

NATIONAL FEDERATION OF FEDERAL EMPLOYEES

SERVING FEDERAL EMPLOYEES... AND THE NATION... SINCE 1917

Local 2050



Honorable Lee M. Thomas
Administrator
U.S. Environmental Protection Agency
Washington, D.C. 20460

AUG 26 1986

Dear Mr. Thomas,

As we have already noted in previous letters, NFFE Local 2050 is concerned about the promulgated Recommended Contaminant Level (RMCL) for fluoride in drinking water. It is highly questionable whether this regulation should have been promulgated considering the inadequate and highly flawed scientific and technical support documents (and EPA's response to the public comments) upon which the regulation is based.

The Agency is presently in court and has responded to the NRDC brief by asserting that the court should defer to the Agency position because of the "Agency expertise." This presents a conflict for NFFE which represents EPA professionals who are the Agency experts and who the public associates with any scientific or technical publication by the Agency. NFFE has to choose between ignoring what it knows full well to be an unsupportable decision and one which injures the reputation of EPA professionals, or take further action.

As noted in the attached resolution passed by the union, NFFE has decided to approach the Science Advisory Board, who has only recently acquired responsibility for overseeing the publications of the Office of Drinking Water, to request a review of the scientific basis for this regulation. If a timely review is not forthcoming (in time for a 9/3/86 court deadline), then we have been directed to file an amicus brief with the court citing our opinion on the scientific inadequacy of this action. A meeting has already been held with Dr. Yosie, Director of the SAB, who has only agreed to consider our request. He pointed out that the time constraints would probably prohibit a timely review.

There does, however, seem to be an alternative, albeit a long shot. The review may be possible if the court case could be postponed. This of course would require the agreement of the NRDC who may not want a postponement. One of the questions they might ask is: are there sufficient experts on this committee who do not have a vested interest in a fluoride position to carry out an objective review?

We are asking that you seriously consider this alternative which would allow the review which we feel is so necessary. This is our last attempt at finding a way for EPA to honestly reevaluate the decision on fluoride in-house. We do not believe that it is in the interest of the Agency or its professionals to wash dirty laundry in public.

Sincerely,



Robert J. Carlton, Ph.D.
President
NFFE Local 2050