



SCIENCE ADVISORY BOARD

A Federal Advisory Committee to the U.S. Environmental Protection Agency

November 4, 2024

EPA-SAB-25-001

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Subject: Science Advisory Board (SAB) Consideration of Four Planned
Regulatory Actions Listed on EPA's 2023 Fall Regulatory Agenda
Discussed During the October 2024 Chartered SAB Meeting

Dear Administrator Regan,

The Environmental Protection Agency's (EPA) Science Advisory Board (SAB) held a public meeting on October 15-16, 2024, to assess if the adequacy of the science supporting four EPA planned regulatory actions, made available by the Agency, merits SAB review as required by statute.

The Environmental Research, Development, and Demonstration Authorization Act (ERDDAA) requires the EPA to make available to the SAB proposed criteria documents, standards, limitations, and relevant supporting scientific and technical information when provided to any other federal agency for formal review and comment. The SAB may, within the time specified by the Administrator, make available advice and comments on the adequacy of the scientific and technical basis of the proposed actions. To fulfill ERDDAA requirements, the Associate Administrator for the Office of Policy, the Deputy Assistant Administrator for Science Policy in the Office of Research and Development, and the Director of the Science Advisory Board Staff Office on February 28, 2022, clarified the process for Review of Science Supporting EPA Decisions. Under this process, the SAB Work Group for the Review of Science Supporting EPA Decisions holds monthly meetings to examine planned actions sent to the SAB Office.

On March 28, May 30, June 27, July 25, and August 29, 2024, the SAB Work Group for the Review of Science Supporting EPA Decisions met to examine EPA planned actions (including regulatory actions that the EPA had sent to the Office of Management and Budget for review) and to determine whether to recommend SAB review of the science supporting these actions.

The Work Group found that each of the planned actions examined did not merit SAB review¹. The chartered SAB met on October 15-16, 2024, and discussed the Work Group findings and recommendations. During the meeting, the SAB agreed that the following four planned actions do not merit further review. A summary of the SAB findings regarding the four actions is provided in Table 1.

1. Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter ([RIN 2060-AS35](#))
2. Addition of Certain Per- and Polyfluoroalkyl Substances; Toxic Chemical Release Reporting ([RIN 2070-AL03](#))
3. Phasedown of Hydrofluorocarbons: Review and Renewal of Eligibility for Application-specific Allowances ([RIN 2060-AV98](#))
4. Clean Water Act Effluent Limitations Guidelines and Standards for PFAS Manufacturers Under the Organic Chemicals, Plastics and Synthetic Fibers Point Source Category ([RIN 2040-AG10](#))

On behalf of the SAB, thank you for this opportunity to support the EPA through consideration of the science supporting EPA's regulatory actions.

Sincerely,

/s/

Kimberly L. Jones, Ph.D.
Chair
EPA Science Advisory Board

¹Recommendations of the SAB Work Group for Review of Science Supporting EPA Decisions Regarding Planned EPA Regulatory Actions [Memorandum], September 25, 2024. Available at: https://sabapp.epa.gov/ords/sab/r/sab_apex/sabapp/mtgdetailpage?p7_id=1023&p7_rowid=AAAV1YAALAAP7RmAAD&session=13022648469554

NOTICE

This report has been written as part of the activities of the EPA Science Advisory Board, a public advisory committee providing extramural scientific information and advice to the Administrator and other officials of the Environmental Protection Agency. The Board is structured to provide balanced, expert assessment of scientific matters related to problems facing the Agency. This report has not been reviewed for approval by the Agency and, hence, the contents of this report do not represent the views and policies of the Environmental Protection Agency, nor of other agencies in the Executive Branch of the Federal government, nor does mention of trade names or commercial products constitute a recommendation for use. Reports of the EPA Science Advisory Board are posted on the EPA website at <https://sab.epa.gov>.

The SAB is a chartered federal advisory committee, operating under the Federal Advisory Committee Act (FACA; 5 U.S.C. 10). The committee provides advice to the Administrator of the U.S. Environmental Protection Agency on the scientific and technical underpinnings of the EPA's decisions. The findings and recommendations of the Committee do not represent the views of the Agency, and this document does not represent information approved or disseminated by EPA.

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Table 1. Summary of Proposed EPA Actions that Do Not Merit SAB Review

RIN	Proposed Action Title	SAB Determination
<u>RIN 2060-AS35</u>	Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter	This planned action does not warrant further review by the Chartered SAB.
<u>RIN 2070-AL03</u>	Addition of Certain Per-and Polyfluoroalkyl Substances; Toxic Chemical Release Reporting	This planned action does not warrant further review by the Chartered SAB.
<u>RIN 2060-AV98</u>	Phasedown of Hydrofluorocarbons: Review and Renewal of Eligibility for Application-specific Allowances	This planned action does not warrant further review by the Chartered SAB.
<u>RIN 2040-AG10</u>	Clean Water Act Effluent Limitations Guidelines and Standards for PFAS Manufacturers Under the Organic Chemicals, Plastics and Synthetic Fibers Point Source Category	This planned action does not warrant further review by the Chartered SAB.