

The agency's draft proposal includes docketing and other public participation provisions which were in the agreement settling the decision conference suit brought against EPA by the Natural Resources Defense Council (See Nov. 21, Page 11).

The draft provided for preliminary notifications (private) to registrants and applicants of initiation of special reviews. The registrants would have 30 days "to dispute the validity of the agency's conclusions or to present information in response to the notification."

If after issuing the preliminary notice, EPA decides not to start a special review, the agency will explain the proposed decision in a Federal Register notice and ask for comment on it.

The draft also provided for "informal public hearings during a special review" to gather relevant information or otherwise assist agency decision-making.

It included a provision for the following expedited procedure: "The agency may elect to issue a notice of special review and a notice of preliminary determination simultaneously; or, to initiate cancellation, suspension, or denial proceedings concerning the pesticide or any of its uses without first conducting a special review. If the agency elects to issue a simultaneous notice of special review and notice of preliminary determination, the agency will make the docket for that decision available for public inspection no more than three months after private notification of the registrant by the agency of its risk concerns at the initiation of the pre-special review process."

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EPA CHOICE OF LINEAR EXTRAPOLATION ATTACKED

EPA's choice of the linear mathematical extrapolation model as the method of determining carcinogenic risk was criticized by two cancer specialists at a press briefing in Washington Tuesday (Nov. 27) called by the American Industrial Health Council (See Nov. 21, Page 12).

Both Dr. Philip Shubik of Oxford University and Dr. Morton L. Mendelsohn of Lawrence Livermore National Laboratory said the agency was wrong in trying to get one number by one specified method for all presumed carcinogens.

There "isn't any way to get a (single) model for carcinogens," Shubik said at the AIHC-sponsored briefing. That organization had funded a workshop, chaired by Shubik, to assess the criteria for evidence of chemical carcinogenicity.

Mendelsohn, who was a member of the panel and also is chairman of the National Toxicology Program's Board of Scientific Counselors, said EPA might have suggested using all six of the mathematical models currently accepted, rather than specifying just the linear method.

He said EPA's discussion of mathematical modeling "built up the logic that no one model can be chosen" as superior, and then the agency picked the linear model. The animal data have a well-defined range of statistical power, he said, but the "problem is that the public wants to know what happens with very small doses over a lifetime."

"It is not always clear to me that what we want is the most conservative answer," Mendelsohn said. "In my view, the most cautious answer might be best."