

*Comments from Donald L. Hassig, Cancer Action NY*

Dear Members of the US Environmental Protection Agency's Science Advisory Board Dioxin Review Panel,

I am hopeful that the members of the US Environmental Protection Agency's Science Advisory Board Dioxin Review Panel will take a central part in moving the US EPA to finalize the draft dioxin reassessment within the remainder of 2010. It is clear that chemical industry control of the federal government has caused this document to exist as a draft for far too long. The process of creating a dioxin reassessment is being used to deny the public the benefit of government utilization of scientific knowledge. The cancer cases caused by dioxin exposure are a terrible result of this chemical industry ruse.

During the past several days, I spoke with Thomas Gentile, a toxicologist employed by the New York State Department of Environmental Conservation (NYS DEC). Mr. Gentile works in the Division of Air Resources and is knowledgeable concerning the first and only Health Risk Assessment that was done for the Onondaga County Resource Recovery Facility (OCRRF). This document dating from the late 1980s was produced before the construction and start up of operations of the incinerator. I sought to have a dialogue with Mr. Gentile on the subject of dioxin exposure cancer risk, specifically, quantitative assessment of dioxin exposure cancer risk. This was for the purpose of developing the foundation for arguing that a state of knowledge Health Risk Assessment must be produced for the OCRRF, located near Syracuse, New York. Mr. Gentile refused

to discuss quantitative assessment of dioxin exposure cancer risk. He stated that US EPA was in the process of conducting a review of this subject and that NYS DEC was awaiting the completion of that review. It was his position that little new information concerning dioxin exposure and cancer outcome had been published in the peer-reviewed scientific research literature since the late 1980s. I stated that this was incorrect. I stated additionally that if a state of knowledge Health Risk Assessment were to be produced for the OCRRF, the facility would have to be shut down due to the unacceptable amount of cancer risk imposed by the dioxin emissions of the facility.

It is my intention to file an Article 78 Proceeding to challenge the issuance of the final renewed air pollution permit for the OCRRF. The legal argument I will make is that NYS DEC acted in an arbitrary and capricious manner by choosing not to produce a state of knowledge Health Risk Assessment pursuant to renewal of the air pollution permit. This will not solve the problem of US EPA and NYS DEC failing to utilize science for the protection of the environment and the public health. I suspect that the New York State Supreme Court will provide no justice in this proceeding. I have experienced a total lack of justice in the New York State court system on many occasions during the course of the past several decades. Even if our challenge is successful, this would only lead to the use of science in a health protective manner in one case.

I have concluded that the arguments utilized by those who wish to prolong the endeavor of creating a dioxin reassessment are without merit. It is clear that these arguments do not arise from the desire to use science to protect the environment and the

public health, but rather from the desire to suppress the use of science to protect these important entities. Any further discussion of flaws and inadequacies of the draft dioxin reassessment merely serves to delay finalization. The time is right for confronting the corporate supported scientists on this matter of deliberate delaying of finalization. Lack of character and integrity are the only legitimate matters that are before the Dioxin Review Panel. I am hopeful that the Panel will put an end to the obfuscation and demand speedy finalization of the reassessment.

Cancer Action NY is determined to move forward with the utilization of science to prevent cancer. We are hopeful that county public health departments can be motivated to partner with us in educating New Yorkers concerning the cancer preventive benefits of reducing dioxin exposure by limiting animal fat consumption.