

**U.S. Environmental Protection Agency
EPA Science Advisory Board (SAB) Staff Office
Clean Air Scientific Advisory Committee (CASAC)
CASAC Lead Review Panel**

Summary Meeting Minutes of the CASAC's Public Advisory Teleconference

Monday, March 9, 2007 – 1:00 to 5:00 p.m. Eastern Time

SAB Staff Office, Washington DC

**Advisory Meeting to Review CASAC's Working-Draft Letter/Report on
EPA's 1st Draft Lead Staff Paper and Pilot-Phase Draft Risk Assessment**

Panel Members: See CASAC Lead Review Panel Roster – Appendix A

Agenda: See Meeting Agenda – Appendix B

Purpose: The purpose of this public teleconference meeting was for the CASAC Lead Review Panel to review and approve the CASAC's draft letter to the EPA Administrator resulting from its February 6-7, 2007 meeting to conduct a peer review of the 1st Draft Lead Staff Paper and the Draft Lead Exposure and Risk Assessments

Attendees:

Chair:	Dr. Rogene Henderson
CASAC Members:	Dr. Ellis Cowling Dr. James Crapo Mr. Richard Poirot Dr. Armistead (Ted) Russell Dr. Frank Speizer
Panel Members:	Dr. Joshua Cohen Dr. Bruce Fowler Dr. Andrew Friedland Dr. Robert Goyer Mr. Sean Hays Dr. Bruce Lanphear Dr. Frederick J. Miller Dr. Paul Mushak Dr. Michael Rabinowitz Dr. Ian von Lindern Dr. Barbara Zielinska
EPA SAB Staff:	Mr. Fred Butterfield, CASAC Designated Federal Officer (DFO) Dr. Vanessa Vu, SAB Staff Office Director

Other EPA Staff: Dr. Karen Martin, OAR, OAQPS
Dr. Zachary Pekar, OAR, OAQPS
Ms. Lydia Wegman, OAR, OAQPS

Meeting Summary

The discussion followed the issues and general timing as presented in the meeting agenda (Appendix B).

Convene Meeting, Call Attendance, Introduction and Administration

Mr. Fred Butterfield, Designated Federal Officer (DFO) for the Clean Air Scientific Advisory Committee, opened the teleconference meeting, called attendance, and welcomed all attendees. He noted the CASAC is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA) to provide advice and recommendations to the EPA Administrator. Consistent with FACA regulations, the deliberations of CASAC are held as public meetings and teleconferences for which advance notice is given in the *Federal Register*. The DFO is present at all such meetings to assure compliance with FACA requirements. He mentioned that there would be no individuals making public comments today. Mr. Butterfield said a transcript of this teleconference is not being taken. However, summary minutes were taken (by the DFO) for this teleconference meeting. These minutes will be certified by the CASAC (and Lead Review Panel) Chair and posted on the SAB Web Site (<http://www.epa.gov/sab/>) within 90 days after the meeting. Mr. Butterfield noted that all panelists had earlier submitted documentation with respect to possible financial conflicts-of-interest or appearances of a lack of impartiality, which was reviewed by the SAB staff prior to the teleconference meeting and found to be satisfactory.

Purpose of Meeting and Welcome

Dr. Rogene Henderson, CASAC and Lead Review Panel Chair, welcomed Panel members and briefly stated the purpose of the meeting (see above) and reviewed the Panel's work activities to date. She then introduced Ms. Lydia Wegman of EPA's Office of Air Quality Planning and Standards (OAQPS) to provide some information on the updated Lead NAAQS review schedule.

Remarks from OAQPS concerning EPA's final Draft Staff Paper

Ms. Lydia Wegman, OAQPS, thanked the members of the Lead Panel, and then briefed the Panel on the changes that the Agency is proposing to the schedule for the current review of the Lead NAAQS. Specifically, OAQPS intends to release the 2nd Draft Risk Assessment (RA) report in late July 2007, with a CASAC Lead Panel meeting to review this 2nd CASAC Draft RA in late August 2007. OAQPS will then publish the Final RA report by the end of October 2007. The Agency will publish the Lead Policy Assessment (PA) in the form of an Advance Notice of Proposed Rulemaking (ANPR) by November 30, 2007. There will then be a six-week public comment period through January 12, 2008, at the end of which CASAC will meet to review the ANPR. The Agency will issue the Proposed Rule for the Lead NAAQS in the form of a Notice of Proposed Rulemaking (NPR) in late March 2008, which will be followed by a Final Rule for the Lead NAAQS no later than September 1, 2008. Ms. Wegman noted that a memo from the Deputy Administrator reflecting these changes in the Lead NAAQS review schedule would be released shortly.

In addition, the current Federal court order calls for the Agency to finalize the Lead Staff Paper by no later than November 1, 2007. Since under EPA's revised NAAQS review process there will no longer be a "staff paper" for NAAQS reviews, the Agency's Office of General Counsel will need to go back to the U.S. District Court, Eastern District of Missouri, and ask for the aforementioned change to the court order allowing the Agency to publish the PA for Lead in the form of an ANPR by November 30, 2007. Since this change does not result in any extension to the overall schedule for the Lead NAAQS review, the Agency expects that the court and the litigants will agree to this change in the court-ordered schedule.

Public Comment Period

(There were no public commenters during this teleconference.)

Summary of the CASAC Discussion on the Working-Draft Letter/Report on EPA's 1st Draft Lead Staff Paper and Pilot-Phase Draft Risk Assessment

Major points and conclusions from the Lead Panel members' discussion on the working-draft letter on the Agency's 1st Draft Lead Staff Paper and Draft Risk Assessment document include the following:

- The CASAC was in complete consensus that EPA should *not* de-list lead as a criteria air pollutant (as was considered by the Agency as a policy option on the 1st Draft Lead Staff Paper), summarizing the arguments that were put forth in the CASAC's draft letter. In fact, it was agreed to without objection that this consensus should be characterized as the *unanimous* judgment of the Lead Panel.
- In addition, one Panel member made a strong point as to why lead should not be regulated by EPA as a hazardous air pollutant (HAP) rather than as a NAAQS.
- The Lead Panel is developing a set of three separate population-based analytical approaches as examples for the Agency to consider in deriving an acceptable range of alternative levels for the primary (health-based) Lead NAAQS. These will be described in a detailed narrative addition to the current Appendix D in the working-draft letter/report.
- It was noted that these preliminary calculations would be dependent upon the results of the comprehensive, quantitative uncertainty analysis that EPA would be conducting as it developed the 2nd Draft Risk Assessment.
- The Lead Panel extensively-discussed the substance of the section in the working-draft letter on the primary Lead NAAQS, especially whether the Panel should recommend a range of primary lead standards to EPA in addition to suggesting analytical approaches. In the end, the Panel decided to include detailed analyses in Appendix D that are based on a goal of establishing a level for the primary Lead NAAQS such that 99.5% of the population would not exceed a to-be-specified IQ loss. In addition, the approaches to be provided in Appendix D would demonstrate the need for a substantial reduction in the primary Lead NAAQS.

- From the working-draft letter, the Panel discussed: a possible revision to the indicator for lead from high-volume total suspended particulate (TSP) to low-volume PM₁₀ samplers; and adopting a *monthly* averaging time for the Lead NAAQS in lieu of the current quarterly averaging time.
- Finally, with respect to the secondary (welfare-based) Lead NAAQS, the Panel discussed the rationale described in the working-draft letter for lowering the level of the current secondary Lead NAAQS to at least as low as the level of the primary lead standard. In addition, the Lead Panel is encouraging the Agency to identify the funding to support both necessary continuing research on the adverse ecological effects of airborne lead and the development of alternative secondary standards, *e.g.*, *critical loads* for lead, which as the working-draft letter points out may differ from primary Lead NAAQS in indicator, level, averaging time or statistical form.

Summary and Next Steps

Dr. Henderson requested that the members of the Lead Panel send her any additional inputs they had for the CASAC's letter to the Administrator as soon as possible, with a goal of releasing the next draft of the letter/report for Panel members' concurrence by March 13. In addition, the Chair noted that she hoped to be able to send the final letter/report to the Administrator by March 22. Dr. Henderson thanked everyone on the call for their participation.

The DFO adjourned the meeting at approximately 3:00 p.m. on March 5, 2007.

[Update: The CASAC's final letter/report (EPA-CASAC-07-003, dated March 27, 2007) from the CASAC Lead Review Panel's February 6-7, 2007 meeting was transmitted to the EPA Administrator on March 27, 2007, and was posted on March 29, 2007 on the SAB Web site at the following URL: <http://www.epa.gov/sab/pdf/casac-07-003.pdf>.]

Respectfully Submitted:

Certified as True:

/s/

/s/

Fred A. Butterfield, III

Rogene Henderson, Ph.D.

Fred A. Butterfield, III
CASAC DFO

Rogene Henderson, Ph.D.
CASAC Chair

Date: April 17, 2007

Appendix A – Roster of the CASAC Lead Review Panel

U.S. Environmental Protection Agency Science Advisory Board (SAB) Staff Office Clean Air Scientific Advisory Committee (CASAC) CASAC Lead Review Panel

CHAIR

Dr. Rogene Henderson*, Scientist Emeritus, Lovelace Respiratory Research Institute, Albuquerque, NM

MEMBERS

Dr. Joshua Cohen, Research Associate Professor of Medicine, Tufts University School of Medicine, Institute for Clinical Research and Health Policy Studies, Center for the Evaluation of Value and Risk, Tufts New England Medical Center, Boston, MA

Dr. Deborah Cory-Slechta, Director, Environmental and Occupational Health Sciences Institute, a joint Institute of the Robert Wood Johnson Medical School, University of Medicine and Dentistry of New Jersey, and Rutgers University, Piscataway, NJ

Dr. Ellis Cowling*, University Distinguished Professor At-Large, North Carolina State University, Colleges of Natural Resources and Agriculture and Life Sciences, North Carolina State University, Raleigh, NC

Dr. James D. Crapo [M.D.]*, Professor, Department of Medicine, National Jewish Medical and Research Center, Denver, CO

Dr. Douglas Crawford-Brown*, Director, Carolina Environmental Program; Professor, Environmental Sciences and Engineering; and Professor, Public Policy, Department of Environmental Sciences and Engineering, University of North Carolina at Chapel Hill, Chapel Hill, NC

Dr. Bruce Fowler, Assistant Director for Science, Division of Toxicology and Environmental Medicine, Office of the Director, Agency for Toxic Substances and Disease Registry, U.S. Centers for Disease Control and Prevention (ATSDR/CDC), Chamblee, GA

Dr. Andrew Friedland, Professor and Chair, Environmental Studies Program, Dartmouth College, Hanover, NH

Dr. Robert Goyer [M.D.], Emeritus Professor of Pathology, Faculty of Medicine, University of Western Ontario (Canada), Chapel Hill, NC

Mr. Sean Hays, President, Summit Toxicology, Allenspark, CO

Dr. Bruce Lanphear [M.D.], Sloan Professor of Children's Environmental Health, and the Director of the Cincinnati Children's Environmental Health Center at Cincinnati Children's Hospital Medical Center and the University of Cincinnati, Cincinnati, OH

Dr. Samuel Luoma, Senior Research Hydrologist, U.S. Geological Survey (USGS), Menlo Park, CA

Dr. Frederick J. Miller, Consultant, Cary, NC

Dr. Paul Mushak, Principal, PB Associates, and Visiting Professor, Albert Einstein College of Medicine (New York, NY), Durham, NC

Dr. Michael Newman, Professor of Marine Science, School of Marine Sciences, Virginia Institute of Marine Science, College of William & Mary, Gloucester Point, VA

Mr. Richard L. Poirot*, Environmental Analyst, Air Pollution Control Division, Department of Environmental Conservation, Vermont Agency of Natural Resources, Waterbury, VT

Dr. Michael Rabinowitz, Geochemist, Marine Biological Laboratory, Woods Hole, MA

Dr. Armistead (Ted) Russell*, Georgia Power Distinguished Professor of Environmental Engineering, Environmental Engineering Group, School of Civil and Environmental Engineering, Georgia Institute of Technology, Atlanta, GA

Dr. Joel Schwartz, Professor, Environmental Health, Harvard University School of Public Health, Boston, MA

Dr. Frank Speizer [M.D.]*, Edward Kass Professor of Medicine, Channing Laboratory, Harvard Medical School, Boston, MA

Dr. Ian von Lindern, Senior Scientist, TerraGraphics Environmental Engineering, Inc., Moscow, ID

Dr. Barbara Zielinska, Research Professor, Division of Atmospheric Science, Desert Research Institute, Reno, NV

SCIENCE ADVISORY BOARD STAFF

Mr. Fred Butterfield, CASAC Designated Federal Officer, 1200 Pennsylvania Avenue, N.W., Washington, DC, 20460, Phone: 202-343-9994, Fax: 202-233-0643 (butterfield.fred@epa.gov)

* Members of the statutory Clean Air Scientific Advisory Committee (CASAC) appointed by the EPA Administrator

Appendix B – Meeting Agenda

**U.S. Environmental Protection Agency
EPA Science Advisory Board (SAB) Staff Office
Clean Air Scientific Advisory Committee (CASAC)
CASAC Lead Review Panel**

Public Teleconference Meeting

Friday, March 9, 2007 – 1:00 to 5:00 p.m. Eastern Time

Advisory Meeting to Review CASAC’s Working-Draft Letter/Report on EPA’s 1st Draft Lead Staff Paper and Pilot-Phase Draft Risk Assessment

Meeting Agenda

1:00 p.m.	Convene Teleconference; Call Attendance; Introductions and Administration	Mr. Fred Butterfield, CASAC DFO
1:10 p.m.	Purpose of Meeting	Dr. Rogene Henderson, Chair
1:15 p.m.	Lead NAAQS Review Schedule	Ms. Lydia Wegman, Office of Air Quality Planning and Standards (OAQPS)
1:20 p.m.	Public Comment Period	Mr. Butterfield (Facilitator)
1:50 p.m.	Members’ Discussion and Deliberation	CASAC Lead Review Panel Members
	<u>Discussion Topic</u>	<u>Lead Discussant(s)</u>
	• Sub-Group 1: Preamble/De-Listing	Dr. James Crapo
	• Sub-Group 2: Primary Lead NAAQS	Dr. Frank Speizer
	• Sub-Group 3: Indicator & Monitoring	Mr. Rich Poirot
	• Sub-Group 4: Secondary Lead NAAQS	Dr. Ellis Cowling
4:45 p.m.	Summary and Next Steps	Dr. Henderson
5:00 p.m.	Adjourn Meeting	Mr. Butterfield