

## **EXECUTIVE COMMITTEE**

### **Conference Call Summary**

**July 20, 2006**

**10:00 a.m. – 1:00 p.m. Eastern Time**

**DRAFT**

### **Welcome**

*Dr. James H. Johnson, Jr., Howard University, BOSC Executive Committee Chair*

Dr. James Johnson welcomed the Executive Committee members and others to the conference call to review the revised Science To Achieve Results (STAR)/Greater Research Opportunities (GRO) Fellowship Program Review Report prepared by the STAR/GRO Fellowship Subcommittee. Also to be addressed on this call were feedback from the site visit at the National Exposure Research Laboratory (NERL) in Las Vegas, the upcoming Executive Committee vacancies, the Standing Laboratory/Center Subcommittees, and the mid-cycle program reviews. He then did a roll call of the participants. A list of the participants and the agenda for the conference call are attached.

### **Administrative Procedures**

*Lorelei Kowalski, BOSC Executive Committee Designated Federal Officer (DFO)*

Ms. Lorelei Kowalski noted that unless Dr. Carol Weiss, who indicated earlier that she was available, joined the conference call there would not be a quorum, which means that the a vote cannot be taken to approve the STAR/GRO Fellowship report during this call. She then explained that the Board of Scientific Counselors (BOSC) is a federal advisory committee that is subject to the requirements of the Federal Advisory Committee Act (FACA). As the Designated Federal Officer (DFO), she serves as the liaison between the BOSC Executive Committee and ORD and ensures that all FACA procedures and requirements are met. All meetings involving substantive issues, whether in person, by phone, or by e-mail, must be open to the public. This applies to all group communications that include at least one-half of the Executive Committee members. In addition, there must be time set aside for public comment at each meeting. Ms. Kowalski noted that although she did not receive any requests for public comment prior to the call, there is time on the agenda for public comment at 11:30 a.m. The BOSC Chair and the DFO must be present at all Executive Committee meetings and conference calls. A notice was placed in the *Federal Register* to announce this conference call on July 5, 2006. The conference call also was entered into the federal docket management system ([www.regulations.gov](http://www.regulations.gov), Docket ID EPA-HQ-ORD-2006-0592).

A contractor, Beverly Campbell from The Scientific Consulting Group, is present to take notes during the call. A summary of the call will be prepared and it will be posted on the BOSC Web Site ([www.epa.gov/osp/bosc](http://www.epa.gov/osp/bosc)) after it is approved by the BOSC Chair. Ms. Kowalski has worked with EPA officials to ensure that all ethics requirements have been satisfied, each BOSC member

has filed a standard government financial disclosure report, and all members have completed the required ethics training. Ms. Kowalski asked the members to notify her if any potential conflict of interest arises during the call.

Dr. Johnson stated that Dr. Clifford Duke, Chair of the STAR/GRO Fellowship Subcommittee, will provide an overview of the revisions to the report and Drs. Rogene Henderson and Herb Windom, who agreed to serve as vettors of the report, will provide their comments and then the comments of the other members will be solicited. As noted by Ms. Kowalski, unless there is a quorum, the Executive Committee cannot vote to approve the report. Nevertheless, Dr. Johnson suggested moving forward with the items on the agenda. The Executive Committee then will vote to approve the report and any other issues that require a vote by e-mail or during another call. Ms. Kowalski agreed to find out if the BOSC members could vote by e-mail. If not, she would schedule a future conference call. (Following the conference call, Ms. Kowalski determined that the members could not vote on approving the report by e-mail; therefore, she scheduled another conference call.)

Dr. Johnson thanked Dr. Duke for addressing the comments and issues identified during the meeting in Las Vegas. He also thanked Drs. Henderson and Windom for vetting the report.

### **Overview of the Revisions to the STAR/GRO Fellowship Program Review Report**

*Dr. Clifford Duke, The Ecological Society of America, STAR/GRO Fellowship Subcommittee Chair*

Dr. Duke said that he worked with Ms. Claudia Sturges Scott, Vice Chair of the Subcommittee, to prepare a response to each of the issues identified during the June BOSC Executive Committee meeting in Las Vegas. He noted that an overarching issue was the redundancy in the report, which made it difficult to read. Dr. Duke and Ms. Sturges Scott eliminated the redundancies and revised the report in accordance with the BOSC's comments. The revised report was distributed to the Executive Committee members for review prior to this conference call. Another issue that they addressed was the handling of non-consensus recommendations. Instead of including these in the list of recommendations, they now are just mentioned in the text as part of the discussion and rationale for the Subcommittee's recommendations. The Executive Committee members requested clarification in several instances and Dr. Duke and Ms. Sturges Scott edited the report to add those clarifications.

Dr. Johnson asked if it was necessary to go through the responses and specific revisions. Are there any that require further discussion? Dr. Windom stated that all of his concerns had been addressed very well. Dr. Clark agreed. Dr. Harding concurred, stating that they had done a great job in revising the report and addressing all of the issues. Dr. Duke noted that removing the redundancies in the report and the non-consensus comments from the recommendations sections shortened it by about 5 pages.

Dr. Henderson said that she had read the revised report and was very pleased with the revisions. All of her concerns and those raised by the BOSC members had been addressed. Dr. Windom agreed, adding that the report is much better organized now. He mentioned that there are still a few editorial errors but those will be corrected by the contractor's final edit.

Dr. Harding asked about the consideration of gender in awarding fellowships. This issue was raised by Dr. Windom during the meeting in Las Vegas. She asked if the BOSC should somehow address this issue even if it is not mentioned in the report. Dr. Johnson responded that it could be addressed in the transmittal letter that accompanies the report. The letter could highlight any issues or concerns that the Executive Committee believes ORD should consider even though they are not included in the report. Dr. Johnson thought it might be useful to obtain some data on the gender distribution of the current EPA workforce before the BOSC weighs in on this issue.

Dr. Johnson asked Dr. Martin Philbert, one of the new members of the Executive Committee, if he had any comments on the revised report. Dr. Philbert said he was glad to hear from the vettors that the revisions adequately addressed the concerns and issues raised at the June Executive Committee meeting. The participating members agreed that the Board could move forward and vote on approval of the STAR/GRO Fellowship Program Review Report when a quorum of members is available.

### **Feedback on the National Exposure Research Laboratory Site Visit**

*Dr. Rogene Henderson, Lovelace Respiratory Research Institute, BOSC Executive Committee Vice Chair*

Dr. Henderson reported that the BOSC members had a great meeting and site visit in Las Vegas. They had an opportunity to learn about some of NERL's research programs and to review numerous posters on the laboratory's research.

She mentioned that the meeting was a bit rushed because there was so much to cover, including the review of the STAR/GRO Fellowship Report, the role and activities of the standing Laboratory/Center Subcommittees, and the handbook for future BOSC subcommittee chairs. There was some concern expressed by the members about the workload that will be involved with these standing subcommittees.

Dr. Johnson said that he reviewed the minutes of the meeting that was held at the laboratory in Research Triangle Park (RTP), North Carolina, in 2004. He thought it was helpful to capture in the meeting summaries information on the various programs on which the BOSC members have been briefed. He asked if there were any other comments on the NERL site visit. No comments were offered.

### **Upcoming Executive Committee Vacancies**

*Dr. James H. Johnson, Jr., Howard University, BOSC Executive Committee Chair*

Dr. Johnson explained that the terms for three of the current members of the Executive Committee will end in October 2006. These members are Drs. Windom, Clark, and Johnson. He asked that the BOSC members consider the expertise that will be lost from the Board with the departure of these members. Dr. Johnson noted that he is the only engineer on the Board. He thought it would be beneficial to consider adding someone with engineering expertise, particularly in the area of water systems (distribution and treatment) given the Agency's responsibilities for homeland security. Diversity also should be considered when searching for potential candidates for the Executive Committee. Another area of needed expertise is public

health/risk communication. Although Dr. Harding provides this expertise, her term expires in another year.

Dr. Windom stressed the importance of identifying candidates with expertise in coastal and marine issues. Dr. Duke has some expertise in this area but it would be helpful to add someone to the Board with specific expertise in the marine environment and coastal areas. He noted that this expertise also is important with respect to homeland security.

Dr. Harding asked about expertise in nanotechnology because of its increasing importance in the Agency. Dr. Philbert replied that he has expertise in that area. Dr. Henderson asked if his expertise covers the various “omics,” and Dr. Philbert replied that he has some knowledge but the Board could use more expertise in that area.

Dr. Clark commented that Dr. Duke has expertise that covers many of the areas that he brought to the Board. Dr. Duke said that he thought it might be important to add someone who is a practitioner and active in the field.

Dr. Johnson asked about the mix of affiliations on the Board. Do we need to add members from industry? Drs. Johnson and Windom are from academia and Dr. Clark is from industry. With Dr. Clark’s departure, Dr. George Daston becomes the only industrial member on the BOSC.

Dr. Johnson summarized the discussion, stating that the Board could use expertise in environmental engineering (particularly water systems and homeland security), public health/risk communication, coastal/marine issues, and systems biology. At least one of the new members should be from the industrial sector.

Ms. Kowalski asked if there were any specific areas of systems biology of interest to the Executive Committee. Dr. Henderson thought the focus should be human health. Dr. Philbert suggested that the individual have general expertise in genomics and metabonomics, and be working in the field. He mentioned that there are many pharmacologists working in this area. Dr. Johnson agreed that the Board could use someone with human health expertise with a systems biology approach. Dr. Philbert suggested Dr. Ralph Greenspan (Neurosciences Institute) and Dr. Jim Stevens (Eli Lilly).

Dr. Johnson stated that the Board will identify potential candidates with the areas of expertise discussed today to fill the three vacancies. He noted that the Board does not select the members; the selection decisions reside with EPA.

Ms. Kowalski mentioned that the Board members also must be geographically diverse. All three members departing the Board are from the East Coast. She added that if the new members are to be appointed in time to attend the January meeting, she will need the names and resumes of potential candidates by early September. It usually takes 8-12 weeks for the paperwork processing and approval.

Dr. Johnson asked if Ms. Sturges Scott was still on the phone. When she did not respond, Dr. Johnson said that he intended to thank her for her efforts on the report. He will send her a note after the call to thank her.

Dr. Harding asked if the BOSC members should identify potential candidates for the Board who have expertise in the areas identified during this call. Dr. Johnson said that he will send out an e-mail following the call to request the names of potential candidates.

Dr. Johnson stated that Jeff Morris will be filling in for Dr. Bill Farland to provide feedback from the ORD Executive Council concerning the Standing Laboratory/Center Subcommittees. Dr. Henderson noted that at the Las Vegas meeting, several individuals volunteered to chair some of these new standing subcommittees. Although Dr. Philbert's name was mentioned with respect to chairing the National Center for Environmental Assessment (NCEA) Subcommittee, Dr. Henderson had not contacted him to ask if he would be willing to serve as the Chair of that Subcommittee. Dr. Philbert replied that he is willing to serve but he did not know anything about NCEA.

Dr. Clark reported that the Computational Toxicology Subcommittee met in RTP shortly after the Las Vegas meeting. He noted that many of the benefits of having standing subcommittees were reinforced at that meeting.

Because Mr. Morris was delayed in joining the call, Dr. Johnson suggested moving on to the discussion of the mid-cycle program reviews and future meeting dates.

### **Mid-Cycle Program Reviews/Future Meetings**

*Dr. James H. Johnson, Jr., Howard University, BOSC Executive Committee Chair*

Dr. Johnson reminded the BOSC members that the Board has agreed to do a follow-up mid-cycle program review for those programs that were reviewed, which includes the Endocrine Disrupting Chemicals (EDCs), Human Health, Ecological, Particulate Matter and Ozone, Drinking Water, Water Quality, Land, and Global Change Research Programs. The Board needs to determine what will be done for these mid-cycle reviews. Each of the program review reports included a list of recommendations and ORD submitted a response to the BOSC on each report that addressed these recommendations. Dr. Johnson suggested that the BOSC asked the program to provide an update on the progress that has been made in implementing the actions described in their response to the program review report. The BOSC Subcommittee members could provide advice as needed. These mid-cycle reviews could be held in conjunction with the Executive Committee meetings, which would allow those BOSC members not on the Subcommittee to attend. Dr. Johnson thought it would be feasible to do the first mid-cycle review in conjunction with the January Executive Committee meeting. It could be held the day before the BOSC meeting starts.

ORD asked that the Human Health Research Program be the first to undergo a mid-cycle review. Drs. Jim Klaunig and Jim Clark were the Chair and Vice Chair, respectively, of that Subcommittee. Because Dr. Clark will no longer be a BOSC member in January, Dr. Johnson asked him if he would be willing to participate in the mid-cycle review. Dr. Clark agreed to do the review, but cautioned that the Human Health Research Program is large and complex and it may be difficult to do the mid-cycle review in 1 day. Dr. Johnson asked if it would be more efficient to form several groups from the Subcommittee members so that they can address different areas of the program. Dr. Clark thought that might help.

Dr. Harding asked about the materials that will be provided to the BOSC members prior to the mid-cycle review. Dr. Johnson responded that he thought the reviews should be conducted by the Subcommittee rather than the Executive Committee. The BOSC members, however, will be invited to attend the reviews and will be responsible for approving any letter or other report resulting from the review. Dr. Henderson stated that, although she recognized the value of a mid-cycle review, she was concerned about the effort required by the program staff to prepare for such reviews. She suggested that the Program Director make a presentation to the Subcommittee about the progress made toward addressing the recommendations and any other significant changes that have taken place since the program review. It should involve only the Program Director and maybe one or two staff members. Ms. Kowalski commented that ORD envisioned having the Program Director and one or two program staff come to the mid-cycle review meeting. This would not be on the scale or as technical as a full program review. Ms. Kowalski asked Dr. Johnson to clarify if he wanted to involve the entire Subcommittee in these mid-cycle reviews and he responded in the affirmative. He acknowledged that this would have an impact on the resources available for the BOSC.

In summarizing the discussion, Dr. Johnson stated that the BOSC will conduct a mid-cycle review of the Human Health Research Program in January 2007. This mid-cycle review will be held before the January Executive Committee meeting. The program will provide the Subcommittee members with a report on the progress made in implementing the recommendations from the original program review report and the Program Director will describe this progress at the meeting. The product resulting from the mid-cycle reviews will be a letter report. Dr. Johnson suggested drafting the letter report before departing the meeting.

Ms. Kowalski asked Dr. Johnson to prepare an e-mail that captures this information about the mid-cycle reviews and send it out to the BOSC members so that they can approve this approach. Dr. Johnson noted that the mid-cycle review meetings will be open to Executive Committee members but attendance is not mandatory. Dr. Harding thought it might be useful for the Executive Committee members to hear the Program Director's presentation on progress. Dr. Johnson agreed but thought it was important for the Subcommittees to conduct the mid-cycle reviews because the Executive Committee members were not involved in the original review discussions and did not write the reports. The Subcommittee will draft a letter report that will be reviewed and approved by the Executive Committee before it is submitted to ORD.

Dr. Johnson stated that there will be an e-mail distributed to the Executive Committee asking for availability to set the dates for the January 2007 and May 2007 meetings. The proposed dates for these meetings are January 22-23, 2007, and May 24-25, 2007. Ms. Kowalski pointed out that the May meeting would occur right before the Memorial Day weekend. The May meeting also may be held at one of the ORD laboratories/centers.

Dr. Johnson asked if there were any issues or comments on any of the topics that had been discussed during the call. None were offered. He then asked Ms. Kowalski to share with the Board what she had found out about consultations.

**Standing Laboratory/Center Subcommittees**

*Jeff Morris, Associated Director for Science, Office of Science Policy, Office of Research and Development*

Ms. Kowalski stated that, at the June meeting, there were suggestions to change the language in the charge for the standing Laboratory/Center Subcommittees so that their efforts would be consultative in nature. She was not familiar with how FACA committees conducted consultations so she talked to other DFOs, the FACA attorney, and others. She learned that consultations are not specified under FACA and there are no guidelines for them. The experts providing consultation are considered Special Government Employees (SGEs) just like the Executive Committee members so the process for subcommittees is the same. Ms. Kowalski read an excerpt from a Science Advisory Board annual report that describes their approach to consultations: it usually provides input on immature programs or topics to obtain early advice from outside the Agency and is not appropriate for mature programs. There may not be a formal charge for a consultation and the agenda is flexible. Ms. Kowalski said that the FACA attorney recommended that the BOSC develop a process document that states how subcommittees are formed, how they function, their purpose, and the work they will undertake. That document should state that the output will be a letter report (which is not a consensus document) that will be sent to the Executive Committee for review and approval. The letter report should document any advice provided to the Agency.

Mr. Morris provided a summary of the ORD Executive Council's discussion of the Standing Laboratory/Center Subcommittees and their charge. The Executive Council identified the two laboratories/centers that would like to be the first to have standing subcommittees. These are NERL and the National Center for Environmental Research (NCER). Dr. Johnson thought these were good choices, given that NERL is geographically dispersed and NCER is in one location; one is a laboratory and one is a center.

Mr. Morris said that the Executive Council would like the Standing Laboratory/Center Subcommittees to meet face-to-face once a year and hold two or more conference calls each year, depending on the frequency of advice required. The Council members will provide specific comments on the charge by July 24, 2006. The Council may want to make some wording changes to the charge to allow more flexibility among the various subcommittees. For example, Dr. Larry Reiter, Director of NERL, may want to focus on a specific set of issues or a new direction (e.g., similar to what was done for nanotechnology) rather than the entire laboratory. Dr. Reiter wants the charge to be flexible enough to accommodate this approach.

Dr. Johnson asked if the Executive Committee members had any questions for Mr. Morris. Dr. Henderson asked for the Executive Council's response to the BOSC recommendation that these be consultations. Mr. Morris thought consultations may be very helpful to the laboratories/centers as they strike out in new directions. Therefore, the Executive Council agrees that there should be a consultative element built into the charge. Advice on strategic direction for new initiatives would be very useful. The Executive Council, however, wants the charge to include an evaluative component as well.

Dr. Johnson stated that it sounds like the Executive Council would like the charge to include a component that focuses on the entire laboratory/center and how it is serving ORD's and EPA's mission. The BOSC will review the comments on the charge submitted by the Executive

Council, develop an approach for the operation of the standing subcommittees, and prepare a description of the products resulting from these subcommittees.

Dr. Henderson mentioned that the Clean Air Scientific Advisory Committee (CASAC) conducts consultations and prepares letter reports. The comments of individual members often are attached to the letter report as there is no consensus among the members. In that way, individual ideas are transmitted to EPA even when there is no consensus.

Mr. Morris thanked the BOSC members for their work on behalf of ORD, adding that it was difficult to select two laboratories/centers for the pilot because of the tremendous interest of them all in having a standing subcommittee.

### **Public Comment**

*Dr. James H. Johnson, Jr., Howard University, BOSC Executive Committee Chair*

At 11:30 a.m., Dr. Johnson asked if there was anyone on the call who would like to make a comment. No comments were offered.

### **Wrap Up**

*Dr. James H. Johnson, Jr., Howard University, BOSC Executive Committee Chair*

Because Dr. Carol Weiss had joined the call, creating a quorum, Dr. Johnson quickly reviewed the items that had been discussed and asked if she was prepared to vote on approval of the STAR/GRO Fellowship Program Review Report. Dr. Weiss responded that she had not read the revised report so she was not prepared to vote on it at this time.

Ms. Kowalski reminded the BOSC members that the next Executive Committee meeting will be held October 19-20, 2006, in Washington, DC.

Dr. Johnson noted that no one had volunteered during the June meeting for the NERL and NCER Subcommittees. The chairs will need to be identified at the October meeting. In response to an inquiry, Ms. Kowalski stated that Dr. Larry Reiter is the Director of NERL and Dr. Gary Foley is the Director of NCER. Dr. Weiss asked that a list of the Human Health Subcommittee members be sent to the BOSC members. Dr. Johnson replied that the Subcommittee members, the meeting and call summaries, the report, and ORD's response to the report are posted on the BOSC Web Site. This is true for all of the Subcommittees. He mentioned that Dr. Clark is the Vice Chair of the Human Health Subcommittee.

Dr. Johnson reminded the members to look for an e-mail from him. He then thanked everyone for their participation and thoughtful comments, and adjourned the call at 11:50 a.m.

### **Action Items**

- ❖ Ms. Kowalski agreed to find out if the BOSC members could vote on approving the STAR/GRO Fellowship Program Review Report by e-mail. If not, she will schedule a future conference call to approve the report.

- ✧ Dr. Johnson will send Ms. Sturges Scott a note to thank her for her efforts in revising the STAR/GRO Fellowship report.
- ✧ Dr. Johnson will send out an e-mail to the BOSC members to request the names of potential candidates for the Board who have expertise in the areas identified during this call.
- ✧ Dr. Johnson will prepare an e-mail that captures the discussion concerning the mid-cycle reviews and send it out to the BOSC members so that they can approve this approach.
- ✧ Dr. Johnson or Ms. Kowalski will send an e-mail to the Executive Committee members asking for their availability in January and May 2007 so that the dates for the January and May meetings can be selected. The proposed dates for these meetings are January 22-23, 2007, and May 24-25, 2007. The e-mail should remind the BOSC members that the proposed May meeting date immediately precedes the Memorial Day weekend.
- ✧ The BOSC will develop a process document that states how the standing subcommittees are formed, how they function, their purpose, and the work they will undertake. That document also should state that the output will be a letter report (which is not a consensus document) that will be sent to the Executive Committee for review and approval.

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**EXECUTIVE COMMITTEE MEETING  
AGENDA****Thursday, July 20, 2006****10:00 a.m. – 1:00 pm Eastern Time****CONFERENCE CALL****Participation by Teleconference Only**

10:00-10:10 a.m.	Welcome and Overview - Roll Call - Purpose of Teleconference	Dr. James H. Johnson, Jr. Chair, BOSC Executive Committee
10:10-10:15 p.m.	DFO Remarks	Lori Kowalski, Office of Research and Development
10:15-11:00 a.m.	Science to Achieve Results (STAR)/Greater Research Opportunities (GRO) Fellowship Subcommittee Revised Draft Report - Overview of Revised Draft Report - Responses to Outstanding Issues - Discussion	Dr. Clifford Duke, Chair, STAR/GRO Fellowship Subcommittee  BOSC Executive Committee
11:00-11:15 a.m.	Feedback on National Exposure Research Lab Site Visit on June 2, 2006	Dr. Rogene Henderson Vice Chair, BOSC Executive Committee
11:15-11:30 a.m.	Upcoming Executive Committee Vacancies - Expertise Needed	Dr. James H. Johnson, Jr. Chair, BOSC Executive Committee
11:30-11:45 a.m.	Public Comment	
11:45-12:15 p.m.	Standing Lab/Center Subcommittees - Feedback from ORD's Executive Council  - Pilot Subcommittees	Dr. William Farland, Acting Deputy for Science for Research and Development Dr. James H. Johnson, Jr. Chair, BOSC Executive Committee
12:15-12:45 p.m.	Mid-Cycle Program Reviews/Future Meeting Dates and Locations	Dr. James H. Johnson, Jr. Chair, BOSC Executive Committee
12:45-1:00 p.m.	Action Items/Wrap Up	Dr. James H. Johnson, Jr. Chair, BOSC Executive Committee
1:00 pm	Adjourn	