From: scott slaughter
To: Rostker, David; Beck, Nancy;
cc: Erik Janus; Becker, Rick; Kate Willett; Kristie Sullivan; Chad Sandusky; Susan Ferenc; Susan Little; Beth Law; Doug Fratz; Scott Slaughter;
Subject: EDSP/ER Binding Assay
Date: Friday, June 12, 2009 12:24:05 PM

David and Nancy:

Sometime this week and without any public notice that I'm aware of, EPA placed its Peer Review Report for the ER Binding assay on EPA's EDSP website.

EPA admits in the Peer Review Report that there is still no "final peer review for the ER binding assay":

"The final peer review for the ER binding assay will include this peer review report consisting of the peer review comments, as well as documentation indicating how peer review comments were addressed by EPA, and the final EPA work product."

ER Binding Peer Review Report, page 1-3, available online at http://www.epa.gov/endo/pubs/er-binding_peer_review.pdf

To the best of my knowledge, the referenced documentation and final EPA work product are not yet publicly available. Consequently, there is still no final peer review of the ER Binding Assay for purposes of the EDSP ICR review.

CRE requests an opportunity to comment to OMB and EPA on the long, technical ER Binding report that EPA just posted. We could not have filed comments on this report by the June 9 deadline that OMB imposed at our June 2nd meeting on the EDSP ICR because this report wasn't available in time. Crucial aspects of the ER Binding record still aren't available.

CRE does not believe that the EDSP ICR should be granted when EPA itself admits that the ER Binding assay is not yet complete.

CRE does not believe that the EDSP ICR should be granted until and unless CRE and the rest of the public have had an adequate opportunity to comment on the complete record for the ER Binding assay and for the rest of EPA's proposed EDSP Tier 1 assays.

Thank you for your consideration of this request.

Scott Slaughter
The Center for Regulatory Effectiveness
202/265-2383