



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

APR 17 2007

DEPUTY ADMINISTRATOR

MEMORANDUM

SUBJECT: Modifications to Process for Reviewing National Ambient Air Quality Standards

FROM: Marcus Peacock
Deputy Administrator

A handwritten signature in black ink that reads "Marcus Peacock".

TO: Dr. George Gray
Assistant Administrator, Office of Research and Development

William L. Wehrum
Acting Assistant Administrator, Office of Air and Radiation

On December 7, 2006, I instituted a number of changes to the process the U.S. Environmental Protection Agency uses in reviewing the National Ambient Air Quality Standards (NAAQS). As discussed more fully in that memorandum (Attachment 1), I directed your offices to proceed with the changes to the four major components of the NAAQS review process: planning, science assessment, risk/exposure assessment, and policy assessment/rulemaking. I also urged you to apply these revisions to the NAAQS review process for all upcoming NAAQS reviews and to any ongoing reviews, including, in particular, the lead NAAQS review.

In implementing these changes, your staff prepared a generic NAAQS review planning chart that showed timeframes and linkages among the various key activities that form each of the major NAAQS process components. This generic plan was also applied to the remainder of the lead NAAQS review process, and the resulting schedule was communicated to the Clean Air Scientific Advisory Committee (CASAC) and the public at a public meeting of the CASAC Lead NAAQS Review Panel, held on February 6-7, 2007.

At that meeting and in subsequent administrative meetings, CASAC expressed concerns about some aspects of the generic schedule and the proposed schedule for the remainder of the lead NAAQS review. The CASAC noted that under the NAAQS review process instituted in December 2006, a Staff Paper, which has in the past included discussion of the risk/exposure assessment and a policy assessment, will no longer be prepared, but will be replaced by both a separate risk/exposure assessment report and a policy assessment to be issued in the form of an Advanced Notice of Proposed Rulemaking (ANPR). The CASAC's concern focused on that aspect of the proposed schedule that did not provide an opportunity for CASAC to review a second draft risk/exposure assessment report or for the Agency to prepare the final risk/exposure

assessment report prior to issuance of the ANPR. The CASAC observed that this approach would not permit it to provide advice to the Administrator, prior to issuance of the ANPR, on alternative standards that the Agency should consider in light of both the scientific evidence and the results of the risk/exposure assessment.

Having considered the views expressed by CASAC members, I agree that further modifications to the NAAQS review process that will address these concerns are appropriate. I am modifying the process to enable CASAC to review and provide advice to the Agency on the second draft risk/exposure assessment report, which will include estimated risks/exposures associated with potential alternative standards, prior to issuance of the ANPR. This will allow the Agency to consider CASAC's advice and recommendations prior to reaching conclusions as to a range of appropriate policy options to be presented in the ANPR, which will solicit public comment and be made available for further review by CASAC. In addition, the final risk/exposure assessment report, which will take into account CASAC's comments on the second draft assessment, will be issued prior to the ANPR. This will enable CASAC to consider and provide comments to the Agency on the ANPR in light of the final risk/exposure assessment. Your staff has made the appropriate modifications to the generic NAAQS review plan, and those changes are reflected in the attached timeline chart (Attachment 2).

The lead NAAQS review process should also be modified to reflect these changes. The new lead NAAQS review timeline provides for completion of the second draft risk/exposure assessment report in late July 2007 followed by a CASAC meeting on that draft in late August. The final risk/exposure assessment report will be issued around the end of October, and the ANPR will be signed by November 30, 2007. I recognize that replacing the final Staff Paper with the ANPR is subject to approval by the federal court that previously issued an order concerning the lead review schedule.

I believe that the changes made to the NAAQS review process as discussed in my December 2006 memorandum, together with these additional modifications, will help to improve the efficiency of the process while ensuring that the Agency's decisions are informed by the best available science and timely advice from CASAC and the public. As I previously noted, these improvements will help the Agency meet the goal of reviewing each NAAQS on a five-year cycle as required by the Clean Air Act without compromising the scientific integrity of the process.

I thank both of you for the leadership you have demonstrated in moving this process forward, and I also thank the CASAC members for constructively working with the Agency to appropriately modify and revitalize a process that forms the cornerstone of EPA's air quality programs.

Attachments