American Forest & Paper Association

April 23, 2014

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Paula Wilson
IDEQ State Office
Attorney General's Office
1410 N. Hilton
Boise, ID 83706

(Via e-mail)

RE: Docket No. 58-0102-1201 - Negotiated Rulemaking
Idaho's Fish Consumption Rate Probabilistic Risk Assessment

Dear Ms. Wilson:

The American Forest & Paper Association (AF&PA) serves to advance a sustainable U.S. pulp, paper, packaging, and wood products manufacturing industry through fact-based public policy and marketplace advocacy. AF&PA member companies make products essential for everyday life from renewable and recyclable resources and are committed to continuous improvement through the industry's sustainability initiative - *Better Practices, Better Planet 2020*. The forest products industry accounts for nearly 4 percent of the total U.S. manufacturing GDP, manufactures approximately $210 billion in products annually, and employs nearly 900,000 men and women. The industry meets a payroll of approximately $50 billion annually and is among the top 10 manufacturing sector employers in 47 states. The final water quality standards that result from this rulemaking likely will be applicable to AF&PA member facilities in Idaho. AF&PA, therefore, has a direct interest in this rulemaking.

AF&PA appreciates the opportunity to comment on Docket 58-0102-1201 as noted above. We appreciate Idaho Department of Environmental Quality's (IDEQ) work on this very important matter, and the open and deliberative process IDEQ has undertaken to gain a wide range of public input.

During the April 2, 2014 rulemaking meeting, Dr. Paul Anderson gave a presentation outlining the application of the Probabilistic Risk Assessment (PRA) approach for setting human health water quality criteria (HHWQC). We are offering the following comments in support of IDEQ using a PRA approach to revise its HHWQC.

The PRA approach has been used for many decades in other settings (e.g., nuclear safety). More recently, it has been used or endorsed by the by U.S. EPA, the National

Research Council, and a few states. For example, in 1997 EPA issued a general policy supporting a PRA approach.[1] In 2001, EPA issued documents supporting a PRA approach to evaluate risks presented by the use of certain pesticides and for use in the Superfund program.[2] Finally, just last year the National Research Council specifically recommended a PRA approach for assessing risks to endangered and threatened species from pesticides.[3] At the state level, Oregon has used a PRA approach for site remediation, and, as was discussed during the April 2nd meeting, Florida, operating under the oversight of EPA, used a PRA approach to develop its HHWQC. EPA has not yet formally approved those criteria, but the agency was involved over the years in the development of them and did not object to Florida basing its criteria on the PRA approach.

One of the most significant benefits of a PRA approach is that it facilitates transparency in policy and technical choices made in the development of HHWQC. It more accurately matches state-designated risk targets for populations and sub-populations than the deterministic approaches used, and it allows for a more informed risk management decision. As a result, all interested parties will be better able to provide effective input into the policymaking process.

Thank you for the opportunity to provide our comments. If you have any questions, please contact me at 202/463-2581 or jerry_schwartz@afandpa.org.

Sincerely,

Jerry Schwartz
Senior Director
Energy and Environmental Policy

[1] Policy for Use of Probabilistic Analysis in Risk Assessment" http://www.epa.gov/spc/2probana.htm

[2] "Initiative to Revise the Ecological Assessment Process for Pesticides" http://www.epa.gov/oppefed1/ecorisk/index.htm#Probabilistic (12/2001) and "Risk Assessment Guidance for Superfund (RAGS) Volume III - Part A: Process for Conducting Probabilistic Risk Assessment" (2001) http://www.epa.gov/oswer/riskassessment/rags3adt/

[3] Assessing Risks to Endangered and Threatened Species from Pesticides Policy for Use of Probabilistic Analysis in Risk Assessment. http://www.nap.edu/catalog.php?record_id=18344