

Interfaith Community Organization

Affiliated with the Industrial Areas Foundation

601 Jackson St. #2, Hoboken NJ 07030

201-705-7988

June 27, 2007

Lisa P. Jackson, Commissioner
New Jersey Department of Environmental Protection
401 E. State St.
Trenton, New Jersey 08625

RE: Protection of Hudson County residents from the risk of cancer via ingestion of hexavalent chromium

Dear Commissioner Jackson:

We are writing on behalf of the Natural Resources Defense Council (NRDC) and the Interfaith Community Organization (ICO) regarding the findings of the National Toxicology Program's recently completed study on whether hexavalent chromium causes cancer through ingestion. As we hope you are aware, the NTP researchers concluded that there was "clear evidence of carcinogenic activity" of hexavalent chromium administered orally to laboratory animals; the "clear evidence" standard is the highest of NTP's five categories of data quality. On May 16, the NTP peer review panel unanimously concurred with the researchers' conclusions.¹

The NTP's authoritative, peer-reviewed findings directly and thoroughly contradict the findings of industry-funded studies on this question, and put to rest the industry-created controversy over whether regulators ought to treat chromium as an ingestion carcinogen. These new findings – which reinforce other academic studies on ingestion of chromium – warrant prompt action by the New Jersey Department of Environmental Protection to strengthen chromium cleanup criteria in order to protect the public from the risk of cancer via ingestion of chromium.

Specifically, NRDC and ICO request that you:

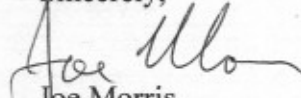
- Promptly revise the state's groundwater quality standards for chromium in light of the NTP findings, using the administrative process set forth in the state's groundwater quality regulations. (This provision, NJAC 7:9c-1.7, allows DEP to tighten groundwater standards in light of new scientific information.)

¹ The NTP's announcement states that its Board of Scientific Counselors Technical Reports Review Subcommittee "accepted unanimously (6 yes, 0 no) the conclusions as written, *clear evidence of carcinogenic activity* of sodium dichromate dihydrate in male and female F344/N rats and *clear evidence of carcinogenic activity* in male and female B6C3F1 mice."

- Promptly revise the state's impact-to-groundwater soil criteria based on the revised groundwater quality standards.
- Promptly revise the health-based criteria for chromium in soils, based on the NTP study. The NTP findings include dose-response data, providing a clear basis for calculating criteria to protect against ingestion of chromium.

Please inform us in writing of whether and when you intend to implement these measures to strengthen the health protections for some of the state's most vulnerable residents.

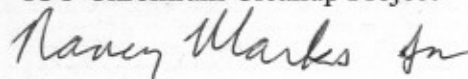
Sincerely,



Joe Morris

Director

ICO Chromium Cleanup Project



Nancy Marks

Senior Attorney

Natural Resources Defense Council