



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C. 20460

OFFICE OF THE ADMINISTRATOR
SCIENCE ADVISORY BOARD

October 22, 2015

EPA-SAB-16-001

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Subject: Science Advisory Board (SAB) Consideration of EPA Planned Actions in the Spring 2015 Unified (Regulatory) Agenda and their Supporting Science

Dear Administrator McCarthy:

As part of its statutory duties, the Science Advisory Board (SAB) recently concluded discussions about possible review of the science supporting major EPA planned actions associated with the Spring 2015 Unified (Regulatory) Agenda and Regulatory Plan. The EPA Office of Policy provided notice of the release of this information on May 22, 2015. The SAB held a public teleconference on September 24, 2015, to discuss whether to review the science supporting any of the planned regulatory actions in that agenda in order to provide advice and comment on the adequacy of the science.

The SAB focused its attention on the seven major actions identified by the EPA Office of Policy as being planned but not yet proposed as of the date the Agenda was published in the *Federal Register*. At the September 24, 2015, public teleconference, the SAB decided that it will not undertake review of the science supporting any actions in the Spring 2015 semi-annual regulatory agenda at this time.

In conducting the review of the planned actions in the Spring 2015 Regulatory Agenda, the Board identified two topics — (1) the Integrated Planning Model used to project air emissions from electric generating units and (2) the need to transition to greener chemicals, processes and technologies — on which it had previously provided recommendations to the agency. While these comments do not constitute requests for the further review of the planned action by the SAB, they are presented to emphasize opportunities to apply SAB advice and recommendations across the agency's research and program offices.

Integrated Planning Model

The Board notes that several actions on the EPA's current and previous regulatory agendas (i.e., *Interstate Transport Rule for the 2008 Ozone NAAQS [2060-AS05]* and *Greenhouse Gas New Source Performance Standard for Electric Generating Units-Emission Guidelines for Existing Sources [2060-AR33]*, respectively) rely on the Integrated Planning Model (IPM) for projecting future emissions of

ozone precursors or greenhouse gases from electric generating units (EGUs). The Board appreciates the agency's response to questions from SAB members regarding the IPM and the agency's efforts to update and improve the IPM as provided on the September 24 public teleconference. The Board agrees that incorporating updates and lessons learned are good approaches to update the IPM. Outreach to other agencies and forums like the Eastern Regional Technical Advisory Committee and the Energy Modeling Forum also should keep the IPM consistent with state-of-the-art energy and economic modeling. The SAB encourages the agency to continue to engage with stakeholders and to publish the full documentation from the IPM to increase its transparency. The SAB recognizes the importance of the IPM to project future emissions and provide the scientific and technical support for future actions relating to emissions of ozone precursors and greenhouse gases and welcomes future briefings on the agency's efforts to increase the transparency and comparability of the IPM to other EGU emission projection tools.

Safer and Sustainable Chemicals

The agency developed a great deal of information documenting the science supporting the *Trichloroethylene (TCE); Rulemaking Under TSCA Section 6(a)* and *N-Methylpyrrolidone (NMP) and Methylene Chloride; Rulemaking Under TSCA Section 6(a)*. The SAB notes that the publicly available information and the agency responses to questions from the SAB Work Group facilitated the Board's review of the actions and provides a strong basis for future consideration of actions developed under the Toxic Substances Control Act (TSCA) Section 6. Options for alternatives were extensively discussed in the information provided by the agency for TCE but not NMP or methylene chloride. The agency noted the proposed rules would describe the preferred risk management approach and alternatives explaining how the approach achieves adequate protection using the least burdensome requirements, discuss cost and benefits of alternative approaches and provide an opportunity for public comment.

The SAB and Board of Scientific Counselors (BOSC) provided advice and recommendations to the agency encouraging the transition to safer chemicals and greener processes and technologies. In the recent review of the agency's Strategic Research Action Plans and the six major research program areas (EPA-SAB-15-004) the SAB and BOSC found that the EPA must be prepared to address questions such as: how to design and produce safer chemicals; how chemicals and their byproducts interact in the environment; how to promote safer, sustainable use of chemicals throughout their lifecycle as it addresses the contribution of chemical exposure to the overall disease burden in humans (including susceptible subpopulations) and the environment? The SAB encourages the agency to continue to use the results from these research programs and the TSCA evaluations to identify risk management alternatives that include safer chemicals and greener processes and technologies.

Information on Planned Actions in the Regulatory Agenda

The agency's descriptions for the Spring 2015 planned actions continue to improve and generally provide more complete information to inform the SAB's decisions than those provided for past SAB reviews of the agency's regulatory agenda. The explanation of the peer review process provided for the Spring 2015 planned actions was complete and helpful to the Board's review process. The SAB strongly recommends that the EPA continue to include specific information on the peer review of the associated science and description of the scientific and technological bases for the planned actions in future descriptions for SAB consideration.

The SAB appreciates the information provided by the EPA describing the planned actions, associated scientific questions, and agency plans for scientific analyses and peer review. The information provided by the agency and a memorandum documenting the Work Group's review and fact-finding discussions with EPA Staff are available on the SAB website.

On behalf of the SAB, I thank you for the opportunity to support the EPA through consideration of the science supporting actions in the agency's regulatory agenda.

Sincerely,

/S/

Dr. Peter S. Thorne, Chair
Science Advisory Board

Enclosure

(1) Roster of SAB Members

NOTICE

This report has been written as part of the activities of the EPA Science Advisory Board (SAB), a public advisory group providing extramural scientific information and advice to the Administrator and other officials of the Environmental Protection Agency. The SAB is structured to provide balanced, expert assessment of scientific matters related to problems facing the agency. This report has not been reviewed for approval by the agency and, hence, the contents of this report do not represent the views and policies of the Environmental Protection Agency, nor of other agencies in the Executive Branch of the Federal government, nor does mention of trade names of commercial products constitute a recommendation for use. Reports of the SAB are posted on the EPA website at <http://www.epa.gov/sab>.

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