



CAL DOOLEY
PRESIDENT AND CEO

June 2, 2010

Vanessa Vu, Ph.D.
Director
US Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N. W.
(Mail Code: 1400F)
Washington, DC 20460

Dear Dr. Vu:

I am writing to bring to your attention an important time-sensitive issue involving the upcoming Science Advisory Board (SAB) review of EPA's Reanalysis of Key Issues Related to Dioxin Toxicity and Responses to NAS Comments (Draft Report). Given the current, compressed peer review schedule, we are concerned that the SAB will be unable to fulfill its role of providing independent and robust peer review of EPA's Draft Report.

In the May 24, 2010, Federal Register (FR) notice, EPA's SAB announced a teleconference and a face-to-face meeting of its Dioxin Review Panel to review EPA's Draft Report. The Draft Report – nearly 2000 pages of highly technical analyses - was issued in response to a 2006 National Academies report on EPA's draft dioxin reassessment. Although EPA provided the public with a 90-day comment period, the timing of the SAB meetings effectively limits the comment period to a mere 34 calendar days before the SAB's June 24th public teleconference and 53 days before the July 13-15 face-to-face meeting. The public will have little time to review the Draft Report, let alone prepare helpful written and oral comments to assist the SAB in its deliberations.

Moreover, the SAB has constrained the review by establishing significant time constraints on oral presentation during the public meetings. Specifically, oral presentations during the SAB teleconference are limited to three minutes per speaker, and no more than 30 minutes for all speakers. At the face-to-face meeting, presentations are limited to no more than 5 minutes per speaker, for a total of 1 hour for all speakers.

ACC believes that it is important for the SAB to protect the integrity of the peer-review process, particularly ensuring that the process allows ample opportunity and time for a substantive discussion of important issues. Unfortunately, the process for the peer review of



the Dioxin Reassessment does not currently allow that opportunity. ACC therefore urges the SAB to postpone its meetings until at least 60 days after EPA transmits public comments to the SAB, at the close of the public comment period. The SAB should also provide ample time for stakeholders to present oral comments during its public meetings.

In light of the fast approaching SAB public meetings, I would appreciate a response to these requests as soon as possible. If you wish to discuss this or any other matter, please do not hesitate to contact me.

Sincerely,

Cal Dooley

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cc: Dr. Thomas Armitage, DFO
Mr. Anthony F. Maciorowski, Deputy Director



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C. 20460

OFFICE OF THE ADMINISTRATOR
EPA SCIENCE ADVISORY BOARD

June 4, 2010

Mr. Cal Dooley
President and CEO
American Chemistry Council
1300 Wilson Boulevard
Arlington, VA 22209

Dear Mr. Dooley:

This is to respond to your letter of June 2, 2010 expressing concern about the peer review schedule of EPA's Science Advisory Board (SAB) Dioxin Review Panel. You requested that the SAB meeting be postponed at least 60 days after the end of EPA's 90 days public comment period to allow more time for the public to submit comments for the SAB consideration. You also requested that additional time be allotted to public speakers to provide oral statements at the SAB meetings.

As I explained to you during our telephone conversation of June 3, 2010, the SAB Panel meeting of July 13-15, 2010 was scheduled in advance, anticipating that the EPA's draft technical document on Dioxin would be issued in early 2010. Given the complexity of the scientific issues, I expect that the SAB Panel will initiate discussion at the July meeting and that the SAB Panel will need additional public meetings for follow up discussion and review of the panel's draft peer review report. In addition, the chartered SAB will hold a public meeting to conduct a quality review of the panel's draft report before the final report will be transmitted to the Administrator. Therefore, I believe that there will be ample opportunity for the public to provide additional comments for the SAB consideration at subsequent public meetings. Any public comments submitted to the SAB during the advisory process will be made available to advisory members and the public on the SAB web site.

Public input is a critical part of SAB advisory process. The SAB encourages members of the interested public to provide detailed written comments for the SAB consideration in their discussion and deliberation. The SAB routinely provides the public an opportunity to make oral statements to highlight key written comments. The general practice is to allot about 5 minutes to each public speaker to ensure that as many speakers who wish to present their oral statements to the SAB can be accommodated. The SAB meeting agenda will be adjusted by the Chair if needed. Given the national importance and the wide public interest in this particular subject, I expect the SAB will extend the public comment period to more than one hour. We encourage the American Chemistry Council to submit written comments to Dr. Thomas Armitage, SAB Designated Federal Officer, for the SAB consideration.

We thank you for your interest in this important SAB peer review activity. Please contact Dr. Armitage at armitage.thomas@epa.gov should you have any further questions regarding the public input process.

Sincerely,

Vanessa T. Vu, Ph.D.
Director

cc: Dr. Thomas Armitage
Dr. Anthony Maciorowski