



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C. 20460

OFFICE OF THE ADMINISTRATOR
SCIENCE ADVISORY BOARD

May 31, 2013

The Honorable Chris Stewart
Chairman
Committee on Science, Space, and Technology
Subcommittee on Environment
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Stewart:

Thank you for your letter of May 2, 2013, to Drs. David Dzombak and David Allen that provided information and questions for consideration by the Environmental Protection Agency (EPA) Science Advisory Board (SAB) and the SAB Hydraulic Fracturing Research Advisory Panel. Drs. Dzombak and Allen forwarded the letter to SAB Designated Federal Officer Mr. Edward Hanlon and me. In accordance with the requirements of the Federal Advisory Committee Act and EPA policy, the letter was provided to the members of the SAB panel for their consideration. The letter was posted on the SAB website on May 3, 2013. The panel chair, Dr. Dzombak, called the letter to the attention of the panel at the beginning of its May 7-8, 2013, public meeting. Drs. Dzombak and Allen participated in the development of this response to your letter.

The purpose of the May 7-8, 2013 meeting was for the panel members to receive briefings about the research described in the EPA's *Study of the Potential Impacts of Hydraulic Fracturing on Drinking Water Resources: Progress Report*, released in December 2012, and for members of the Panel to provide individual expert comments on charge questions associated with the research. At the EPA's request, the May meeting was a consultation between the individual panel members and representatives of the agency's Office of Research and Development on the progress report, rather than a formal peer review by the SAB. Thus, there will be no formal report from the SAB resulting from the meeting. Minutes from the meeting, written comments from individual experts on the panel, and a brief letter documenting that the consultation occurred will be posted on the SAB website.

Among the questions you pose in your letter, 11 questions identify additional areas of inquiry that you request the SAB panel to pursue regarding the EPA's hydraulic fracturing research study. Although the recent panel meeting was a consultation and no SAB report will be prepared, the SAB panelists will have an opportunity to independently consider the questions you raise, as noted in our response to Question 2 below. The SAB Staff Office has also shared your letter with the Office of Research and Development for consideration as it moves forward.

The remaining three questions can be addressed by the EPA. These questions and the EPA's responses follow.

Question 1: What impact will this change (i.e., the extension of EPA's deadline for the public to submit data and scientific literature on hydraulic fracturing from April 30 to November 15, 2013) have on the Board and Panel's review of EPA's ongoing research?

Response: The EPA's Office of Research and Development has communicated that the draft Report of Results of the EPA's ongoing research will be available for SAB peer review by December 2014. The SAB panel review will be held approximately one month after the EPA draft is available to allow time for panel members and the public to review the document. Once the SAB panel has developed its draft advisory report, the chartered SAB will hold a public meeting to consider the draft panel report and determine what advice to transmit to the EPA Administrator.

The Office of Research and Development has informed us that the extension of EPA's deadline for the public to submit data and scientific literature will have no impact on the schedule for the development of the report with results of the study.

Question 2: When does the Board and Panel plan to meet and accept public comments between now and the intended completion of draft study results in December 2014?

Response: In accordance with the requirements of the Federal Advisory Committee Act and EPA policy, the EPA plans one or more additional public meetings of the panel to peer review the draft EPA study, expected to be released in December 2014, and to receive public comments associated with that review. The public also will have an opportunity to provide written and oral comments to the chartered SAB when the Board meets to review and consider the panel's draft report. Each of these public meetings will be announced in the *Federal Register* and on the SAB website approximately one month in advance to allow the public adequate time to review all materials and prepare written comments.

The EPA recognizes the need to keep the panel informed about new and emerging information and questions related to hydraulic fracturing to help the panel prepare for the peer review of the agency's draft Report of Results. The SAB Staff Office will contact panel members to determine if they desire additional information, briefings, or opportunities to discuss information, including your letter, provided to them before or at the May 7-8, 2013 meeting. The EPA will provide notice in the *Federal Register* and on the SAB website about any future meetings of the panel.

Question 3: If the compilation of the parts is "highly influential", should all study results, parts or components (i.e., individual reports) that are intended to be included in the 2014 final report also be classified as "highly influential"?

Response: The EPA's Office of Research and Development has communicated that the individual reports that comprise the agency's Report of Results do not meet the Office of Management of Budget's (OMB) criteria, as described in OMB's *Information Quality Bulletin for Peer Review*, for "highly influential scientific assessments" (HISA). As defined by OMB, HISAs are characterized by studies that evaluate a body of scientific work and synthesize multiple inputs, data and models. The EPA report on potential impacts of hydraulic fracturing on drinking water resources, expected to be released in December 2014, is classified as a HISA because it will synthesize the results of multiple studies, including results from ongoing research and a literature review.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Dr. Angela Nugent, Designated Federal Officer for the Chartered SAB at (202) 564-2218.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Zarba', written in a cursive style.

Christopher Zarba
Acting Director

cc: Dr. David Allen, Chair, SAB
Dr. David Dzombak, Member, SAB