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Magalie R. Salas,
Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

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Science Advisory Board; Advisory Council on Clean Air Compliance Analysis; Request for Nominations for Additional Expertise for the Special Council Panel for the Review of the Third 812 Analysis and the Council's Two Subcommittees, the Air Quality Modeling Subcommittee and the Health and Ecological Effects Subcommittee

1. *Action:* Notice; request for nominations to add additional expertise to the Advisory Council on Clean Air Compliance Analysis (Council) for a Special Council Panel for the Review of the Third 812 Analysis and request for nominations for membership on the Council's two subcommittees, the Air Quality Modeling Subcommittee and the Health and Ecological Effects Subcommittee (HEES). The Council is a separately chartered federal advisory committee, housed administratively in the U.S. Environmental Protection Agency Science Advisory Board.

2. *Summary:* The U.S. Environmental Protection Agency (EPA or Agency) Science Advisory Board is requesting nominations to: (a) add expertise to the Advisory Council on Clean Air Compliance Analysis (Council) for a Special Council Panel for the Review of the Third 812 Analysis (Special Council Panel); (b) the Council's Air Quality Modeling Subcommittee (AQMS); and (c) the Council's Health and Ecological Effects Subcommittee (HEES).

The SAB was established to provide independent scientific and technical advice, consultation, and recommendations to the EPA Administrator on the technical basis for Agency positions and regulations. The Council provides scientific advice on any analysis required under section 312 of the Clean Air Act (CAA) of the impacts of the Clean Air Act (CAA) on the public health, economy, and environment of the United States and is a separately chartered Federal advisory

committee Federal Advisory Committee Act (FACA), as amended (5 U.S.C. App.). The AQMS of the Council provides expertise on air quality modeling used in such analysis. The HEES of the Council provides advice on assessments of health and ecological effects used in such analyses. The AQMS and the HEES will report to the Administrator of EPA through the Council. The Special Council Panel will comprise members of the Council, appointed by the Administrator, and additional experts needed for the Review of the Third 812 Analysis. Members of the Special Council Panel, AQMS, and HEES will provide advice to the Agency on the Third 812 Analysis over a two-year period. Over that period, the Special Council Panel for the Review of the Third 812 Analysis, AQMS, and HEES will comply with the provisions of FACA and all appropriate SAB procedural policies, including the SAB process for panel formation described in the Overview of the Panel Formation Process at the Environmental Protection Agency Science Advisory Board, which can found on the SAB's website at: <http://www.epa.gov/sab/pdf/ec02010.pdf>. Those selected to serve on the Council, AQMS, and HEES will review the draft materials identified in this notice and respond to the charge questions provided below.

3. *Background:* The Agency is seeking the Council's advice in developing the third in a series of statutorily mandated comprehensive analyses of the total costs and total benefits of programs implemented pursuant to the Clean Air Act. Section 812 of the Clean Air Act requires the EPA to periodically assess the effects of the 1990 Clean Air Act Amendments on the "public health, economy and the environment of the United States" and to report the findings and results of the assessments to Congress. Section 812 of the Clean Air Act Amendments of 1990 (42 U.S.C. § 7612) also specifically directed the EPA Administrator to establish the Council to: (a) Review data to be used for any analysis required under section 312 of the Clean Air Act (CAA) of the impacts of the Clean Air Act (CAA) on the public health, economy, and environment of the United States, and make recommendations on its use; (b) review the methodology used to analyze such data and make recommendations on the use of such methodology; and (c) prior to the issuance of a report to Congress required under section 312 of the CAA, review the findings of the report and make recommendations concerning the validity and utility of such findings.

EPA has to date completed two reports to Congress [The Benefits and Costs of the Clean Air Act: 1970 to 1990 (published, 1997, and on the EPA Web site at <http://www.epa.gov/oar/sect812/copy.html>) and The Benefits and Costs of the Clean Air Act, 1990 to 2010 (published 1999), and on the EPA Web site at <http://www.epa.gov/air/sect812/1990-2010/fullrept.pdf>] and received the advice of the Council on them in multiple reports. EPA also sought Council advice on a draft Analytical Plan (June 2001) for a third analysis, and received advice on the plan from the Council in September 2001, Review of the Draft Analytical Plan for EPA's Second Prospective Analysis—Benefits and Costs of the Clean Air Act 1990–2020 (EPA–SAB–COUNCIL–ADV–01–004, on the SAB Web site at <http://www.epa.gov/science1/pdf/councila01004.pdf>).

EPA's work pursuant to the draft Analytical Plan (June 2001) and receipt of SAB Council advice was suspended pending resolution of three key issues:

(a) National Academy of Sciences (NAS) review of EPA air pollution benefits methods. Shortly after completion of the September 2001 SAB Council review of the June 2001 Analytical Plan, a panel of the National Academy of Sciences initiated development of their statutorily-mandated report evaluating EPA's methods for conducting air pollution reduction benefits analysis. The Agency recognized that the pending NAS report would have substantial effects on the selection of methods and assumptions in the third analysis, and suspended initiation of analytical work until the NAS review was completed. The NAS report, Estimating the Public Health Benefits of Proposed Air Pollution Regulations (on the web at <http://www.nap.edu/catalog/10511.html>), was completed in October 2002.

The Agency notes that the NAS report recommends numerous changes to EPA methods that are relevant for the third 812 analysis. Of particular importance, the NAS recommends that EPA develop and apply significantly enhanced uncertainty analysis methods, including the use of probabilistic specifications for important but uncertain or highly variable factors. The NAS panel, however, did not provide extensive specific advice regarding the appropriate methods or assumptions to apply in air pollution benefits analyses. The Agency proposes to seek Council advice to evaluate proposals for methodological changes pursuant to SAB and NAS advice. One specific change will be an additional analysis recommended by the NAS. This