



Via email: fishconsumption@ecy.wa.gov

October 26, 2012

Mr. Ted Sturdevant  
Director  
Washington Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600

RE: Fish Consumption Rates Technical Support Document

Dear Director Sturdevant:

The Northwest Food Processors Association (NWFP) submits the following comments on the *Fish Consumption Rates (FCR) Technical Support Document (TSD)* (version 2.0). NWFP represents the food processing industry in Oregon, Washington, and Idaho; and over 400 companies in the food processing supply chain throughout the U.S. Any changes to Surface Water Quality Standards, such as those that might arise from a change in the fish consumption rate used to set human health criteria, are of direct interest to NWFP and our members. After reviewing the TSD we have three recommendations for your consideration as the process moves forward.

First, the TSD includes an extensive discussion of four studies that provide details of fish consumption rates for several subpopulations, as well some discussion of general/national fish consumption studies. However, there are no State of Washington specific fish consumption rates. **NWFP strongly recommends that Ecology undertake a general fish consumption survey.** This data is critical for establishing the necessary state protection levels.

Second, there is much discussion about the sources of fish including the differences between marine, freshwater, shellfish, finfish, anadromous and non-anadromous fish. **NWFP recommends that the FCR be based on the consumption of local, freshwater, non-anadromous fish.** Local, non-anadromous, freshwater fish are solely exposed to water conditions that are regulated by the State of Washington; the same is not true of marine fish, anadromous fish and shellfish.

Third, section 6.1 of the TSD acknowledges that agencies must decide what population groups a standard such as Ambient Water Quality Criteria (AWQC) should be designed to protect. Policy choices may focus on the general population, recreational anglers, high exposure population groups, and/or susceptible populations (p. 90 and 91). The TSD states that "...a uniform level of protection should be maintained for all fish-consuming populations of Washington State" (p. 95), but the TSD does not acknowledge that equal protection of all population groups is impossible because all people do not have identical FCR and behaviors. USEPA (2000) states that  $1 \times 10^{-6}$  and  $1 \times 10^{-5}$  may be acceptable target risk levels for the general population as long as highly exposed populations do not

exceed a target risk level of  $1 \times 10^{-4}$  (p. 1-12).<sup>1</sup> Generally speaking, risk-based screening levels and cleanup goals are not based on the protection of a receptor with exposures at the extreme end of the spectrum (e.g., soil ingestion by a pica child). Because FCRs may differ significantly between the general population and high-end consumers in sensitive subpopulations, equal protection is not possible. Hypothetically, if an AWQC were based on a sensitive subpopulation with high FCRs at a target risk level of  $1 \times 10^{-6}$ , the target risk level for the general population might be two orders of magnitude less than that level (e.g.,  $1 \times 10^{-8}$ ). In other words, the general population would be protected at a level 100 times more stringent than the high end population. **NWFPA recommends that Ecology look at different levels of risk, as allowed by EPA guidance, when establishing FCRs.**

We appreciate the opportunity to comment on the TSD.

Sincerely,



David McGiverin  
Environmental, Sustainability & Productivity Manager  
Northwest Food Processors Association

cc: NWFPA Environmental Committee X

---

<sup>1</sup> U.S. EPA. 2000. Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health. EPA-822-B-00-004. October.