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Local _____



DEC 17 1985

Robert H. Wayland III
Special Assistant to
the Administrator
U.S. Environmental Protection Agency
Washington, D.C. 20460

Dear Mr. Wayland,

Thank you for your comments on my letter of 12/10 requesting a suspension of the effective date of the Recommended Contaminant Level (RMCL) for fluoride in drinking water. Although I am deeply disappointed with the decision not to honor the request, apparently EPA management is willing to reexamine the health effects of fluoride. You indicated that we (or anyone who felt so inclined) could comment on health effects issues at the hearings tomorrow. This poses a dilemma.

As you know, the RMCL sets the lowest possible level that could cause an adverse effect with an ample margin of safety. As you pointed out in our conversation, the RMCL is not enforceable. The Maximum Contaminant Level (MCL) is the lowest enforceable level that takes into consideration the availability of technology to remove the contaminant and costs. It cannot be lower than the RMCL. Therefore, if there is an error in the RMCL and it should be lower, how will commenting on health effects in a hearing on the MCL change the RMCL? I would appreciate knowing what EPA would do with additional comments on the health effects of fluoride?

A second problem is that the Federal Register notice of November 14 states that the hearings will only address economic and technology issues surrounding the proposed MCL and not health effects. In order to properly notify the public of this change and give them the opportunity to review all the information submitted subsequent to the proposal in the Federal Register on May 14, I believe that it is imperative that EPA hold additional hearings on the health effects of fluoride to determine the adequacy of the promulgated RMCL no earlier than one month after the current hearings. It would be most helpful if this announcement could be made at the start of the hearings tomorrow. Will such an announcement be made?

I would appreciate a response before the hearing begins.

Sincerely,

Robert J. Carton, Ph.D.
President-Elect