



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 11 2012

MEMORANDUM

SUBJECT: U.S. Environmental Protection Agency (EPA) Response to Final OIG Report Dated September 26, 2011, "*Procedural Review of Greenhouse Gases Endangerment Finding Data Quality Processes*", Report No. 11-P-0702

FROM: Paul Anastas, PhD 
Assistant Administrator for Research and Development

Michael L. Goo 
Associate Administrator for Policy

Gina McCarthy 
Assistant Administrator for Air and Radiation

TO: Arthur A. Elkins, Jr.
Inspector General

EPA appreciates the opportunity to respond to the Office of the Inspector General (OIG) final report "*Procedural Review of Greenhouse Gases Endangerment Finding Data Quality Processes*" (Project No. OPE-FY10-0017), dated September 26, 2011.

We note that your report focuses on the process used to develop the Technical Support Document (TSD). It does not attempt to evaluate the quality of the underlying science supporting the Endangerment Finding and does not make any recommendations regarding the Endangerment Finding itself. We appreciate the recognition that the Agency "*met statutory requirements for rulemaking and generally followed requirements and guidance related to ensuring the quality of the supporting technical information.*"

Your report raised concern over certain specific aspects of the peer review conducted for the TSD review based on your opinion regarding how to classify the document for purposes of peer review. As noted in your report, both the Office and Management and Budget (OMB) and EPA agree that the Endangerment TSD itself did not have the impacts or characteristics required to meet the OMB Peer

Review Bulletin's definition of a highly influential scientific assessment (HISA). We appreciate your clarification that your findings are solely based on your opinion regarding how to classify the document.

We have previously submitted detailed discussion of the issues addressed by your report. Despite our disagreement with many of your findings, we have considered your recommendations on their own merit and we have included an attached response for your consideration. If you or your staff have any questions, please contact Norman Adkins at (919) 541-0872.

cc: Bob Perciasepe, Deputy Administrator, OA
Scott Fulton, General Counsel, OGC
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EPA Response to Recommendations and Projected Completion Dates

Rec No.	OIG Recommendation	Lead Responsibility	EPA Response	Planned Completion Date
1	Direct the EPA Science Policy Council to revise the flowchart on page 2 of EPA's Peer Review Handbook to ensure that the flowchart accurately depicts OMB requirements for external peer review of highly influential scientific assessments.	EPA Science Advisor	OSA Staff will develop a modification, as appropriate, to the flow chart on Page 2 of EPA's Peer Review Handbook to clarify as needed the OMB requirements for external peer review of highly influential scientific assessments. The modified flow chart will be reviewed by the Agency's Peer Review Advisory Group. EPA's Science Advisor will then submit the modified flow chart to EPA's Science and Technology Policy Council (formerly the Science Policy Council) for concurrence and incorporation into EPA's Peer Review Handbook.	6/30/2012
2a	Direct the EPA Science Policy Council to instruct program offices that, when using influential scientific information or highly influential scientific assessments supporting an action, to include language in the preamble of proposed and final rules that specifically states that the action was supported by influential scientific information or a highly influential scientific assessment, and certifies that EPA conducted a peer review of the supporting information in accordance with OMB's Final Information Quality Bulletin for Peer Review.	EPA Science Advisor and Associate Administrator for Policy	EPA's Science Advisor and the Associate Administrator for Policy will issue a joint memorandum to the Agency's Assistant and Regional Administrators reiterating the use of language from the Agency's Peer Handbook (Attachment A, Page C-3) for the preambles of proposed and final rules (actions) that specifically states: (a) whether the action was supported by influential scientific information or a highly influential scientific assessment; and (b) whether or not a peer review of supporting information was conducted in accordance with EPA's Peer Review Handbook.	6/30/2012
2b	Direct the EPA Science Policy Council to instruct program offices that, when using influential scientific information or highly influential scientific assessments supporting an action, to include a compliance statement in its action memoranda stating that the Agency followed its peer review policy.	EPA Science Advisor and Associate Administrator for Policy	EPA's Science Advisor and the Associate Administrator for Policy will issue a joint memorandum to the Agency's Assistant and Regional Administrators reiterating that, when using influential scientific information or a highly influential scientific assessment supporting an action, to include a compliance statement in their action memoranda stating that the Agency followed its peer review policy (as required by the Agency's Peer Handbook Attachment B Page C-6).	6/30/2012
3	Revise EPA's guidance document, <i>A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information</i> , to establish minimum review and documentation requirements for assessing and accepting data from other organizations.	Deputy Director, Office of the Science Advisor	A workgroup under the auspices of the Science and Technology Policy Council will evaluate existing EPA review and documentation requirements for assessing and accepting data from third party organizations. The workgroup will develop modifications to be made to EPA's guidance document, <i>A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information</i> , to include minimum review and documentation requirements for assessing and accepting data from third party organizations.	4/27/2012
			The workgroup will submit the modifications to the Science and Technology Policy Council for concurrence and approval.	6/30/2012
			An update EPA's guidance document, <i>A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information</i> , is finalized and published, to include as appropriate minimum review and documentation requirements for assessing and accepting data from third party organizations.	12/31/2012