



At a Glance

Catalyst for Improving the Environment

Why We Did This Review

The Ranking Member, Senate Committee on Environment and Public Works, requested that we determine whether the U.S. Environmental Protection Agency (EPA) followed key federal and Agency regulations and policies in developing and reviewing the technical data used to make and support its greenhouse gases endangerment finding.

Background

On December 15, 2009, EPA published its Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act. As the primary scientific basis for EPA's finding, the Agency relied upon assessments conducted by other organizations. EPA summarized the results of these and other scientific assessments in a technical support document (TSD).

For further information, contact our Office of Congressional and Public Affairs at (202) 566-2391.

The full report is at:
www.epa.gov/oig/reports/2011/20110926-11-P-0702.pdf

Procedural Review of EPA's Greenhouse Gases Endangerment Finding Data Quality Processes

What We Found

EPA met statutory requirements for rulemaking and generally followed requirements and guidance related to ensuring the quality of the supporting technical information. Whether EPA's review of its endangerment finding TSD met Office of Management and Budget (OMB) requirements for peer review depends on whether the TSD is considered a highly influential scientific assessment. In our opinion, the TSD was a highly influential scientific assessment because EPA weighed the strength of the available science by its choices of information, data, studies, and conclusions included in and excluded from the TSD. EPA officials told us they did not consider the TSD a highly influential scientific assessment. EPA noted that the TSD consisted only of science that was previously peer reviewed, and that these reviews were deemed adequate under the Agency's policy. EPA had the TSD reviewed by a panel of 12 federal climate change scientists. This review did not meet all OMB requirements for peer review of a highly influential scientific assessment primarily because the review results and EPA's response were not publicly reported, and because 1 of the 12 reviewers was an EPA employee.

EPA's guidance for assessing data generated by other organizations does not include procedures for conducting such assessments or require EPA to document its assessment. EPA provided statements in its final findings notice and supporting TSD that generally addressed the Agency's assessment factors for evaluating scientific and technical information, and explained its rationale for accepting other organizations' data. However, no supporting documentation was available to show what analyses the Agency conducted prior to disseminating the information.

Our evaluation examined the data quality procedures EPA used in developing the endangerment finding. We did not assess whether the scientific information and data supported the endangerment finding.

What We Recommend

We recommend that EPA (1) revise its *Peer Review Handbook* to accurately reflect OMB requirements for peer review of highly influential scientific assessments, (2) instruct program offices to state in proposed and final rules whether the action is supported by influential scientific information or a highly influential scientific assessment, and (3) revise its assessment factors guidance to establish minimum review and documentation requirements for assessing and accepting data from other organizations. EPA stated that its response to the final report will address our recommendations.