



*PRO-BUSINESS • PRO-TEXAS*  
*FOR OVER 75 YEARS*

October 20, 2010

Dr. Thomas Armitage  
Designated Federal Officer (DFO)  
EPA Science Advisory Board Staff Office (1400R)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW., Washington, DC 20460

Dr. Armitage,

This is in response to the request for public comment to the Science Advisory Board (SAB) in their continued review of EPA's Reanalysis of Key Issues Related to Dioxin Toxicity and Response to NAS Comments, External Review Draft (May 2010). Founded in 1922, the Texas Association of Business (TAB) is a broad-based, bipartisan organization representing more than 3,000 Texas employers and 200 local chambers of commerce.

The results of EPA's reassessment of dioxin standards are of particular importance for businesses and industries in Texas. Standards to be applied to corrective actions at business properties and remediation of federal and state Superfund sites have a direct bearing on the costs of these projects. In Texas, all public funds available for matching funds for federal Superfund sites, and the total costs for state Superfund sites, is derived from fees assessed against businesses and industry. Any move to reduce current standards that have been found to be protective of public health could have dramatic consequences for those sites which have already been remediated or are currently in the assessment process. The application of new, more stringent standards and the increase in costs for projects will inevitably mean that fewer new sites get assessed for potential public health impacts and remediated.

TAB shares many of the concerns that have been expressed by members of SAB in their review of EPA's reanalysis, particularly the lack of justification for the exclusion of scientific studies that may well have had an impact on the assessment. We are also concerned that, given the application of any new standard, some rational factoring of bioavailability of dioxin in soils is essential if the standard is to be meaningfully applied to real-world situations. We are equally concerned about the consideration of standards for dioxin that approach or are even below background levels. Cleanup standards at this level are simply not feasible from the standpoint of remediation site assessment and enforcement of remediation requirements by third parties.

Dr. Thomas Armitage  
October 20, 2010  
Page 2

Texas and most other states are facing significant challenges during the current economic circumstances. It is absolutely essential that the wisest and best use of public funds be assured. Businesses in Texas and state agencies responsible for ensuring the cleanup of contaminated properties cannot afford to expend dollars that do not provide significant additional public health protection.

It is the position of TAB that the scientific basis for significant reductions in dioxin standards has not been adequately established by EPA. We urge the SAB to review carefully EPA's response and justification and ensure that the concerns that have been expressed are adequately responded to and any failures to apply the best and most current scientific justification are clearly acknowledged as the review process goes forward.

Thank you for the opportunity to comment.

Stephen Minick  
Vice President of Government Affairs  
Texas Association of Business