**To:** Robert Law[rlaw@demaximis.com]
**From:** LaPoma, Jennifer
**Sent:** Wed 1/6/2016 8:21:02 PM
**Subject:** RE: Re: July 29 Region 2 -CPG 17-mi BERA Teleconference Action Items

Thanks for sending this Rob.

I'll have this confirmed shortly.

**From:** Robert Law [mailto:rlaw@demaximis.com]
**Sent:** Tuesday, January 05, 2016 11:53 AM
**To:** LaPoma, Jennifer <LaPoma.Jennifer@epa.gov>; Vaughn, Stephanie <Vaughn.Stephanie@epa.gov>
**Cc:** Willard Potter <otto@demaximis.com>; William Hyatt <william.hyatt@klgates.com>; Lisa Saban <LisaS@windwardenv.com>; Mike Johns <MikeJ@windwardenv.com>
**Subject:** Fwd: Re: July 29 Region 2 -CPG 17-mi BERA Teleconference Action Items

FYI

Robert Law, Ph.D.
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>>> Robert Law 8/25/2015 10:18 AM >>>

Stephanie:

What is the status of the action items from our July 29, 2015 teleconference?

Thanks

Rob

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>>> Robert Law 7/30/2015 2:04 PM >>>

The following items were discussed during the July 29, 2015 Region 2-CPG 17-mi BERA teleconference generated the following actions items for Region 2 and CPG.

Region 2:

Item 1 - CPG has been unable to replicate the list of 6 stations that the Region claims are suitable fresh water reference locations above Dundee Dam using a Mean Probable effect concentration quotient (PEC-q) presented in the Region's July 27 Sediment Quality Triad (SQT) Methodology .

Action I - Region 2 agreed to send CPG the list of chemicals, calculations and values used in PEC-q approach so CPG can verify calculations.

Item 2 - The Region has stated in its May 1 comments that the bivariate analysis presented in the June 2014 BERA was insufficient. Although the CPG does not agree with the Region's contention; the CPG has agreed to review and identify alternative multivariate/multiple regression methods for further discussion. However, in order for the CPG to evaluate alternatives, the CPG has requested that the Region provide its guidance on potential alternatives.

Action 2 - Region 2 will discuss multi-variate/multiple regression techniques and send any guiding thoughts or ideas to CPG.

Item 3 - The CPG took exception to the Region's following suggested language on page 2 of the July 27 SQT Methodology: "*Additionally, the uncertainty section should clearly state that the LPR Ampelisca test did not follow the standard ASTM/EPA protocol and likely underestimates toxicity compared to reference*". The 17-mi LPRSA RI Ampelisca tests used a Region 2 approved modification to the standard protocol; the toxicity split tests conducted by Region 2's contractors used the same modified protocol. The CPG does not agree with the Region's speculation that the modified protocol would result in an underestimate of the toxicity associated with the LPRSA COCs/COPCs driving risk.

Action 3 - Region 2 will speak with EPA's toxicology experts about the Ampelisca test and provide literature citations that support this statement. The Region will also consider language change such as "likely versus could, may, possibly or potentially".

CPG:

Item 1 - See Region 2 Item 2.

Action 1 - Following receipt of the Region's input (Item 2) on multi-variate/multiple regression approach; the CPG will prepare a proposal and provide it to the Region.

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