

WPSC

Wood Preservative Science Council

June 15, 2006

Office of Management and Budget
Office of Information and Regulatory Affairs

Submitted electronically to: OMB_RAbulletin@omb.eop.gov

Re: Proposed Risk Assessment Bulletin

The Wood Preservative Science Council (WPSC) is pleased to have the opportunity to provide comments on the Office of Management and Budget (OMB) Proposed Risk Assessment Bulletin¹. The WPSC is a trade association of manufacturers of water borne wood preservatives. It supports and participates in objective scientific analysis of water borne wood preservatives with a focus on CCA. We are supported by our members, Arch Wood Protection, Inc., Chemical Specialties Inc., and Osmose Inc. The WPSC consults with the nation's leading experts in the fields of environmental science, epidemiology, risk assessment, and toxicology.

The WPSC strongly supports the Proposed Risk Assessment Bulletin, which is an essential component of the ongoing effort to improve the quality, objectivity, integrity and usefulness of information disseminated by the federal government, in conjunction with the Guidelines for Peer Review² and the Information Quality Guidelines³. When finalized, this Bulletin will be an important part of the establishment of minimum standards under which all agencies must operate in developing and communicating information. In particular, this Proposed Bulletin will address technical guidance on risk assessments. Risk assessments are the basis for determining whether a potential hazard exists and/or the extent of any potential risk and become the basis for regulatory decisions. As such, risk assessments should be subject to rigorous standards.

¹ Proposed Risk Assessment Bulletin

http://www.whitehouse.gov/omb/inforeg/proposed_risk_assessment_bulletin_010906.pdf
Announced at 71 Fed. Reg. 2600 (January 17, 2006).

² Guidelines for Peer Review <http://www.whitehouse.gov/omb/memoranda/fy2005/m05-03.pdf> announced at 70 Fed. Reg. 2664 (January 14, 2005)

³ Information Quality Guidelines
<http://www.whitehouse.gov/omb/fedreg/reproducible2.pdf>, (67 Fed. Reg. 8452, February 22, 2002) implementing section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554; H.R. 5658).

In particular, the Proposed Bulletin will require agencies to:

1. Provide greater transparency to stakeholders during the risk assessment process;
2. Provide more complete explanations regarding the use of uncertainty factors;
3. Place the risk assessment in context for the public through comparison to other risks; and
4. Provide explanations regarding the use or exclusion of data in the risk assessment

The WPSC believes all of the above to be of critical importance. Agencies, such as the U.S. Environmental Protection Agency (EPA), use risks assessments to support regulatory decisions that have a profound effect on stakeholders and the public in general. As such, improving the technical quality of those risk assessments is of paramount importance. We urge that Agencies, particularly EPA, not be granted exclusions from any part of these requirements.

The WPSC also believes strongly that the Proposed Bulletin's requirement to use the best available science and weight of evidence, rather than simply modeling, is a proper scientific and regulatory requirement. When modeling predicts results that are contradicted by actual data, the risk assessment should be based on the actual data. Under those circumstances, the model must either be discarded or revised to better address the science. Modeling cannot and should not replace good science and actual data.

The iterative nature of the risk assessment process is discussed in the Proposed Bulletin, along with the need for agencies to refine prior assessments as new data become available. In particular, the WPSC agrees that each agency must have procedures in place to ensure it is aware of new, relevant information, and to ensure that the new, relevant information is considered as part of a decision whether to revise a previously conducted risk assessment. The WPSC recognizes that each agency has priorities and limitations on resources but strongly recommends that OMB direct agencies to revise and update risk assessments "to reflect new data or scientific understanding" and to ensure that the revised risk assessments continue to meet minimum standards for transparency, quality, integrity and usefulness.

Respectfully submitted,



Jim Hale
Executive Director