



# Center for Regulatory Effectiveness

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Docket ID No. OEI-10014  
United States Environmental Protection Agency  
Northeast Mall  
Room B607  
401 M St. SW  
Washington, D.C. 20460

## **RE: SUPPLEMENTAL CRE COMMENTS ON PROPOSED DATA QUALITY GUIDELINES**

Dear Sir or Madam,

The following comments supplement the comments filed in the above-referenced docket on May 31, 2002, by the Center for Regulatory Effectiveness ("CRE").

CRE's initial comments on EPA's proposed data quality guidelines explained that EPA's categorical ban on the consideration and use of third-party clinical human test data violates the data quality requirements of objectivity, utility and quality. EPA's categorical ban also violates the Safe Drinking Water Act risk assessment standards that EPA must adopt or adapt under OMB's interagency data quality guidelines. CRE Comments on Proposed Data Quality Guidelines, p.6 & Exhibit C (May 31, 2002).

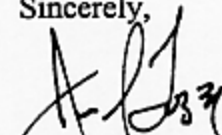
The Department of the Air Force agrees that third party clinical human test data are among the best available data on any substance or product's health risks. Attached to CRE's Supplemental Comments are Air Force comments on EPA's perchlorate risk assessment. At page 1, the Air Force points out, "By choosing not to use available human studies data for perchlorate, EPA has failed to act in the national interest by not basing its decision on all available credible science." At page 15, the Air Force states that EPA decisions which categorically exclude third party clinical human test data "will not be based on all the available data." The attached Air Force perchlorate comments are incorporated by reference into CRE's Supplemental Comments.

These Air Force comments support CRE's comment that EPA cannot comply with its Data Quality Act duties if the Agency continues its categorical ban on third party clinical human

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test data.

Sincerely,



Jim J. Tozzi

Member, CRE Board of Advisors

Attachment