



**American  
Forest & Paper  
Association**

October 20, 2010

Office of Environmental Information (OEI) Docket  
Mail Code: 2822T  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW.  
Washington, DC 20460

Re: EPA's Reanalysis of Key Issues Related to Dioxin Toxicity and Response to NAS  
Comments, Docket ID No. EPA-HQ-ORD-2010-0395

Dear Sir or Madam:

The American Forest & Paper Association (AF&PA) appreciates the opportunity to submit the comments to the Science Advisory Board on the external review draft document titled: "EPA's Reanalysis of Key Issues Related to Dioxin Toxicity and Response to NAS Comments" (EPA-HQ-ORD-2010-0395), notice of which was provided in the May 21, 2010 Federal Register (75 Fed. Reg. 28610).

AF&PA is the national trade association of the forest products industry, representing pulp, paper, packaging and wood products manufacturers, and forest landowners. Our companies make products essential for everyday life from renewable and recyclable resources that sustain the environment. The forest products industry accounts for approximately 6 percent of the total U.S. manufacturing GDP, putting it on par with the automotive and chemical industries. Industry companies produce about \$175 billion in products annually and employ approximately nearly 900,000 people earning \$50 billion in annual payroll. The industry is among the top 10 manufacturing sector employers in 48 states. AF&PA has a substantial interest in ensuring that the best scientific data and analyses are brought to bear in establishing health benchmarks for dioxin.

EPA's dioxin reassessment and related regulatory proposals on dioxin have significant shortcomings and do not adequately respond to key recommendations of both the 2003 and 2006 National Academy of Sciences (NAS) panels. While the agency has addressed some of the recommendations of the NAS, critical elements have been ignored or dismissed. As an example, EPA continues to use a linear low-dose extrapolation model, contrary to recommendations of the NAS calling for a threshold model as being supported by the scientific weight-of-the-evidence. As a result, the EPA's assessment of dioxin remains significantly flawed, and consequently, policies that flow from its conclusions also will be defective, with negative far-reaching consequences. Approval of this report could pave the way for EPA to set more

stringent and burdensome standards for the pulp and paper industry including air emissions, wastewater treatment and waste site clean-up.

AF&PA engaged with EPA on its draft Effluent Guideline Program, which included industry pulp mills as the number one sector for effluent limitations guidelines (ELG) revision, due in part to purported dioxin discharges. By providing corrected data and other information, we demonstrated to the Agency that there was no need to revise the ELGs for those mills. Although EPA agrees that the pulp and paper industry has “virtually eliminated” TCDD and TCDF dioxins from our facilities’ wastewaters, a significantly lower threshold could force the Agency to regulate other dioxin congeners which are ubiquitous in wastewater at trace levels.

Most dioxin generated today does not result from industrial activity. In fact, EPA has identified backyard trash burning as the top source. Pulp and paper facilities emit very low quantities of dioxin-like compounds (DLCs) when well-controlled combustion units burn biomass. More stringent air emission standards may result in unachievable standards for the pulp and paper industry.

The Preliminary Remediation Goals (PRGs) proposed for dioxin levels in soil would force many municipalities to dig up large tracts of land – even areas that have already been cleaned up to levels approved by the U.S. government with enormous costs and serious implications for homeowners, farmers, and businesses, as well as property values. EPA is considering alternative concentrations based on cancer effects of 3.7 parts per trillion (ppt) dioxin TEQ in residential soil and 17 – 37 ppt dioxin TEQ in commercial/industrial soils as the point of departure for determining PRGs. As EPA notes in the guidance, these levels “would likely be within or possibly below background concentrations of dioxins in US soils” and that background levels would have to be determined at CERCLA sites “in order to develop appropriate cleanup levels.” These levels could be of concern for a variety of forest products industry facilities, especially those involved in cleanup of “legacy” sites. Many legacy sites where dioxins are the primary constituent of concern are being remediated. If the clean up levels change, it could possibly require significant changes in existing efforts.

Testing soils on properties for dioxin, especially at extremely low levels, is an expensive process, and few laboratories are able to accurately test at such low levels. The approximate \$1,000 cost per soil sample would create a burdensome cost in re-opening currently closed sites approved by the EPA in the past and/or in evaluating future sites such as Brownfield developments. They also could raise concerns about locations where pulp and paper mills land-applied wastewater treatment sludge, in accordance with EPA guidelines, or wood ash, in accordance with best practices. AF&PA is also concerned that, if the alternative PRGs are chosen, these are likely to be below background level – which could result in a waste of resources to remediate sites beyond what is necessary to protect human health and the environment. This is because recent studies have shown that there is little correlation between soil concentrations of dioxin

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and body burden – for both populations close to the remediation site as well as reference populations.

If you have any questions about these comments, please contact Paul Noe at (202) 463-2700 or by e-mail at [Paul\\_Noel@afandpa.org](mailto:Paul_Noel@afandpa.org).

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