption range and rate(s).

- Do you agree that salmon should be included in the fish consumption range(s) / rate(s)?
- Does the report identify and adequately characterize the issues surrounding the decision on whether to include or exclude salmon when calculating a default fish consumption rate (i.e., source contribution)?