Message

From: Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]
Sent: 10/31/2018 5:29:11 PM
To: Erik Baptist (baptist.erik@epa.gov) [baptist.erik@epa.gov]
Subject: FW: Public Comment and Peer Review Process for Initial 10 Risk Evaluations under TSCA
Attachments: SCHF Public comment and peer review process 10302018 _final.pdf

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From: Liz Hitchcock- Safer Chemicals [mailto:lizhitchcock@saferchemicals.org]
Sent: Wednesday, October 31, 2018 1:24 PM
To: Wheeler, Andrew <wheeler.andrew@epa.gov>
Cc: Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; baptiste.eric@epa.gov; Morris, Jeff <Morris.Jeff@epa.gov>; Henry, Tala <Henry.Tala@epa.gov>; Vendinello, Lynn <Vendinello.Lynn@epa.gov>; Fehrenbacher, Cathy <Fehrenbacher.Cathy@epa.gov>; Barone, Stan <Barone.Stan@epa.gov>; Grant, Brian <Grant.Brian@epa.gov>; Peterson, Todd <Peterson.Todd@epa.gov>
Subject: Public Comment and Peer Review Process for Initial 10 Risk Evaluations under TSCA

Dear Acting Administrator Wheeler:

As detailed in the attached letter, we (Safer Chemicals Healthy Families, NRDC, Earthjustice, and Environmental Health Strategy Center) are writing to convey our concerns about the public comment and peer review process for the initial ten risk evaluations currently underway under the Toxic Substances Control Act.

An early test of TSCA implementation is the initial group of 10 risk evaluations that EPA is conducting under section 6(b)(2)(A). The chemicals subject to these evaluations raise significant health and environmental concerns and have widespread exposure. The available hazard and exposure data on these chemicals are extensive and present numerous important scientific issues. The risk evaluations will fall short under TSCA and seriously damage EPA's credibility if they are not based on the best available science.

We understand that EPA is planning to release draft evaluations in late 2018 and early 2019 and then will seek public comment and peer review with the goal of finalizing the evaluations by the end of 2019. If EPA cuts corners on public comment and peer review, the quality of the evaluations will be fatally compromised. Thus, TSCA requires EPA to design a process which assures that the final evaluations fully reflect the input of stakeholders and leading independent experts, are based on the weight of the scientific evidence and the best available science, and draw on all reasonably available data and information.

Extensive guidance on the minimum elements of peer review for important and influential scientific work products is provided in OMB's Peer Review Bulletin and EPA's Peer Review Handbook. The application of this guidance is reflected in the public comment and peer review processes used for EPA's Work Plan risk assessments under the old law and recent IRIS assessments. Based on this roadmap, we recommend that EPA incorporate the following minimum steps in its public comment and peer review process for the 10 risk evaluations:

- EPA should allow 120 days for comments on the draft evaluations

- Some evaluations (e.g. for solvents) should be grouped together for review by a single panel while substances that raise unique issues (e.g. asbestos) should be reviewed separately
- Separate review panels should also be established to address EPA's systematic review methodology and other cross-cutting science issues
- Scientists under consideration as peer reviewers – including all members of the Scientific Advisory Committee on Chemicals (SACC) -- should undergo a rigorous review for conflicts of interest and bias regarding the 10 chemicals, including full disclosure to EPA of all sources of funding and business and financial relationships, and the public should have an opportunity to comment on all candidate reviewers
- EPA should seek public comment on the draft charges for the peer reviews of the 10 evaluations
- The public should have the opportunity to provide written and oral statements to peer review panels
- The panels should prepare reports which summarize the recommendations of panel members and common themes in their reviews, fully document areas of agreement and disagreement and capture the views of panel members with common areas of expertise
- EPA should seek the advice of its children's health protection advisory committee on the 10 evaluations
- EPA's final risk evaluations should respond to all public comments and peer review recommendations

Thank you for your attention to this matter. Please be in contact with me or SCHF counsel Bob Sussman with questions.

Best regards,

Liz Hitchcock, Acting Executive Director
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