

Ministry of
the Environment

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September 14, 2012

Ms. Lisa P. Jackson
Administrator
United States Environmental Protection Agency
USEPA Headquarters
Ariel Rios Building (1101A)
1200 Pennsylvania Ave. N. W.
Washington DC 20460

Dear Ms. Jackson:

**Re: Ontario Comments: Docket ID No. EPA-HQ-SFUND-1983-0002
Hooker (Hyde Park) Superfund Site
Proposed Deletion from National Priorities List**

I am writing to provide the comments of the Ontario Ministry of the Environment (Ontario) concerning the proposed deletion of the Hooker (Hyde Park) Superfund Site from the National Priorities List (NPL), and described in notices published in the Federal Register on August 20, 2012.

Ontario does not support the deletion of the Hooker (Hyde Park) site from the NPL at this time.

Regular water quality and biomonitoring and analysis undertaken by the Ontario Ministry of the Environment has identified high concentrations of dioxins and furans in the vicinity of Bloody Run Creek. Further, the dioxin and furan isomer patterns from our monitoring contain a unique signature that is representative of the Hooker (Hyde Park) site. Due to the continued source of dioxins and furans entering the Niagara River from this site we believe that the proposed deletion of the Hooker (Hyde Park) site is premature.

Ontario will continue to work collaboratively with EPA, New York State and Canada through the Niagara River Toxic Management Plan to achieve water quality that will protect human health and the environment in the Niagara River and while doing so, improve and protect water quality in Lake Ontario.

Sincerely,

A handwritten signature in black ink that reads "Jim Bradley".

Jim Bradley
Minister



Gloria M. Sosa
 Remedial Project Manager
 Emergency and Remedial Response Division
 U.S. Environmental Protection Agency, Region 2
 290 Broadway, 20th Floor
 New York, NY 10007-1866

Dear Ms. Sosa,

RE: Docket ID No. EPA-HQ-SFUND-1983-0002

I am writing to express Environment Canada's concerns regarding the U.S. EPA's decision to delete the Hooker (Hyde Park) Superfund Site from the National Priorities List.

The levels of dioxin measured in sediment and mussels at Bloody Run Creek by the Ontario Ministry of the Environment (Lisa Richman et al. 2011, attached) are above the Canadian Environmental Quality Guidelines established by the Canadian Council of Ministers of the Environment (CCME). Specifically, the levels of dioxin and in sediment (Table 1) exceed the Canadian Sediment Quality Guidelines for the Protection of Aquatic Life, and the dioxin levels in mussels (Table 2) exceed the Canadian Tissue Residue Guidelines for the Protection of Wildlife Consumers of Aquatic Biota. Further, it is our understanding from the Ontario Ministry of the Environment that unpublished data from 2009 show dioxin levels higher than those from 2006 listed below. Overall, from a Canadian perspective, the fact that these levels exceed CCME guidelines is indicative of a threat to the binational waters of the Niagara River.

Table 1: 2006 Sediment Data – Lisa Richman et al.

Suspended Sediment	Richman et al. pg/g PCDD/F TEQ	Richman et al. ng/g PCDD/F TEQ	CCME Sed Guide (ng/g) PCDD/F TEQ	Exceedance above Guideline Value
Upstream	36	0.036	ISQG = 0.00085 PEL = 0.0215	1.6x PEL
Bloody Run Creek	4200	4.2		195x PEL
Downstream	220	0.22		10.2x PEL

Table 2: 2006 Tissue Data – Lisa Richman et al.

Mussel Tissue	Richman et al. pg/g PCDD/F TEQ	Richman et al. ng/g PCDD/F TEQ	CCME Tissue Guide (ng/g) PCDD/F TEQ	Exceedance above Guideline Value
Upstream	2	0.002	0.00071 (protection of Mammals)	2.8x for mammals
Bloody Run Creek	45	0.045		63.3x for mammals 9.5x for birds
Downstream	6	0.006	0.00475 (protection of birds)	8.4x for mammals 1.3x for birds

The Environment Canada Niagara river upstream/downstream program tracks trends in concentrations and loadings of contaminants. Measurements conducted as part of this program by Environment Canada in 2002 (Chris Marvin et. al 2007, attached) showed levels above the CCME's Interim Sediment Quality Guidelines (ISQG) but below the Probable Effect Level (PEL) (Table 3). Although these measurements represent regional trends and therefore cannot be directly linked to the Hooker (Hyde Park) Superfund Site, the levels reported here indicate a potential cause for concern.

Table 3 : 2002 data Chris Marvin et. al

Suspended Sediment	Marvin et. al pg/g PCDD/F TEQ	Marvin et. al. ng/g PCDD/F TEQ	CCME Sed Guide (ng/g) PCDD/F TEQ
Niagara-on- the-Lake	15	0.015	ISQG = 0.00085 PEL = 0.0215

Given the above data, we strongly urge that further investigation, including site specific toxicity testing, should be conducted to fully understand the implications of these levels of contaminants on the local aquatic biota at the Hooker (Hyde Park) Superfund Site before its deletion from the National Priorities List.

Yours sincerely,



Diane Johnston
A/Associate Regional Director General, Ontario Region
Environment Canada

CC: Susan Hedman, U.S. Co-Chair, Canada-U.S. Great Lakes Executive Committee