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November 26, 2008

Docket ID No. EPA-HQ-OW-2008-0692
Water Docket
U.S. Environmental Protection Agency
Mailcode: 2822T
1200 Pennsylvania Ave., NW
Washington, DC 20460

RE: Comments in Response to the EPA Notice, *Drinking Water: Preliminary Regulatory Determination on Perchlorate* [EPA-HQ-OW-2008-0068; FRL-8727-6] RIN 2040-ZA02

Dear Sir or Madam:

The Perchlorate Study Group (PSG) is pleased to submit comments in response to the above-captioned EPA regulatory proceeding.

Please note that there are two sets of comments.

1. *Perchlorate and Human Health in 2008: The Implications of New Science for the EPA Preliminary Determination.* The most important issues for consideration by the Agency relate to the state of the science. The unswerving focus of the PSG has been to analyze and make available the best available scientific information. The scientific comments were prepared by Intertox, a highly-respected firm with extensive experience in the scientific considerations relating to perchlorate.

The Intertox report concludes that the scientific evidence supports the Agency's decision not to establish a national primary drinking water standard for perchlorate, because "there is no meaningful opportunity for health risk reduction."

The most important source of scientific information on the human health issues relating to perchlorate is an extensive report undertaken by the National Academies of Science, released in 2005. The NAS report has been relied upon by the EPA in subsequent regulatory actions.

The Intertox scientific comments bring the scientific information up to date, examining studies published after the NAS report. The Intertox study, like the

NAS study, does not recommend a level for EPA's possible adoption. The Intertox report finds that even with highly conservative assumptions, there would be "no significant health risk to the most sensitive individuals" at a level of at or below 15 parts per billion.

2. *Perchlorate and Human Health in 2008: The EPA Preliminary Determination.* These comments include two sections. The first relates to scientific policy issues. Particular focus is placed on pharmacodynamic (PBPK) modeling. Several reports in the general circulation press have suggested incorrectly that PBK modeling is unfamiliar in perchlorate risk assessment. These comments document that the PBPK modeling has been recognized by EPA and endorsed by the NAS for its effectiveness in reducing scientific uncertainty.

These comments conclude with a review of the statutory criteria establishing EPA's authority in this proceeding. Citing the NAS report as well as subsequent studies, the comments demonstrate that the Agency is correct that none of the three criteria required for setting an NPDWR are met in this case.

Thank you for the opportunity to comment on these important issues. Please do not hesitate to contact me or Dr. Richard C. Pleus, if we can provide additional information or perspective in your deliberations.

Sincerely,



Michael Girard
Chairman, Perchlorate Study Group