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Julie Roth, Executive Director
DSCSOC

Comments on ATSDR's Final Public Health Assessment for the LEHR Site

In late June 2004, the ATSDR released its final Public Health Assessment for the Laboratory for Energy-Related Health Research (LEHR) Superfund site. I have reviewed this report and find that, while it is considerably improved over the draft report that DSCSOC commented on in the fall of 2003, it still is significantly deficient in properly defining a number of issues pertinent to LEHR site impacts on public health and the environment.

As you may recall, DSCSOC commented on the draft LEHR site Public Health Assessment that ATSDR staff had relied almost exclusively on a few of the LEHR site PRP (DOE and UCD) reports and failed to acknowledge the detailed comments that DSCSOC had provided on the deficiencies in these reports. As we pointed out in our comments, the DSCSOC comments are available on DSCSOC's website (www.gfredlee.com/DSCSOC/DSCSOC.htm). The ATSDR final Public Health Assessment fails to acknowledge the existence of – much less, reference – DSCSOC's detailed comments on the deficiencies in the site investigation and remediation, and continues to provide support for unreliable information provided by DOE and UCD in several areas.

On page 3 of the Summary, under the section “Consumption of fish from Putah Creek,” ATSDR's final LEHR Public Health Assessment is seriously flawed with respect to addressing the potential hazards associated with the consumption of Putah Creek fish that are being impacted by LEHR site runoff of mercury. As was pointed out in DSCSOC's repeated comments and in our comments to ATSDR on their draft report, data show that mercury is present in stormwater runoff from the LEHR site at concentrations that can add to the edible fish body burden of methylmercury. ATSDR states, in the last paragraph of this section,

“To date, no fish consumption advisory has been issued by the California Department of Fish and Game (CDFG) for the area of Putah Creek near the LEHR site.”

While this statement is true, ATSDR was informed in our comments that the Central Valley Regional Water Quality Control Board has listed Putah Creek as a Clean Water Act section 303(d) impaired waterbody due to excessive bioaccumulation of mercury because of a hazard to human health.

Another significant deficiency in the Summary is the failure of ATSDR to discuss the fact that the LEHR site has a far greater number of hazardous and otherwise deleterious chemicals in its waste that are a threat to public health and the environment than have been identified thus far. This issue should have been mentioned in the Summary section of the final Public Health Assessment, since it has been discussed in detail in the comments provided to ATSDR on the draft Public Health Assessment and is an important issue with respect to protecting public health and the environment from LEHR site wastes.

Page 47, section III.F.2 (Putah Creek Fish and Crayfish), as well as pages 57 through 59, are also significantly deficient in properly discussing mercury contamination of fish from the LEHR site. Further, the ATSDR report is significantly deficient in failing to point out that fish from Putah Creek could readily contain elevated concentrations of organochlorine pesticides, some of which are present in stormwater runoff from the LEHR site.

On page 61, in the section “PCBs, pesticides, and dioxins,” no mention is made of the fact that the two attempts by US EPA/ATSDR to collect and properly analyze fish for excessive organochlorine pesticides failed because of inadequate handling and analysis of the fish samples. What should have been done was to continue to do this work until proper analyses had been conducted to determine if the LEHR site was contributing chlordane and possibly other pesticides and PCBs at concentrations that are a threat to the health of those who use Putah Creek fish as food.

Page 62 states, in the last paragraph, “*ATSDR prefers to look at measured data at the point of contact – fish tissue in this case – when available.*” As has been discussed in my writings, this approach is the valid approach. However, a credible Public Health Assessment on this issue would have included ATSDR’s pointing out that the US EPA and ATSDR were unable to collect reliable data because of inadequate handling of the fish tissue samples and the use of inadequate analytical method detection limits. As has been repeatedly pointed out by DSCSOC over the last ten years, this means that there are no reliable data on the organochlorine pesticide/PCB issues with respect to the LEHR site’s contributing to excessive levels of chlordane in Putah Creek fish.

The statement made on page 67, paragraph number 2, with respect to mercury, that “*this contaminant is not believed to be related to the LEHR site*” is technically in error. As was pointed out by DSCSOC to ATSDR in the comments on the draft Public Health Assessment, there is no question about the fact that reported concentrations of mercury in stormwater runoff from the LEHR site contribute to excessive bioaccumulation of mercury in fish. It appears that the ATSDR staff ignored these data in coming to these conclusions.

With respect to the references, which are listed beginning on page 75, no references are provided to DSCSOC’s comments on the unreliable information provided. These comments are available from DSCSOC’s website, <http://www.gfredlee.com/DSCSOC/DSCSOC.htm>.

Appendix D provides responses to comments on the draft ATSDR report. It is found that ATSDR is now attempting in these responses to justify its inappropriate review of LEHR site stormwater runoff, fish and organochlorine pesticide issues and failure to adequately and reliably

discuss the full range of constituents of concern. These issues should have been discussed in the text, rather than buried in an appendix. A critical review of ATSDR's responses to comments shows that they have significant technical deficiencies and do not properly consider the information available pertinent to the topics discussed.

Overall, ATSDR (Wayne Henry and those who reviewed the draft report) have not done a credible job of discussing several key issues pertinent to LEHR site investigation and assessment of the health hazards that potentially exist associated with stormwater runoff from the site.

If you have questions on this matter, please contact me. If you wish, please pass this on to the RPMs.

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