

U.S. Environmental Protection Agency

Information Quality FY03 Annual Report

*Description of the 13 Requests for Correction and 2 Requests for Reconsideration
received by EPA between October 2002 and October 2003*

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WASHINGTON, D.C. 20460

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OFFICE OF
ENVIRONMENTAL INFORMATION

The U.S. Environmental Protection Agency's (EPA) Information Quality FY 2003 Annual Report summarizes the first year of implementation of a new corrections process created as part of the 2002 *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency* (Information Quality Guidelines or IQGs).

In accordance with the Data Quality Act of 2001, EPA has established a process that enables the public to seek and obtain corrections of information they believe may not comply with EPA's IQGs. If a member of the public believes EPA is disseminating information that does not meet EPA's quality principles for objectivity, utility, and/or integrity, that person may submit a Request for Correction (RFC). Each RFC submitted to EPA is forwarded for response to the appropriate EPA program or region by the Office of Environmental Information with the goal of providing a response within 90 days. If requestors are not satisfied with EPA's decision on the request, they may submit a Request for Reconsideration (RFR) which is reviewed by a three-member IQG Executive Panel consisting of the Science Advisor to the Agency and Assistant Administrator for Research and Development; Economics Advisor to the Agency and Associate Administrator for Policy, Economics, and Innovation; and the Chief Information Officer and Assistant Administrator for Environmental Information.

To ensure transparency of EPA's IQG process, EPA has also launched the IQG Web site (<http://www.epa.gov/oei/qualityguidelines>) that enables the public to view all IQG requests, EPA acknowledgment and response letters, and all other IQG-related correspondence.

EPA is committed to maintaining an open dialog on quality information, and firmly believes that quality information is tantamount to ensuring a sound and effective government.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Nelson".

Kimberly T. Nelson
Assistant Administrator and
Chief Information Officer
Office of Environmental Information
U.S. Environmental Protection Agency

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1.0 Background

In October 2002, EPA published final *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency* (Information Quality Guidelines or IQGs). The EPA Information Quality Guidelines were developed in response to guidelines issued by the Office of Management and Budget (OMB) under Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554; H.R. 5658) and contain the policy and procedural guidance for ensuring and maximizing the quality of information disseminated by EPA. The IQGs also outline an administrative mechanism to enable the public to seek and obtain corrections from EPA regarding disseminated information that they believe does not comply with EPA or OMB Information Quality Guidelines. This report focuses on the one year experience implementing that new corrections process at EPA.

EPA has received requests from the public on a diverse set of science and policy topics thereby requiring the input and expertise from a variety of scientists and policy staff across the Agency and sometimes in other federal agencies. Overall, implementation of the new corrections process has gone smoothly and continues to be managed effectively by EPA's Office of Environmental Information. This report contains brief summaries of each of the 13 Requests for Correction (RFC) and the 2 Requests for Reconsideration (RFR) received by EPA. These summaries are presented according to a template developed by the Office of Management and Budget, Office of Information and Regulatory Affairs.

3.0 Summaries of EPA RFCs and RFRs (in chronological order, listed by requestor)

3.1 Ohio EPA (RFC # 2214) (10/21/02)

- **EPA Organization:** Office of Air and Radiation
- **Requestor:** William Juris, Ohio EPA
- **Date Received:** October 21, 2002 via web form on EPA IQG web site
- **Summary of Request for Correction:** In the RFC, Mr. Juris stated that the electronic versions of two EPA documents [*Control of Volatile Organic Compound Emissions from Wood Furniture Manufacturing Operations* (EPA453/R-96-007) and *Control of Volatile Organic Compound Emissions from Coating Operations at Aerospace Manufacturing and Rework Operations* (EPA 453/R-97-004)] had format problems due to conversion problems from older WordPerfect software to the current WordPerfect software.
- **Description of the requested corrective action:** Mr. Juris requested that EPA produce a PDF version from the old WordPerfect version using the related old WordPerfect software and PDF-generating software or produce a current WordPerfect version from the old WordPerfect version and correct any conversion errors. Mr Juris also requested that the new files then be posted on the EPA web site.
- **Was the subject of the RFC "influential"?:** __ Yes __ No __ Undetermined Not Applicable
- **EPA response to the Request for Correction:** completed 12/4/02
- **Summary of response:** This request did not fall under the Information Quality Guidelines because the request only recommended that EPA alter the format of documents EPA 453/R-96-007 and EPA 453/R-97-004 provided on the web, rather than requesting a correction of information. Although the issues in the request regarding these documents were not within the purview of the Information Quality Guidelines, EPA did address the requestor's concern by creating PDF versions of the electronic files in question and subsequently posting them on the EPA web site.
- **Has an RFR been submitted on the EPA RFC response?:** No

3.2 Ohio EPA (RFC # 2215) (10/21/02)

- **EPA Organization:** Office of Air and Radiation
- **Requestor:** William Juris, Ohio EPA
- **Date Received:** October 21, 2002 via web form on EPA IQG web site
- **Summary of Request for Correction:** This request pertained to the following EPA document: *Alternative Control Techniques Document: Surface Coating of Automotive/Transportation and Business Machine Plastic Parts*, EPA-453/R-94-017, February 1994. In his request, Mr Juris stated that this document was not available as an electronic copy and that it had misleading or confusing information regarding several issues. Mr. Juris had previously contacted EPA via e-mail to request an electronic copy of this document and

conveyed further concerns (e-mail sent to Dave Salman on March 28, 2002), but had not received any response to his satisfaction.

- **Description of the requested corrective action:** Mr. Juris requested clarification on several issues.
- **Was the subject of the RFC "influential"?:** __Yes __ No __ Undetermined
 Not Applicable
- **EPA response to the Request for Correction:** completed 12/4/02.
- **Summary of EPA response:** This request did not fall under the Information Quality Guidelines because the request asked EPA to clarify the Plastic Parts Surface Coating Alternative Control Techniques document (EPA-453/R-94-017), rather than requesting correction of information under the Guidelines. EPA referred the request to Dave Salman in the Coating and Consumer Products Group of the Emission Standards Division. Mr. Salman provided EPA's response to Mr. Juris' questions on January 29, 2003.
- **Has an RFR been submitted on the EPA RFC response?:** No

3.3 Chemical Products Corporation (RFC # 2293) (10/31/02)

- **EPA Organization:** Office of Research and Development
- **Requestor:** Jerry A. Cook, Chemical Products Corporation (CPC)
- **Date Received:** October 31, 2002
- **Summary of Request for Correction:** CPC stated that the oral reference dose for Barium derived in the Barium and Compounds Substance File in EPA's Integrated Risk Information System (IRIS) (<http://www.epa.gov/iris>), as well as the presentation and analysis of the supporting data, do not comply with the OMB requirements for objectivity or for reproducibility. CPC provided information on a risk assessment that they claim EPA did not use in its evaluation. CPC funded a Barium oral reference dose derivation by the University of Georgia toxicologists Cham Dallas and Phillip Williams in 2000. The document is allegedly consistent with the EPA's Office of Pollution, Pesticides, and Toxic Substances toxicological evaluation. CPC also claims the peer review conducted on the Barium file was inadequate and funded a face-to-face expert peer review of the Dallas and Williams document under the auspices of Toxicological Excellence in Risk Assessment (TERA).
- **Description of the requested corrective action:** The petitioner requested reconsideration of the reported Barium oral reference dose because CPC believed that an objective scientific evaluation would determine a different critical effect than EPA has described.
- **Was the subject of the RFC "influential"?:** _Yes _ No Undetermined
- **EPA response to the Request for Correction:** completed 01/30/03
- **Summary of each response:** EPA determined that the petitioner offered an alternative assessment of the relevant science but failed to demonstrate that EPA's assessment is not consistent with EPA guidelines regarding objectivity and reproducibility.

- **Has an RFR been submitted on the EPA RFC response?:** No

3.4 **Center for Regulatory Effectiveness; Kansas Corn Growers Association and the Triazine Network (RFC # 2807) (11/25/02)**

- **EPA Organization:** Office of Prevention, Pesticides and Toxic Substances
- **Requestor:** Jim Tozzi, Center for Regulatory Effectiveness; and Jere White, Kansas Corn Growers Association
- **Date Received:** Letter dated November 25, 2002; logged in by OEI on 11/25/2002; paper copy delivered to the Agency by messenger.
- **Summary of Request for Correction:** The request alleges that the April 22, 2002 preliminary Environmental Risk Assessment for Atrazine (a major corn herbicide) does not comply with the "Data Quality Act" (Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001) because the document "states that atrazine causes endocrine effects in various organisms including frogs" on pages 11 and 90-94.
- **Description of the requested corrective action:** The requestors ask that EPA correct the document to state that there is no reliable evidence that atrazine causes "endocrine effects" in the environment and that there can be no reliable, accurate or useful information regarding atrazine's endocrine effects until and unless there are test methods for those effects that have been properly validated.
- **Was the subject of the RFC "influential"?:** Yes No Undetermined
- **EPA response to the Request for Correction:** in progress completed March 26, 2003. Interim response was issued on January 30, 2003.
- **Summary of EPA response:** In its January 30, 2003 response, EPA explained that it would treat the RFC as a comment on the April 22, 2002 preliminary Environmental Risk Assessment for Atrazine so that the issues raised in the RFC could be addressed in the context of issues raised in other public comments. The Agency stated its belief that by clarifying the April 2002 preliminary Environmental Risk Assessment, it would help to avoid any future misunderstanding of the Agency's position on the environmental effects of atrazine.
On March 26, EPA released its summary and response to all public comments on the April 2002 document. In its March 26, 2003 document, EPA summarized the RFC and responded to each issue raised in the RFC. Contrary to the RFC claim, the Agency's risk assessment did not state that atrazine "causes endocrine effects." The Agency made minor editorial changes in the revised assessment to assure that there is no ambiguity about the Agency's position. EPA did not accept the RFC on other topics and provided extensive explanation as to why the requested changes were either not needed or not appropriate.
- **Has an RFR been submitted on the EPA RFC response?:** No

3.5 **US Chamber of Commerce (RFC # 4301) (12/17/02)**

- **EPA Organization:** Office of Environmental Information
- **Date Received:** December 17, 2002
- **Summary of Request for Correction:** US Chamber believed that meeting minutes regarding an October 2002 meeting of the Executive Committee of the Science Advisory Board were inaccurate and therefore not in compliance with the IQGs.
- **Description of the requested corrective action:** US Chamber requested that EPA revise the minutes to reflect items they believed should have been contained in those minutes.
- **Was the subject of the RFC "influential"?:** Yes No Undetermined Not Applicable
- **EPA response to the Request for Correction:** completed 3/5/2003
- **Summary of each response:** EPA noted that documents generated and published by Federal Advisory Committee Act (FACA) committees are not considered EPA information disseminations and are therefore not subject to the IQGs. EPA agreed that in order to avoid future misunderstandings about materials issued by the SAB, explanatory notices would be added to the SAB web site to help ensure that the public is aware that minutes of SAB meetings and other public documents produced by the SAB are advisory committee documents, and are not prepared to represent EPA's viewpoint. EPA also noted an ongoing effort at EPA to examine model quality.
- **Has an RFR been submitted on the EPA RFC response?:** yes no

3.6 **BMW Manufacturing Corp, SC (RFC # 7421) (02/11/03)**

- **EPA Organization:** Office of Enforcement and Compliance Assurance
- **Requestor:** Gary Weinreich, BMW
- **Date Received:** February 11, 2003
- **Summary of Request for Correction:** Mr. Weinreich was concerned that information in Enforcement and Compliance History On-line (ECHO) and Sector Facility Indexing Project showed a BMW manufacturing facility in Greer, SC, as a significant non-complier under the Resource Conservation and Recovery Act (RCRA), and that this unfairly characterizes his facility. Mr. Weinreich suggested that this public release did not meet the 4 principles of the IQGs and also suggested that EPA posted the Significant Non-Compliance (SNC) status as a means to strengthen its enforcement effort, which was also not in accordance with the IQGs. Mr. Weinreich's dispute of the facility's classification as SNC, by EPA region 4, predated the existence of ECHO.
- **Description of the requested corrective action:** Mr. Weinreich wanted any information identifying the facility as currently or previously being SNC deleted from the ECHO site.
- **Was the subject of the RFC "influential"?:** Yes No Undetermined
- **EPA response to the Request for Correction:** completed 8/27/2003
- **Summary of each response:** Essentially, EPA stood by BMW's characterization

as SNC under RCRA, and acknowledged that the facility as of August 27, 2003 was no longer SNC, in accordance with an enforceable agreement for coming into compliance which BMW had signed with South Carolina in April 2003. EPA disagreed with Mr. Weinreich's suggestion that it violated the IQG. EPA indicated that this would not affect BMW's compliance history as recorded in the data bases, i.e., that it had been SNC since the determination in 2001.

- **Has an RFR been submitted on the EPA RFC response?:** yes no

3.7 Competitive Enterprise Institute, Counsel, Cooler Heads Coalition (RFC # 7428) (02/10/03)

- **EPA Organization:** Office of Environmental Information
- **Requestor:** Christopher C. Horner, Competitive Enterprise Institute, 1001 Connecticut Avenue, N.W., Suite 1250, Washington, DC 20036
- **Date Received:** February 10, 2003
- **Summary of Request for Correction:** CEI requested that EPA cease disseminating the Climate Action Report 2002 (CAR 2002). The CAR 2002 report used information from the National Assessment on Climate Change, a report produced by a Federal Advisory Committee sponsored by the U.S. Global Change Research Program. CEI contended that the National Assessment report – and the CAR 2002 report because it relied on the National Assessment – did not meet the utility, objectivity, and reproducibility standards of the Data Quality Act. The National Assessment inappropriately used and relied upon computer models and data that upon scrutiny are demonstrably meaningless. When backcasting the models over a 10-year historic period, neither model used in National Assessment reduces the residual variance below the raw variance of the data. Both models used in National Assessment are in the extreme when forecasting temperature change, and neither provides appropriate regional-level detail. The National Assessment does not contain regional analysis as required by Congress. The National Assessment was not appropriately peer reviewed; review period was too short.
- **Description of the requested corrective action:** CEI requested that EPA cease disseminating the CAR 2002 report.
- **Was the subject of the RFC "influential"?:** Yes No Undetermined Not Applicable
- **EPA response to the Request for Correction:** in progress completed. RFC response sent 5/16/03. The response to the RFC noted that EPA is not the appropriate agency to consider requests for correction relative to the CAR 2002 report. EPA forwarded the request to the State Department and suggested that CEI contact State if they wished to pursue the matter.
- **Has an RFR been submitted on the RFC response?** Yes

3.8 Senator Jim Jeffords, Senator Paul Sarbanes, Senator Barbara Boxer and

Senator Frank Lautenberg (RFC # 8600) (03/07/03)

- **EPA Organization:** Office of Water (OW)
- **Requestors:** U.S. Senators Boxer, Sarbanes, Jeffords, and Lautenberg
- **Date Received:** OEI received the letter on March 7, 2003
- **Summary of Request for Correction:** The purpose of the RFC was to question the quality of information contained in an OW proposed rule entitled, "Modification of National Pollutant Discharge Elimination System Permit Deadline for Storm Water Discharges for Oil and Gas Construction Activity that Disturbs One to Five Acres of Land" (67 Federal Register 79828, December 30, 2002).
- **Description of the requested corrective action:** The 4 senators requested that EPA suspend activity of the proposed rulemaking.
- **Was the subject of the RFC "influential"?:** __Yes No __Undetermined
- **EPA response to the Request for Correction:** completed June 13, 2003
- **Summary of EPA Response:** Under the Agency's Information Quality Guidelines, EPA considers requests for corrections to information supporting a proposed rulemaking during the public comment period. EPA received the RFC after the final rule was signed by the EPA Administrator on March 5, 2003. Despite this, EPA still took the opportunity to respond to the questions. On December 8, 1999, the final Storm Water Phase II rule was published in the Federal Register (The National Pollutant Elimination System-Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges: Final Rule; 64 Federal Register 6872200). These regulations expanded the NPDES permitting program to require permit coverage by March 10, 2003 for, among other things, construction sites that disturb one to five acres. As part of that rulemaking, EPA developed an Economic Analysis (EA). In that EA, EPA assumed that few, if any, oil and gas exploration, production, processing, or treatment operations or transmission facilities would be affected by the final regulations. Since promulgation of the final Storm Water Phase II rule, EPA has received numerous letters from the oil and gas industry and States stating that a significantly larger number of sites would, in fact, be affected by our rule. In investigating these statements, EPA requested and used data from the Department of Energy's Energy Information Administration (EIA) regarding the average number of oil and gas exploration and production facilities that would be affected by final Storm Water Phase II regulations. The Agency also requested and received data directly from States, the regulated community and other entities on this issue. These data were subsequently utilized to gauge the impact of the Storm Water Phase II regulations and were of appropriate quality for this use. All of this information and data called into question earlier EPA estimates of the number of sites that would be affected by the regulations. Estimates from the EIA, States with oil and gas activity, and industry representatives, all forecast at least 30,000 onshore wells being drilled per year in the foreseeable future. This was in direct contrast to the estimates available to EPA at the time of the promulgation of the Storm Water Phase II rule. Due to this great variation, EPA

determined that additional time was needed to better and more accurately ascertain the potential impacts of a future rulemaking and therefore promulgated a final rule postponing until March 10, 2005, the requirement to obtain an NPDES storm water permit for oil and gas construction activity that disturbs one to five acres of land. The final rule signed on March 5, 2003 does not call into question the need for controlling sediment from all types of construction, including oil and gas. It simply provides two years for the Agency to determine the best way to do so. EPA intends to use the next two years to work with States, the regulated community and other entities to ensure that we are using the best data possible as we work towards improving implementation of regulations that protect our land and water.

- **Has an RFR been submitted on the EPA RFC response?:** No

3.9 Citizen request (RFC # 9199) (03/14/03)

- **EPA Organization:** Office of Environmental Information
- **Requestor:** Dr. George Seaver
- **Date Received:** March 14, 2003
- **Summary of Request for Correction:** Requestor was concerned about the quality and accuracy of alleged statements made by EPA officials at public meetings regarding the carcinogenicity of perchlorate. Specifically, the request noted: “At a meeting held by the Bourne Water District (BWD) in March 2002 to discuss the perchlorate near their wells, representative of the New England EPA stated that perchlorate was a carcinogen. We challenged them on this assertion, citing the list of carcinogens published by the Health & Human Services web site. Also, at an October 2002 meeting of the MMR Senior Management Board, Mr. Todd Borci of the New England EPA again stated that perchlorate was a carcinogen.”
- **Description of the requested corrective action:** Mr. Seaver requested that EPA “publicize the truth about the health risks of perchlorate at the < 1 ppb levels that are found infrequently near the BWD wells, and, particularly its carcinogen status”.
- **Was the subject of the RFC "influential"?:** Yes No Undetermined Not Applicable
- **EPA response to the Request for Correction:** completed August 25, 2003
- **Summary of EPA response:** The EPA response states, “You noted in your request two meetings at which an EPA official may have stated that EPA considers perchlorate to be a carcinogen. EPA has no record of any statements that may have been made by EPA staff at the meeting held by the Bourne Water District (BWD) (in March 2002, according to your statement). You also assert that an EPA official made similar statements at an October 2002 meeting of the MMR Senior Management Board (SMB). EPA notes that there was no meeting of the SMB in October 2002. In our view, these meetings were general meetings which included discussions on various topics and there were no official

statements made regarding the Agency's position on perchlorate and any potential impacts on human health. Under the EPA Information Quality Guidelines, we would consider such discussions to be informal communications that EPA did not disseminate to the public beyond their original context. They would not be information disseminated by EPA to represent an Agency viewpoint, decision or position.”

- **Has an RFR been submitted on the EPA RFC response?:** No

3.10 Chemical Products Corporation Appeal (RFR # 2293A)(03/14/03)

- **EPA Organization:** Office of Research and Development
- **Date RFR was received:** March 14, 2003
- **Summary of Request for Reconsideration:** The petitioner requested reconsideration because CPC believed that an objective scientific evaluation would determine a different critical effect than EPA has described. The petitioner also stated that EPA did not conduct an appropriate external peer review on its findings. Additionally, CPC contends that EPA's internal peer review was not scientific.
- **Description of requested corrective action in RFR:** The petitioner asks EPA to reopen the IRIS Barium and Compounds File to objectively consider alternative/additional assessments provided. CPC also requests EPA revise the resulting oral reference dose accordingly.
- **Date of EPA response(s) to Request for Reconsideration:** completed on December 11, 2003
- **Describe EPA Appeal Process used:** The AA for ORD reconsidered his initial decision to reject because significantly new information was raised in the RFR. EPA has decided to treat this as a new RFC and has met with the requestor to discuss this process change. The requestor may chose to appeal this new response at a later date.
- **Appeal Resolution:** EPA treated the March 14 request as a Request for Correction (not an appeal) due to the substantially different information provided by the requestor. EPA's December 11 response informed Mr. Cook that the Toxicological Review and IRIS Summary for Barium will be revised to include a more explicit and transparent analysis of data from animal studies. EPA will conduct an independent external peer review of this revision in a manner that is consistent with both EPA's peer review guidelines and EPA and OMB Information Quality Guidelines. A peer review panel will be convened and its meetings will be open to the public. The information provided by the requestor will be considered when EPA develops charge questions for the peer review panel. The review will focus on whether this additional analysis is scientifically defensible and utilizes the best available science. If the expanded analysis does not support the statement currently contained in the Toxicological Review for Barium, EPA will reassess the IRIS Barium and Compounds Substance File according to its standard IRIS health assessment development and review process.

If the analysis and expert peer review are supportive of the statement, EPA will revise the IRIS Barium and Compounds Substance File to reflect the expert peer review analysis and any associated conclusions. EPA intends to issue a final response to Mr. Cook's request in 2004.

3.11 Competitive Enterprise Institute appeal (RFR # 7428A) (05/21/03)

- **Date RFR was received:** May 21, 2003
- **Summary of Request for Reconsideration:** CEI continued to contend that the CAR 2002 did not meet the utility, objectivity, and reproducibility standards of the Data Quality Act. CEI further contended that the CAR 2002 report was authored by EPA and not the U.S. Department of State.
- **Description of requested corrective action in RFR:** CEI requested that EPA cease dissemination of the CAR 2002 report on its web site.
- **Date of EPA response to RFR:** X completed September 23, 2003
- **Describe EPA Appeal Process used:** Following the process set out in the EPA Information Quality Guidelines, CEI's request for reconsideration was presented to an executive panel comprised of Paul Gilman, EPA Science Advisor and Assistant Administrator for Research and Development, Robert Varney, Region 1 Administrator, and Jessica Furey, Associate Administrator for Policy, Economics, and Innovation. The executive panel reviewed the original request, CEI's request for reconsideration, and CEI's July 23, 2003 letter regarding supplemental information.
- **Appeal Resolution:** The executive panel concurred with the original determination that, notwithstanding the participation of EPA and other agencies in the preparation of the CAR 2002 report, the State Department has the responsibility for the report and is the agency to determine if any corrective action is appropriate. The CAR 2002 report was produced by the State Department in response to a treaty obligation under the United Nations Framework Convention on Climate Change (UNFCCC). The State Department has responsibility for all submissions of any documents under treaty obligations. Thus, the final report was officially submitted on May 28, 2002 by Daniel Reifsnyder of the State Department to Ms. Joke Waller-Hunter, Executive Secretary, UNFCCC. Finally, the executive panel notes that EPA has previously clarified on its web site that CAR 2002 is a State Department report. The intent of this change was to assure that the web site does not suggest that the document supports or represents EPA's viewpoint or that EPA endorses or agrees with it, and to clarify that EPA is not "disseminating" it for purposes of EPA's Information Quality Guidelines.

3.12 Friends of the Massachusetts Military Reservation (RFC # 11702) (07/05/2003)

- **EPA Organization that led the response to the Request for Correction:** Office of Environmental Information (OEI)

- **Requestor:** Dr. George Seaver, Friends of the Massachusetts Military Reservation
- **Date Received:** Via e-mail on July 5, 2003
- **Summary of Request for Correction:** The request states, “(1)THE FEDERAL AND THE REGION 1 EPA HAVE DIFFERENT ADVISORY LEVELS FOR PERCHLORATE (4 TO 18 VS 1 PPB). (2) REGION 1 EPA HAS DIFFERENT ADVISORY LEVELS FOR PERCHLORATE FOR DIFFERENT SITUATIONS (MILITARY VS CIVILIAN FIREWORKS). THIS APPROACH LACKS INTEGRITY AND ACCURACY.”
- **Description of the requested corrective action:** The requestor did not include a corrective action suggestion in the request. Instead, the request included this statement: “THE EPA SHOULD ADOPT A UNIFORM ADVISORY LEVEL FOR PERCHLORATE, EVEN IF AN INTERIM ONE.”
- **Was the subject of the RFC "influential"?:** Yes No Undetermined Not Applicable
- **EPA response to the Request for Correction:** in progress completed
- **Summary of EPA response:** Dr. Seaver’s request was deemed incomplete due to the fact that the request did not include reference to a specific piece of information disseminated by EPA per the IQGs.
- **Has an RFR been submitted on the EPA RFC response?:** No

3.13 Citizen request (RFC # 12385)(08/18/2003)

- **EPA Organization:** Office of Research and Development
- **Requestor:** David A. Smith, GDT Corporation
- **Date Received:** Via e-mail on August 18, 2003.
- **Summary of Request for Correction:** Requestor identified ten documents and/or web pages, including the EPA IRIS file, that describe bromate in all forms as a carcinogen. In Mr. Smith’s request he contended that only potassium bromate is carcinogenic and not sodium bromate. The requestor pointed to supporting studies contained in the IRIS file that evaluate the effects of potassium bromate only.
- **Description of the requested corrective action:** The requestor asked that EPA correct the documents on its web site, set the Maximum Contaminant Level (MCL) for bromate to 1.0 mg/L and establish a preliminary limit on the amount of potassium in drinking water.
- **Was the subject of the RFC "influential"?:** Yes No Undetermined Not Applicable
- **EPA response to the Request for Correction:** in progress completed
- **Has an RFR been submitted on the EPA RFC response?:** No

3.14 Morgan, Lewis & Bockius (RFC # 12467) (08/19/03)

- **EPA Organization:** OPPTS
- **Requestor:** Mr. Dino Privitera, Morgan, Lewis & Bockius LLP, 1701 Market

Street, Philadelphia, PA 19103-2921

- **Date Received:** August 19, 2003
- **Summary of Request for Correction:** The request noted 4 fundamental concerns: 1. The statements in the Gold Book (“Guidance for Preventing Asbestos Disease Among Auto Mechanics,” is otherwise known as the “Gold Book”) were based on inadequate and inappropriate scientific data and literature at the time of its original preparation. 2. The Gold Book is now 17 years old and is badly outdated in light of significant scientific studies published since 1986. 3. The Gold Book's origins, preparation, funding, review, and approval are largely undocumented. 4. The Gold Book is routinely used to convey the misperception that EPA has conducted a complete analysis of the scientific and medical literature and has concluded that brake mechanic work is in fact hazardous and that as a direct result brake mechanics are at increased risk of contracting an asbestos related disease, including mesothelioma, from such exposure.
- **Description of the requested corrective action:** 1. That EPA discontinue disseminating the Gold Book. 2. That EPA post a caveat on EPA's website to the effect that the 1986 Gold Book is no longer current from a scientific perspective. 3. In the alternative, they request that EPA engage in an analysis of the scientific information contained in the Gold Book and update it so that it reflects a complete assessment of the extensive medical and scientific literature on the subject, particularly given the development since 1986 of a significant body of scientific data showing no increased asbestos-related health risks associated with brake work.
- **Was the subject of the RFC "influential"?:** Yes No Undetermined Not Applicable
- **EPA response to the Request for Correction:** Response on November 24, 2003.
- **Summary of EPA response:** “EPA is embarking on an overall effort to update and revise, as appropriate, various information materials associated with the Agency’s Asbestos program. As part of this effort, EPA has begun the process of updating the auto mechanics’ brochure. We intend to engage all interested stakeholders and to provide the general public with an opportunity to review and comment on changes to the brochure before it is finalized. We anticipate it being available for comment in the Spring of 2004. In the interim, both the hard copy and electronic version of the brochure will include a note that states that the Agency is in the process of updating the material in the document.”
- **Has an RFR been submitted on the EPA RFC response?:** No

3.15 Geronimo Creek Observatory (RFC # 12856) (09/25/2003)

- **EPA Organization:** Office of Air and Radiation (OAR) and Region 6
- **Requestor:** Forrest M. Mims III, Geronimo Creek Observatory, 433 Twin Oak Road, Seguin, Texas, 78155 USA
- **Date Received:** September 25, 2003 via email

- **Summary of Request for Correction:** In his request, Mr. Mims contested the data collected from an Air Monitoring Site in San Antonio, Texas during the calendar year 2002. Specifically, the data collected via CAMS 23 (AIRS ID 480290032). Mr. Mims' request stated "Ozone concentrations measured at CAMS 23 in San Antonio, Texas, during summer 2002 were accepted by EPA, despite protests from me and others that the ozone analyzer was faulty and provided data that does meet acceptable scientific standards." He also challenged the calibration, the calculations and the model used in the ozone concentration determinations. It has not been determined that the information in question does not comply with all of the IQGs.
- **Description of the requested corrective action:** Mr. Mims requested that "The EPA +/-20% calibration tolerance for ozone and other gas analyzers must be changed to comply with the "best available monitoring" requirements of the Clean Air Act and customary definitions of accuracy." He recommended "that EPA assign an independent panel of scientists to review the current standard at the earliest possible date". Furthermore, he stated "EPA should immediately remove from its web site and from consideration all data from CAMS 23 that was known to be deficient by the TCEQ regulators and possibly the EPA. There is abundant internal TCEQ correspondence concerning this error that will be produced should this request require an appeal".
- **Was the subject of the RFC influential?:** Yes No Undetermined
 Not Applicable
- **EPA response to the Request for Correction:** in progress completed
- **Has an RFR been submitted on the EPA RFC response?:** yes no