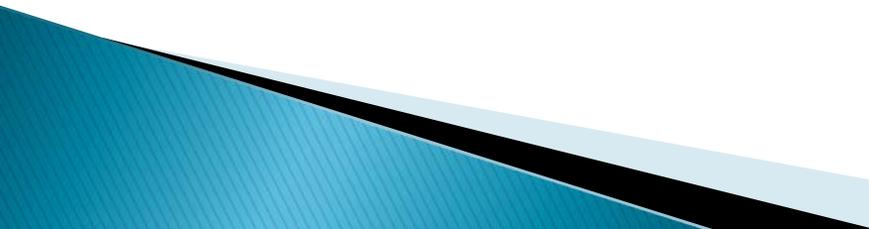


# SAB COMMITTEE/PANEL FORMATION and the Chemical Assessment Advisory Committee

CAAC meeting  
April 3, 2013

# Outline

- ▶ Background
  - ▶ Role of SAB
  - ▶ SAB Committee/Panel Formation Process
  - ▶ Ethics Considerations
  - ▶ Formation and Role of CAAC
  - ▶ Public Participation
  - ▶ Upcoming Reviews
- 

# SAB Staff Office

Manage and support three Congressionally mandated Federal Advisory Committees (FACs) in delivering independent advice to the Administrator on scientific and technical matters underlying major EPA policies and actions:

- ▶ Science Advisory Board
  - ▶ Clean Air Scientific Advisory Committee
  - ▶ Advisory Council on Clean Air Compliance Analysis
- 

# Federal Advisory Committee Act (FACA)

Enacted by Congress in 1972 to govern the creation and operation of advisory committees:

- ▶ Hold open public meetings; may close only in limited circumstances;
  - ▶ Allow the public an opportunity to file written statements or provide oral statements at public meetings;
  - ▶ Maintain all committee documents for public inspection; and
  - ▶ Maintain a balanced membership in terms of points of view.
- 

# The Role and Mandate of the EPA SAB

Established in 1978 by the *Environmental Research, Development, and Demonstration Authorization Act (ERDDAA)* to:

- ▶ *“provide such scientific advice as may be requested by the Administrator, the Committee on Environment and Public Works of the United States Senate, or the Committee on Science, Space, and Technology, on Energy and Commerce, or on Public Works and Transportation of the House of Representatives”*
- ▶ After being provided with information on proposed agency actions, the SAB: *“may make available to the Administrator, within the time specified by the Administrator, its advice and comments on the adequacy of the scientific and technical basis of the proposed criteria document, standard, limitation, or regulation.”*

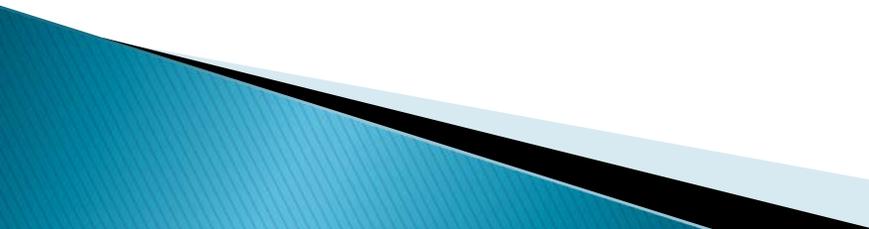
# Types of SAB committees / panels

- ▶ Standing committees (7)
  - All members appointed by the Administrator\*
- ▶ Standing committee augmented with other experts
  - Committee members appointed by Administrator\*, other experts appointed by SABSO Director#
- ▶ *Ad hoc* panel
  - All members appointed by SABSO Director#

\* a term of 3 years, renewable once for another 3 years – 6 years total

# appointed for the duration of the advisory activity they serve on

# Nomination process

- ▶ SAB staff works with EPA office to determine schedule and expertise needs
  - ▶ Federal Register Notice is published seeking nominations in the specified areas of expertise
  - ▶ Experts may also be independently identified by SABSO
  - ▶ Nominees are contacted to determine their interest in being considered for membership
  - ▶ A list of prospective candidates is posted on the SAB website for public comment
- 

# Evaluation of candidates

- ▶ Elements used in evaluating candidates may include:
    - Candidate's CV
    - Candidate's publications
    - Google search
    - Lexus–Nexus search
    - Lobbyist status
    - Public comments
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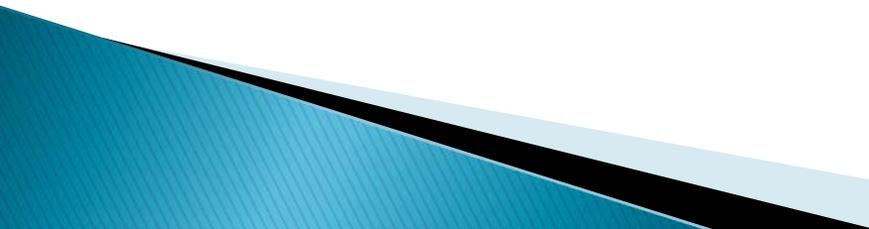
# Criteria for Selection of members for augmented committees and *ad hoc* panels

- ▶ Scientific and/or technical expertise, knowledge, and experience;
  - ▶ Availability and willingness to serve;
  - ▶ Absence of financial conflicts of interest;
  - ▶ Absence of appearance of a loss of impartiality;
  - ▶ Skills working in advisory committees and panels; and
  - ▶ For the panel as a whole, diversity of scientific expertise and viewpoints.
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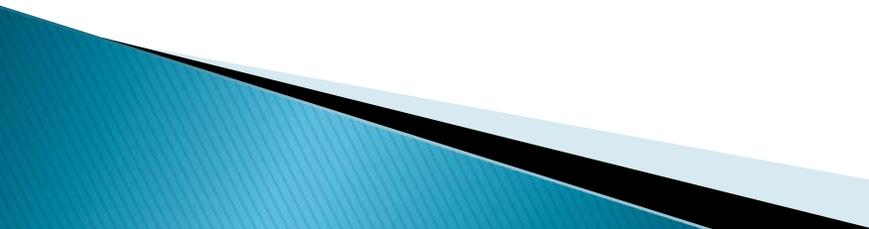
# Ethics Considerations

Mr. Dan Fort  
Ethics Officer  
EPA Office of General Counsel

# Forming the CAAC

- ▶ Solicited nominations – 2FRN
  - ▶ Published both lists for public comment
  - ▶ Evaluation of candidates, not for COI or impartiality
  - ▶ Recommendations made to the Administrator
  - ▶ Appointments finalized in December 2012–  
terms expire on September 30, 2015
- 

# Role of CAAC

- ▶ CAAC forms the core group– not all members will participate in all reviews
  - ▶ Chemical–specific experts will be added for each review
    - SAB nomination/selection process will be followed
  - ▶ Chairs of augmented panels will be members of the Chartered SAB
  - ▶ Reports will undergo a quality review and approval process by the Chartered SAB
- 

# Public Participation

- ▶ Nomination of experts
  - ▶ Providing public comments on the lists of candidates
  - ▶ Providing oral or written comments for consideration by committee/panel members on the scientific issues under review
    - SAB process is different from EPA dockets for public comments
- 

# Summary

- ▶ Not all IRIS Toxicological Review documents will be brought to SAB for peer-review
- ▶ CAAC is a standing committee of the SAB which is a chartered advisory committee that is governed by the provisions of FACA
  - CAAC will abide by all the policies and procedures that govern the SAB, including:
    - all reports generated by this committee will go to the chartered SAB for approval,
    - all meetings will be announced in the FR,
    - all meetings where the committee is deliberating on the charge will be public,
    - the public will have opportunity to make oral comments and/or submit written comments for the consideration by the CAAC members, and
    - CAAC panels will be balanced in terms of scientific expertise and points of view.

# Summary – Ethics in Government Act

- Advisors typically serve as Special Government Employees (SGEs) as defined under 18 U.S.C. 202(a) or in some cases as Regular Government Employees (RGEs), if they are renowned experts from other federal agencies.
  - SGEs and RGEs must abide by appropriate ethics regulations issued by the U.S. Office of Government Ethics, which require:
    - Submission of a confidential financial disclosure form and
    - Completion of annual ethics training.
  - SAB Staff Office conducts a review for each SGE in the context of each advisory activity to ensure there is no conflict of interest and no appearance of loss of impartiality.
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# Upcoming Reviews

- ▶ Trimethylbenzene
- ▶ Ammonia
- ▶ Benzo[a]pyrene

CAAC will not be reviewing all IRIS toxicological reviews – only selected reviews will be brought to the CAAC