## **EAST LYME WATER & SEWER COMMISSION** SPECIAL MEETING Tuesday, JULY 29th, 2014 **MINUTES**

The East Lyme Water & Sewer Commission held a Special Meeting on Tuesday, July 29, 2014 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Formica called the Special Meeting to order at 6 PM.

PRESENT:

Paul Formica, Chairman, Dave Bond, Dave Zoller, Dave Murphy,

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CONNECTICUT 4 20 14 AT 10 00 AN THE TOWN CLERK

Joe Mingo, Carol Russell, Roger Spencer

ALSO PRESENT:

Joe Bragaw, Public Works Director

Brad Kargl, Municipal Utility Engineer

Anna Johnson, Finance Director

ABSENT:

Steve DiGiovanna

1. Call to Order

Chairman Formica called the Special Meeting of the East Lyme Water & Sewer Commission to order at 6:07 PM and led the assembly in the Pledge.

2. Approval of Minutes

Regular Meeting Minutes - June 24, 2014

Mr. Formica called for a motion or any discussion or corrections to the Regular Meeting Minutes of June 24, 2014.

Ms. Russell said that on the first page in the amendment under the motion to approve the minutes in the fourth line where she had made a correction that it should read '....support the current standard for optimal water fluoridation provides a sufficient margin ....

Mr. Murphy asked that John Jasper's name be removed from the listing as he is no longer a member of the Commission.

\*\*MOTION (1)

Mr. Mingo moved to approve the Regular Meeting Minutes of June 24, 2014 as amended.

Mr. Zoller seconded the motion.

Vote: 7 - 0 - 0, Motion passed.

3. Delegations

Mr. Formica called for anyone who wished to speak under Delegations.

There were no delegations.

4. Approval of Bills – from Attachment B

Mr. Formica called for a motion on the Regional Interconnection bills.

\*\*MOTION (2)

Mr. Murphy moved to approve payment of the following Regional Interconnection bills: D'Amato Construction, Pay Appl. #10 in the amount of \$62,695.25 and Tighe & Bond, Inv. #062014267 in the amount of \$34,148.60.

Mr. Zoller seconded the motion.

Vote: 7 - 0 - 0. Motion passed.

Mr. Formica called for a motion on the Sewer Pump Station Upgrade bill.

\*\*MOTION (3)

Mr. Zoller moved to approve payment of the following Sewer Pump Station Upgrade bill: Tighe & Bond, Inv. #062014247 in the amount of \$240.00.

Ms. Russell seconded the motion.

Vote: 7 - 0 - 0. Motion passed.

#### 5. Water Project Updates

Regional Interconnection

Mr. Kargl reported that they are re-filling the tank and will be flushing the main from the tank, chlorinating and checking it for chemical parameters. They also have the PRV in for the campground and all of them are now in. He said that he was out in the field testing the pumps and they had to pull one as it appeared to be under performing. He will continue to work on this.

Mr. Formica asked about when it will be operating ant the terms.

Mr. Kargl said that he expects it up next week sometime.

Water Main Easement, Hemingway Rd.

Mr. Kargl explained that on Hemingway Road in Old Black Point that they have a water main that was installed many years ago was continued on to private property. It is now located under a driveway. They want to sever some 40' that goes into and under the driveway so that they can maintain it and do flushing. This came to their attention when a nearby neighbor who is conducting an extensive renovation requested a connection to have water service. Attorney O'Connell is working with the owners' attorney on an easement to give them legal access to the main to make the tap and conduct future maintenance. He said that he would like to hire a contractor to help with this and would like authorization to utilize dollars from the water construction account.

\*\*MOTION (4)

Mr. Zoller moved to authorize an expenditure of up to \$5,500 from the Water Construction Account, Line Item C-62-70-006-500-002 to abandon a section of water main on private property and install a new blow-off and related work on Hemingway Road.

Mr. Murphy seconded the motion.

Mr. Formica asked if there is money in the account.

Mr. Kargl said that there is as they have some left over from the Shore Road project. He thought that there is some \$45,000 in that account.

Vote: 7 - 0 - 0. Motion passed.

6. Finance Director Reports

Mr. Formica recalled that there was a request for some information on the sewer debt at the last meeting and that Ms. Johnson has been working on the compilation of this information.

Ms. Johnson passed out the information that she had compiled noting that there was more information that she would need the time to go back in time to find.

Mr. Formica explained the hydrant fee history noting that they increase by 10% each year. It was noted that there are around 800 hydrants.

Ms. Johnson noted the sewer debt remaining balance and the related projects stating that 'ref' indicates that it was refinanced. She explained the projects with outstanding debt and the money that was borrowed from the sewer assessment fund which is due back to them from the water and sewer operations account. She indicated that Mr. Bragaw was working this into his budget spreadsheets.

It was noted that there is \$150,000 that she is researching -

Mr. Kargl said that he recalled that the \$150,000 was from a lightning strike at the Bridebrook Pump Station and the associated repairs necessary and for some capital upgrades. The money used for capital upgrades, once determined would not have to be paid back.

Mr. Formica asked if the 15 year term looks reasonable to everyone — The members said that they would like to see what it looks like when it is plugged into Mr. Bragaw's budgets. They thanked Ms. Johnson for her reports.

7. Niantic Pump Station Grinder Repair/Upgrade

Mr. Kargl reported that they had an equipment failure on one of the grinders. There are three grinding units that are pretty much obsolete now as they are 25 years old and in need of replacement. He said that he would like to replace the failed unit now for a cost of approximately \$32,000. He said that they might be able to get some of the installation cost down if they do some of the demo. He noted that this work is independent of the electrical and pump upgrade work that they are considering. He proposed that this be paid through the sewer assessment fund as it is a capital expense.

\*\*MOTION (5)

Mr. Murphy moved to authorize a capital expenditure of up to \$32,000 from the Sewer Benefit Assessment Fund for the purchase and installation of a new sewage grinder for the Niantic Pump Station.

Mr. Bond seconded the motion. Vote: 7 - 0 - 0. Motion passed.

8. Communications

See Communications Log

There were no comments.

9. Chairman's Report

Mr. Formica said that they had moved the meeting to an earlier time as the Attorney's are on vacation so they could not have an Executive Session on the judge's remand for Landmark. They would be scheduling this in the near future.

Mr. Murphy asked about Old Lyme.

Mr. Formica explained the DEEP findings and that everything seems to be in a holding pattern for the time being.

Ms. Russell noted that she had provided all of them with a copy of the SE CT Water Authority Chairman's Report. (Attached)

10. Fluoride Update

Ms. Russell reported that she has spoken with Jessica, the Ledge Light intern regarding a time line for her report and was informed that there is no exact one although she is doing extensive research. She noted that she came across some information of interest that she had provided to them in their folders – the US Senate Sub-Committee Testimony on Water Fluoridation given on June 29, 2000. She said that she was not sure of any Congressional follow-up. She asked that they take the time to read the information. (Attached)

11. Staff Updates

Water Department Monthly Reports

Mr. Murphy noted that they had doubled their service repairs.

# Sewer Department Monthly Reports

There were no comments.

#### 12. ADJOURNMENT

Mr. Formica called for a motion to adjourn.

# \*\*MOTION (6)

Mr. Mingo moved to adjourn the July 29, 2014 Special Meeting of the East Lyme Water & Sewer Commission at 7:54 PM.

Mr. Murphy seconded the motion.

Vote: 7 - 0 - 0. Motion passed.

Respectfully submitted,

Karen Zmitruk, Recording Secretary

# Southeastern Connecticut Water Authority Chairman's Report to the Representative Advisory Board

July 17, 2014

## I. Planning Activities/Issues

Some noteworthy recent state, regional and municipal planning activities, involving public water supply, include the following:

#### A. Miller's Pond

SCWA and the owners of Miller's Pond remain hopeful that they can secure the pond as a much needed future regional public water supply. In addition to the water supply significance of Miller's Pond, its inherent open space value is also being explored. SCWA has met with the town planners and chief-elected-officials in Montville and Waterford; referencing the fact that open space land use within Miller's Pond watershed is in keeping with both towns' Plan of Conservation and Development. Discussions are also being pursued with open space organizations and state legislators. The Waterford Land Trust has expressed support of SCWA's Miller's Pond efforts, as stated in its April 6, 2014 letter. SCWA plans on identifying priority open space parcels, within the Miller's Pond watershed; and has requested input from the pond's owners. Additionally, SCWA will seek similar input from the Waterford and Montville town planners.

# B. SCWA Interaction with SCCOG

SCWA and the Southeastern Connecticut Council of Governments (SCCOG) continue to interact at an enhanced level of cooperation. To this end, I periodically attend the regular monthly SCCOG meetings and the SCCOG Regional Water Committee meetings. Our SCWA general manager, Mr. Leonard, is participating on the SCCOG Regional Water Committee's Technical Advisory Subcommittee (TAS).

### C. Town of Franklin - Advancing Public Water Supply

Mr. Matters, First Selectman of the Town of Franklin, has requested SCWA to explore, with the town, the potential of providing public water supply to the northern Rt. 32 corridor. One aspect being looked into is the purchasing of water from the Town of Windham's water system, the Windham Water Works. SCCOG serves as Franklin's town planner. SCWA assisted SCCOG in developing water demand volume estimates for Rt. 32. The analysis estimates the projected water demand in that area to be approximately 80,000 gallons-per-day. That information has been included in the discussions with the Windham Water Works. Windham Water Works is evaluating its future supply needs; and has expressed a strong interest in considering a regional perspective on water supply development/use. Our General Manager and I have met with representatives of the Windham Water Works to discuss possible collaborative initiatives.

### D. South Central Connecticut Water Authority (RWA)

RWA and SCWA are interested in exploring common interests in regional water issues. Discussions are very preliminary. The Authority and I feel it is important to have open lines of communication between Connecticut's two statutorily empowered regional water authorities.

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#### II. Administrative Activities/Issues

#### A. Election of Officers

In June, the Authority elected Harry Watson as Vice-Chairman, Paul Eccard as Treasurer, Gregory Leonard as Secretary. These offices have a one-year term. The chairman has a three-year term, to expire June 30, 2015.

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#### **B. Fiscal Year 2015 Budget**

The Authority, on May 19, 2014, adopted an operating budget of \$1,431,972 and a capital program of \$420,735 for Fiscal Year 2015. The Fiscal Year 2015 budget does not propose any increases in water rates, service charges, capital charges or connection fees.

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#### C. General Manager Position

Having been informed in May of the current General Manager's intent to retire in October, the Authority immediately formed a Selection Committee, and working with the General Manager saw that the impending vacancy was duly posted and advertised. This committee has recently met and selected several of the applicants for potential interviews. The first of these interviews, to be conducted by the Selection Committee, was scheduled for July 16th.

Edward C. Monahan, Chairman
Southeastern Connecticut Water Authority

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To: Water & Sewer Commission

Fr: Carol Russell

Re: US Senate Sub-Committee Testimony on Water Fluoridation

Attached is a copy of the opening statement from testimony before a Senate sub-committee given on June 29, 2000 by Dr. J. William Hirzy, the vice-president of the union which represents the toxicologists, biologists, chemists, and other professionals employed at the EPA headquarters in Washington, D.C.

Dr. Hirzy explains why he and his union membership voted to oppose water fluoridation and "believe that a national moratorium on water fluoridation should be instituted." One of the concern areas highlighted is brain effect research and the need for a congressional Select Committee to hear expert testimony on this research, including possible implications relevant to "the national concern over incidence of attention deficit-hyperactivity disorder and autism in our children."

Dr. Hirzy cites a 1997 study by the National Institute of Dental Research which finds that <u>66%</u> of US children <u>in fluoridated communities</u> show visible signs of fluoride over-exposure, i.e. dental fluorosis. He expresses concern about how this overexposure may be causing other, less visible, damage.

"Without trying to ascribe a cause and effect relationship beforehand, we do know that American children in large numbers are afflicted with hyperactivity-attention deficit disorder, that autism seems to be on the rise, that bone fractures in young athletes and military personnel are on the rise, that earlier onset of puberty in young women is occurring. There are biologically plausible mechanisms described in peer-reviewed research on fluoride that can link some of these effects to fluoride exposures ... Considering the economic and human cost of these conditions, we believe that Congress should order epidemiology studies that use dental fluorosis as an index of exposure to determine if there are links between such effects and fluoride over-exposure."

I do not know what, if any, congressional follow-up occurred pursuant to Dr. Hirzy's testimony.

I happened on this document last week while checking the current status of the EPA's reevaluation of its 4.0 mg/L maximum standard for fluoride in drinking water. Currently both the MCL (Maximum Contaminant Level) and the MCLG (Maximum Contaminant Level Goal) are the same. The 2006 NAS/NRC review of the EPA's drinking water standards found that the 4.0 mg/L standard does not protect against adverse health effects, highlighting known risks for dental and skeletal fluorosis. In response the EPA has been in the process of making a determination of an appropriate downward revision to both the MCL and the MCLG. The MCL is the enforceable standard and generally is set as close to the MCLG as possible, considering other factors such as treatment technology and costs. To date the EPA reevaluation remains on-going and the 4.0 mg/L maximum standard for fluoride remains in effect. The 2011 HHS proposed reduction of the CDC optimal standard for voluntary water fluorise week to 0.7 mg/L (to address the national incidence of dental fluorosis) also has not yet been finalized.

tachment - submitted by C. Russece

JUL 29 2014

# NTEU CHAPTER 280 - U.S. ENVIRONMENTAL PROTECTION AGENCY, NATIONAL HEADQUARTERS BEN FRANKLIN STATION, BOX 7672, WASHINGTON D.C. 20044 - PHONE 202-566-2789

INTERNET http://www.nteu280.org E MAIL Al-Mudallal.Amer@epa.gov

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# SUBCOMMITTEE ON WILDLIFE, FISHERIES AND DRINKING WATER

# UNITED STATES SENATE

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1 500 mg/s real ou JUNE 29, 2000 m. real greet here's except very a sense.

Good morning Mr. Chairman and Members of the Subcommittee. I appreciate the opportunity to appear before this Subcommittee to present the views of the union, of which I am a Vice-President, on the subject of fluoridation of public water supplies.

Our union is comprised of and represents the professional employees at the headquarters location of the U.S. Environmental Protection Agency in Washington D.C. Our members include toxicologists, biologists, chemists, engineers, lawyers and others defined by law as "professionals." The work we do includes evaluation of toxicity, exposure and economic information for management's use in formulating public health and environmental protection policy. I am not here as a representative of EPA, but rather as a representative of EPA headquarters professional employees, through their duly elected labor union. The union first got involved in this issue in 1985 as a matter of professional ethics. In 1997 we most recently voted to oppose fluoridation. Our opposition has strengthened since then.

# Summary of Recommendations | Summary of Reco

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1) We ask that you order an independent review of a cancer bioassay previously mandated by Congressional committee and subsequently performed by Battelle Memorial Institute with appropriate blinding and instructions that all reviewer's independent determinations be reported to this Committee.

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- 2) We ask that you order that the two waste products of the fertilizer industry that are now used in 90% of fluoridation programs, for which EPA states they are not able to identify any chronic studies, be used in any future toxicity studies, rather than a substitute chemical. Further, since federal agencies are actively advocating that each man woman and child drink, eat and bathe in these chemicals, silicofluorides should be placed at the head of the list for establishing a MCL that complies with the Safe Drinking Water Act. This means that the MCL be protective of the most sensitive of our population, including infants, with an appropriate margin of safety for ingestion over an entire lifetime.
- 3) We ask that you order an epidemiology study comparing children with dental fluorosis to those not displaying overdose during growth and development years for behavioral and other disorders.
- 4) We ask that you convene a joint Congressional Committee to give the only substance that is being mandated for ingestion throughout this country the full hearing that it deserves.

National Review of Fluoridation The Subcommittee's hearing today can only begin to get at the issues surrounding the policy of water fluoridation in the United States, a massive experiment that has been run on the American public, without informed consent, for over fifty years. The last Congressional hearings on this subject were held in 1977. Much knowledge has been gained in the intervening years. It is high time for a national review of this policy by a Joint Select Committee of Congress. New hearings should explore, at minimum, these points: WP="BR1">

- 1) excessive and un-controlled fluoride exposures;
- 2) altered findings of a cancer bioassay; a sympletic content to the second and t
- 3) the results and implications of recent brain effects research;
- 4) the "protected pollutant" status of fluoride within EPA;
- 5) the altered recommendations to EPA of a 1983 Surgeon General's Panel on fluoride;
- 6) the results of a fifty-year experiment on fluoridation in two New York communities;
- 7) the findings of fact in three landmark lawsuits since 1978; which is the state of the state o
- 8) the findings and implications of recent research linking the predominant fluoridation chemical with elevated blood-lead levels in children and anti-social behavior; and
- 9) changing views among dental researchers on the efficacy of water fluoridation

Fluoride Exposures Are Excessive and Un-controlled According to a study by the National Institute of Dental Research, 66 percent of America's children in fluoridated communities show the visible sign of over-exposure and fluoride toxicity, dental fluorosis (1). That result is from a survey done in the mid-1980's and the figure today is undoubtedly much higher.

Centers for Disease Control and EPA claim that dental fluorosis is only a "cosmetic" effect. God did not create humans with fluorosed teeth. That effect occurs when children ingest more fluoride than their bodies can handle with the metabolic processes we were born with, and their teeth are damaged as a result. And not only their teeth. Children's bones and other tissues, as well as their developing teeth are accumulating too much fluoride. We can see the effect on teeth. Few researchers, if any, are looking for the effects of excessive fluoride exposure on bone and other tissues in American children. What has been reported so far in this connection is disturbing. One example is epidemiological evidence (2a, 2b) showing elevated bone cancer in young men related to consumption of fluoridated drinking water.

Without trying to ascribe a cause and effect relationship beforehand, we do know that American children in large numbers are afflicted with hyperactivity-attention deficit disorder, that autism seems to be on the rise, that bone fractures in young athletes and military personnel are on the rise, that earlier onset of puberty in young women is occurring. There are biologically plausible mechanisms described in peer-reviewed research on fluoride that can link some of these effects to fluoride exposures (e.g. 3,4,5,6). Considering the economic and human costs of these conditions, we believe that Congress should order epidemiology studies that use dental fluorosis as an index of exposure to determine if there are links between such effects and fluoride over-exposure.

In the interim, while this epidemiology is conducted, we believe that a national moratorium on water fluoridation should be instituted. There will be a hue and cry from some quarters, predicting increased dental caries, but Europe has about the same rate of dental caries as the U.S. (7) and most European countries do not fluoridate (8). I am submitting letters from European and Asian authorities on this point. There are studies in the U.S. of localities that have interrupted fluoridation with no discernable increase in dental caries rates (e.g., 9). And people who want the freedom of choice to continue to ingest fluoride can do so by other means.

Cancer Bioassay Findings In 1990, the results of the National Toxicology Program cancer bioassay on sodium fluoride were published (10), the initial findings of which would have ended fluoridation. But a special commission was hastily convened to review the findings, resulting in the salvation of fluoridation through systematic down-grading of the evidence of carcinogenicity. The final, published version of the NTP report says that there is, "equivocal evidence of carcinogenicity in male rats," changed from "clear evidence of carcinogenicity in male rats."

The change prompted Dr. William Marcus, who was then Senior Science Adviser and Toxicologist in the Office of Drinking Water, to blow the whistle about the issue (22), which led to his firing by EPA. Dr. Marcus sued EPA, won his case and was reinstated with back pay, benefits and compensatory damages. I am submitting material from Dr. Marcus to the Subcommittee dealing with the cancer and

Judge Anthony Farris in Texas found: "[That] the artificial fluoridation of public water supplies, such as contemplated by {Houston} City ordinance No. 80-2530 may cause or contribute to the cause of cancer, genetic damage, intolerant reactions, and chronic toxicity, including dental mottling, in man; that the said artificial fluoridation may aggravate malnutrition and existing illness in man; and that the value of said artificial fluoridation is in some doubt as to reduction of tooth decay in man."

The significance of Judge Flaherty's statement and his and the other two judges' findings of fact is this: proponents of fluoridation are fond of reciting endorsement statements by authorities, such as those by CDC and the American Dental Association, both of which have long-standing commitments that are hard if not impossible to recant, on the safety and efficacy of fluoridation. Now come three truly independent servants of justice, the judges in these three cases, and they find that fluoridation of water supplies is not justified.

Proponents of fluoridation are absolutely right about one thing: there is no real controversy about fluoridation when the facts are heard by an open mind.

I am submitting a copy of the excerpted letter from Judge Flaherty and another letter referenced in it that was sent to Judge Flaherty by Dr. Peter Sammartino, then Chancellor of Fairleigh Dickenson University. I am also submitting a reprint copy of an article in the Spring 1999 issue of the Florida State University Journal of Land Use and Environmental Law by Jack Graham and Dr. Pierre Morin, titled "Highlights in North American Litigation During the Twentieth Century on Artificial Fluoridation of Public Water. Mr. Graham was chief litigator in the case before Judge Flaherty and in the other two cases (in Illinois and Texas).

We believe that Mr. Graham should be called before a Select Committee along with, if appropriate, the judges in these three cases who could relate their experience as trial judges in these cases.

Hydrofluosilicic Acid There are no chronic toxicity data on the predominant chemical, hydrofluosilicic acid and its sodium salt, used to fluoridate American communities. Newly published studies (19) indicate a link between use of these chemicals and elevated level of lead in children's blood and anti-social behavior. Material from the authors of these studies has been submitted by them independently.

We believe the authors of these papers and their critics should be called before a Select Committee to explain to you and the American people what these papers mean for continuation of the policy of fluoridation.

Changing Views on Efficacy and Risk In recent years, two prominent dental researchers who were leaders of the pro-fluoridation movement announced reversals of their former positions because they concluded that water fluoridation is not an effective means of reducing dental caries and that it poses serious risks to human health. The late Dr. John Colquhoun was Principal Dental Officer of Aukland, New Zealand, and he published his reasons for changing sides in 1997 (20). In 1999, Dr. Hardy Limeback, Head of Preventive Dentistry, University of Toronto, announced his change of views, then published a statement (21) dated April 2000. I am submitting a copy of Dr. Limeback's publications.

We believe that Dr. Limeback, along with fluoridation proponents who have not changed their minds, such as Drs. Ernest Newbrun and Herschel Horowitz, should be called before a Select Committee to testify on the reasons for their respective positions.

Thank you for you consideration, and I will be happy to take questions.

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- 3. Neurotoxicity of sodium fluoride in rats. Mullenix, P.J., Denbesten, P.K., Schunior, A. and Kernan, W.J. Neurotoxicol. Teratol. 17 169-177 (1995)
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- 8. Letters from government authorities in response to inquiries on fluoridation status by E. Albright. Eugene Albright: contact through J. W. Hirzy, P.O. Box 76082, Washington, D.C. 20013.
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- 15. Letter from Rebecca Hanmer, Deputy Assistant Administrator for Water, to Leslie Russell re: EPA view on use of by-product fluosilicic (sic) acid as low cost source of fluoride to water authorities. March 30, 1983.
- 16. Transcript of proceedings Surgeon General's (Koop) ad hoc committee on non-dental effects of fluoride. April 18-19, 1983. National Institutes of Health. Bethesda, MD.
- 17. Recommendations for fluoride use in children. Kumar, J.V. and Green, E.L. New York State Dent. J. (1998) 40-47.
- 18. Highlights in North American litigation during the twentieth century on artificial fluoridation of public water supplies. Graham, J.R. and Morin, P. *Journal of Land Use and Environmental Law* 14 195-248 (Spring 1999) Florida State University College of Law.
- 19. Water treatment with silicofluorides and lead toxicity. Masters, R.D. and Coplan, M.J. Intern. J. Environ. Studies <u>56</u> 435-49 (1999).
- 20. Why I changed my mind about water fluoridation. Colquhoun, J. Perspectives in Biol. And Medicine 41 1-16 (1997).
- 21. Letter. Limeback, H. April 2000. Faculty of Dentistry, University of Toronto.
- 22.. Memorandum: Subject: Fluoride Conference to Review the NTP Draft Fluoride Report; From: Wm. L. Marcus, Senior Science Advisor ODW; To: Alan B. Hais, Acting Director Criteria & Standards Division Office of Drinking Water. May 1, 1990.