

**U.S. Environmental Protection Agency
Office of Research and Development**

**BOARD OF SCIENTIFIC COUNSELORS
LAND RESTORATION AND PRESERVATION SUBCOMMITTEE**

**Conference Call Summary
November 28, 2005
12:00 noon–2:00 p.m. EST**

Welcome

Dr. Charlie Menzie, Chair, Land Restoration and Preservation Subcommittee

Dr. Charlie Menzie, Chair of the Board of Scientific Counselors (BOSC) Land Restoration and Preservation Subcommittee, welcomed the participants to the conference call. He explained that the Subcommittee has been tasked with reviewing the U.S. Environmental Protection Agency (EPA) Land Restoration and Preservation Research Program, considering the program in terms of a series of scientific charge questions. Smaller workgroups consisting of a team leader and two members have been established to address each charge question.

Dr. Menzie outlined the conference call agenda (included in Appendix A) and asked if there were any questions.

Dr. Gene Keating commented that three conference calls had been scheduled originally but that one had been eliminated. He asked if any agenda items had been discarded. Ms. Heather Drumm, Designated Federal Officer (DFO) for the Land Restoration and Preservation Subcommittee, stated that the two conference calls would cover all of the agenda items from the three originally scheduled calls.

Administrative Procedures

Ms. Heather Drumm, DFO, Land Restoration and Preservation Subcommittee, EPA

Ms. Drumm thanked the Subcommittee members for their participation. She explained that the mission of the BOSC is to provide advice, information, and recommendations about the Office of Research and Development's (ORD) research programs. The BOSC Web Site address is <http://www.epa.gov/osp/bosc>. The purpose of this Subcommittee is to review the Land Restoration and Preservation Research Program and respond to scientific charge questions. The BOSC Executive Committee will review the Subcommittee's report and revise it as necessary before submitting it to ORD. Ms. Drumm noted that EPA retains all decisionmaking rights when considering how to respond to the contents of the report.

Ms. Drumm stated that an administrative teleconference involving the Subcommittee members had taken place on November 17, 2005. The next conference call will begin at 12:00 noon on December 9, 2005. The face-to-face meeting is scheduled for December 13-15, 2005, in Cincinnati, Ohio.

Ms. Drumm explained that, as the DFO, she serves as the liaison between the Subcommittee and EPA. The Subcommittee is required to comply with the provisions of the Federal Advisory Committee Act (FACA). FACA rules include the following:

- ✧ All Subcommittee meetings are open to the public and must be announced via a *Federal Register* notice at least 15 calendar days in advance of the meeting. Notice for this meeting was published on October 24, 2005.
- ✧ All group communications that involve at least one-half of the Subcommittee, whether by telephone, e-mail, or in person, must be open to the public.
- ✧ The DFO must approve the agenda and attend all meetings.
- ✧ The Chair of the Subcommittee must certify the meeting/conference call minutes within 90 days of the meeting/conference call.

Additionally, Ms. Drumm stated that each of the Subcommittee members has filed a standard government financial disclosure report, and must notify her should there be a potential conflict of interest. The administrative paperwork for the Subcommittee has been finalized, and the Subcommittee may begin its business. She reminded the members to document the number of hours spent each day working on Subcommittee business so that EPA can reimburse each member for his or her time.

Mr. Robert Phaneuf asked to be recused from bioreactor landfill discussions.

Ms. Drumm noted that any business conducted within the workgroups does not need to comply with FACA provisions, and the workgroups can meet anytime via telephone or e-mail. If it becomes necessary for the workgroup to contact the Subcommittee, contact only the Chair or the Vice-Chair. If the workgroup contacts the Subcommittee as a whole, FACA provisions will be invoked. The workgroups will be given time to work together and then report out to the Subcommittee as a whole at the face-to-face meeting.

Dr. Keating asked if all notes from the Subcommittee meetings will be made public. Ms. Drumm responded that the summaries of all meetings and calls will be posted to the BOSC Web Site, which is open to the public. Mr. Tim Thompson asked if workgroups could comment on issues that fall outside the scope of their assignment. Dr. James Clark responded that there would be opportunities to discuss the Land Research Program as a whole at the face-to-face meeting, and the Subcommittee and BOSC Executive Committee will be given the opportunity to comment on the entire report. Ms. Drumm added that there would be a conference call for the Subcommittee following the face-to-face meeting to discuss and approve the report. Dr. Keating asked how Subcommittee members should handle inquiries from the public. Ms. Drumm responded that all public inquiries should be forwarded to her.

Ms. Drumm turned the meeting back to Dr. Menzie, who introduced Dr. Kevin Teichman, Director of EPA's Office of Science Policy, who presented an overview of ORD's organization and activities.

ORD 101

Dr. Kevin Teichman, Director, Office of Science Policy, EPA

Dr. Teichman explained that ORD, with nearly 2,000 employees, 13 research facilities, and an approximately \$600 million dollar budget, including a \$70 million external grants budget, is tasked with providing credible, relevant, and timely research results and technical support to inform EPA policy decisions with the strongest possible science. Dr. Keating asked if these statistics have changed in recent years. Dr. Teichman replied that he thought the statistics have remained approximately the same (i.e., that the number of employees has ranged from 1,800 to 2,000 during the previous 5 years and the budget generally has been between \$500 and \$600 million dollars). The extramural grants program budget has declined from approximately \$100 million dollars a few years ago. Dr. Keating asked if this was directed basic and applied research or research intended to close knowledge gaps. Dr. Teichman responded that ORD programs include both core (basic) research and problem-driven research. The health and ecological programs are considered basic research (applied with respect to the National Science Foundation's programs), whereas EPA's air, water, and similar research programs are problem-driven programs to fill knowledge gaps. Dr. Keating asked what percentage of ORD research is each type. Dr. Teichman responded that approximately 60 percent of ORD's research is problem-driven and 40 percent is basic/core.

The mission of ORD is to advance scientific knowledge to solve the environmental problems the Agency faces and provide advice and technical assistance, communicated in a form that decisionmakers can utilize. ORD also provides leadership in identifying emerging environmental problems in a proactive manner and providing the necessary research to solve these problems. EPA's mission is to protect human health and safeguard the natural environment, including air, water, and land, upon which life depends. EPA's program offices are designed to help EPA achieve its mission by writing the standards for the nation. The program office most closely affiliated with the Land Research Program is the Office of Solid Waste and Emergency Response (OSWER). EPA's regional offices interface with states and ensure implementation of the program offices' standards. ORD works with both program and regional offices and provides science for the future, including establishing the National Homeland Security Research Center (NHSRC) and the National Center for Computational Toxicology (NCCT).

The Assistant Administrator of ORD (AA/ORD), an appointed position approved by the Senate, is Dr. George Gray. Dr. William Farland, ORD's Acting Deputy Assistant Administrator for Science, is on the agenda for the face-to-face meeting to be held in Cincinnati. ORD maintains seven laboratories/centers: (1) the National Health and Environmental Effects Research Laboratory (NHEERL), which deals with the hazardous identification side of the risk assessment paradigm; (2) the National Exposure Research Laboratory (NERL), which predicts exposures of humans and ecosystems to harmful pollutants; (3) the National Center for Environmental Assessment (NCEA), which conducts human health and ecological risk assessments; (4) the

National Risk Management Research Laboratory (NRMRL), which attempts to reduce and prevent pollution and restore ecosystems; (5) the National Center for Environmental Research (NCER), which is responsible for the extramural research program; (6) the NHSRC, which addresses risks posed by chemical, biological, and radiological terror attacks; and (7) the NCCT, which utilizes computational tools to protect human and environmental health. Dr. Keating commented that almost a third of the management positions on the ORD organizational chart were filled by individuals who are acting in these positions. Dr. Teichman explained that Dr. Gray was recently approved as the AA/ORD, and it was decided that many of the positions should not be filled until after Dr. Gray's appointment. Additionally, the National Program Directors (NPDs) are relatively new positions, and that is why many of them are classified as acting.

The Office of Resources Management and Administration (ORMA) controls the budget and the accounting for ORD. The Office of Science Policy (OSP) comments on the science informing proposed regulations and determines if that science has been properly characterized for decisionmakers. Overall, ORD provides information and research to the Agency and also reviews the science informing EPA decisions.

ORD evolves its research program by receiving decision inputs from program and regional offices, the EPA Strategic Plan, congressional mandates, BOSC reviews, stakeholders, NPDs, and its various councils. Following implementation of research programs, the programs are evaluated for effectiveness using program and regional office feedback, BOSC program evaluations, advisory bodies such as the National Academies of Science and the National Academy of Public Administration, and the Office of Management and Budget's (OMB) Program Assessment Rating Tool (PART) reviews. In planning ORD's research programs, the Executive Council provides corporate guidance among research. The NPDs then determine what and when specific research should be done in these areas, and the Laboratory and Center Directors determine how the research is to be carried out. In implementing research programs, the Laboratory and Center Directors are responsible for developing ORD research products, and the NPDs are responsible for communicating the products to the clients. A participant asked if individual scientists and engineers are solicited for their expertise. Dr. Teichman responded that bench scientists often are consulted to determine what research is needed. Dr. Robert Siegrist asked how budget and resource constraints affect planning. Dr. Teichman responded that ORD must plan the budget carefully to ensure that its resources address the research needs of ORD's customers. Generally, more funding goes to air and water programs than to land programs. The budget request is presented to Congress in January, and the Appropriations Committee makes the final budget decisions. ORD plans the budget around a target amount, but alternative plans also are prepared in the event of additional funding or budget cuts. Dr. Keating asked what happens if products do not meet their expectations. Dr. Teichman responded that there is much dialogue between the NPDs and the Laboratory and Center Directors, and if an ORD product is developed that is not quite as expected, the NPDs explain how and why this happened to the client. Mr. Thompson asked if the Scientific Advisory Board (SAB) review is integrated with the BOSC review. Dr. Teichman replied that the results of prior SAB reviews of ORD Multi-Year Plans (MYPs) should be reflected in the information the BOSC will review.

The long-term goal of ORD's land research is to achieve positive environmental outcomes, with a specific objective of decreasing the amount of risk associated with solid and hazardous waste. Planning is directed toward the desired long-term outcome and sequenced by determining what can be accomplished with the available resources and when it is needed. The Subcommittee should focus its expertise on evaluating the program development, research outputs, and short-term outcomes that have been produced. ORD also desires for its science to be useful to other agencies and the private sector. The MYP is critical to this process. The MYP is a planning tool to address the Agency's high-priority science questions that provides information to assist and support resource decisions and demonstrates how specific programs contribute to EPA's strategic goals. Long-term goals, annual performance goals, and annual performance measures are elements of the MYP. EPA currently has 13 MYPs for its research programs, including the Land Restoration and Preservation Research Program.

Planning, performing research, and communicating research results are important steps in the ORD process, and outside evaluation of these steps is critical to inform future plans. In evaluating the Land Restoration and Preservation Research Program, the Subcommittee is asked to: (1) consider if ORD is "doing the right science"; (2) consider if ORD is "doing the science right"; (3) provide guidance for evolving the research program; and (4) provide information to be used in OMB's PART evaluation. EPA provides program details to OMB and receives a PART numerical score and rating; the BOSC review is important in this process, because it provides an independent review of whether ORD's research results are relevant, of high quality, and achieve performance by showing progress toward environmental outcomes.

In summary, ORD seeks input from many sources to enhance and evolve its research programs, and BOSC program evaluations are one of the most important inputs. This Subcommittee's review of the Land Preservation and Restoration Research Program will be of great value and is much appreciated.

Dr. Todd Bridges commented that ORD's planning process was impressive, but he is concerned about how agile the process is in terms of being responsive to new problems or changing conditions. Dr. Teichman responded that it is not particularly agile, because any change over \$500,000 must be approved by Congress. The process has been responsive, however, in anticipating needs and creating new programs to submit to Congress in the initial budget plan. Dr. Patricia Erickson added that there is a tremendous amount of technical support that allows ORD the flexibility to respond to urgent needs.

Dr. Siegrist asked about workforce demographics and if there was a mentoring program in place for junior scientists. Dr. Teichman responded that ORD scientists are somewhat older than the EPA average, and ORD could do more to mentor its younger staff. ORD is increasing the number of postdoctoral fellows hired to bring in new perspectives and more current science.

Dr. Teichman turned the meeting back to Dr. Menzie, who introduced Dr. Randy Wentzel, NPD for Land, who gave an overview of the Land Restoration and Preservation Research Program.

Road Map Materials and Overview of the Land Research Program

Dr. Randy Wentsel, National Program Director for Land, EPA

Dr. Wentsel informed the Subcommittee members that there was a summary of the SAB review and the ORD response in their notebooks. The Land MYP is being submitted to the Subcommittee on Friday, December 2, 2005.

The main customer for the Land Research Program is OSWER, which provides Agency-wide policy, guidance, and direction for solid and hazardous waste management, underground storage tank management, contaminated site cleanup, and emergency response programs. The objective of ORD's Land Research Program is to perform problem-driven research for protecting and restoring land and providing support for cleanups. OSWER's strategic subobjectives, (i.e., 3.1 Restoring Land and 3.2 Preserving Land) fall under ORD's Goal 3. Relevant research activities to support these subobjectives are resource conservation, recycling, underground storage tank research, oil spill research, and contaminated sediments technical support. To achieve these subobjectives, the research program has a \$37.1 million dollar budget and 145.1 full-time equivalents (FTEs). The underground storage tank management project is allotted \$600,000 and 2 FTEs, and the Superfund project is allotted \$24 million and 91 FTEs. OSWER issues are allotted \$11 million and 51 FTEs. During the last 5 years, funding has decreased and starting in Fiscal Year (FY) 2003, there was a shift to include risk assessment support so that risk assessment could be more unified. FY05 includes disinvestment in funding for Hazardous Substance Research Centers support, and FY06 funding includes disinvestment in an innovative technology (i.e., SITE) program. Dr. Clark asked if the monetary allotment and the FTEs were two separate resources. Dr. Wentsel responded that the monetary allotment includes the budget for the FTEs, which include in-house and extramural scientists. Resources from Superfund-related homeland security research, Superfund-related human health risk assessment, and Superfund-related Small Business Innovation Research (SBIR) Program projects have been transferred to OSWER.

NCEA is an important component that supports program offices and the BOSC review. The Center addresses site-specific issues, provides provisional toxicity values, maintains the Integrated Risk Information System (IRIS), conducts major risk assessments, and produces guidance documents via the Risk Assessment Forum. IRIS provides toxicity values for use in risk assessments.

The Land MYP addresses activities of exposure, risk management, risk assessment, and media topics (e.g., sediment, groundwater, surface water, and soil). The Land MYP leverages from other MYPs to develop products for regions to utilize. Technical support centers provide site-specific support. Resources determine research activities that in turn determine short- and long-term outputs that lead to improved land preservation issues. Short-term outcomes include reports and models that provide guidance and advice for waste management decisions. Dr. Keating asked if the resources, research activities, and outputs work toward an action plan. Dr. Wentsel replied that the MYP has more action details. The new MYP structure merges the former contaminated site and Resource Conservation and Recovery Act support into one plan with research themes (e.g., sediments, groundwater, etc.).

The Land Research Coordination Team (RCT), composed of the Land NPD, an Assistant Laboratory or Center Director from each ORD Laboratory and Center, an ORMA program analyst, and program and regional office representatives, discusses shifting research priorities and authors the MYP. Dr. Bridges asked if each MYP has an RCT. Dr. Wentzel responded that each team may be structured differently, but there is one for each MYP.

ORD communicates with its customers via RCT monthly calls, progress reviews on the status of research (with the Assistant Laboratory Director and program office), annual research planning, the Deputy Assistant Administrators Meeting, seminars and workshops, and publications. ORD partnerships include OSWER guidance documents and issue papers, which ORD scientists co-author. An example of a partnership includes the Contaminated Sediments Technical Advisory Group. Site-specific support is a significant part of the program. Technical support centers respond to regional staff questions, and there is an ORD liaison in each region. Technical support centers and liaisons provide links to ORD staff. Technical support centers are located at NERL, NRMRL, and NCEA. These centers enhance products; the scientists are involved in current issues and best solutions. Dr. Bridges asked if the technical support centers had separate budgets. Dr. Wentzel replied that each does have a separate budget. Some centers have in-house researchers and some have contractor support. The Superfund Center contributes one-quarter of the funding. Dr. Erickson interjected that about half of the center support comes from ORD and the other half from Superfund.

As budgets are decreased, collaboration becomes more important. NCER research includes the Science To Achieve Results (STAR) extramural grants program, the SBIR Program, and hazardous substance research centers. Additional ORD research activities include homeland security and Brownfields research.

Dr. Bridges asked if individual scientists and engineers responsible for various pieces of the research program are brought together to report progress and make mid-course adjustments if necessary. Dr. Erickson responded that although there is not a fixed process, there are scientist-to-scientist meetings or Center meetings with project scientists. Dr. Robert Dyer added that there is a teleconference seminar series in which ORD scientists present their research; it is geared toward clients, but ORD and Center personnel who are interested can participate. Dr. Bridges asked if there were products produced by multiple laboratories. Dr. Erickson responded that multi-laboratory products are encouraged and produced. Dr. Dyer added that there is no formal process for cross-laboratory collaborations, which are scientist driven.

Mr. Thompson asked if the Subcommittee was to comment on the science as well as the resource allocations. Dr. Menzie responded that the Subcommittee is being asked to comment on the overall program. Mr. Thompson then asked if that meant that the budget should not be considered at all. Dr. Wentzel responded that the Subcommittee needed to evaluate if the Land Program is responsive to customer needs, but the evaluation is not budget driven; however, the budget could be relevant in the relevance or performance sections of the review. Dr. Menzie added that the specifics of addressing the budget could be discussed at the face-to-face meeting.

Dr. Keating commented that in directed research versus applied research, time and money does become significant; when looking forward to a target, there must be the ability to measure

success. Dr. Menzie stated that this was a good point and this could be discussed during the next conference call, and participants could be attuned to that issue at the face-to-face meeting. Dr. Clark agreed that money and resources are important; the Subcommittee should assess whether resources are allocated to high-priority issues. Other than that, the Subcommittee does not necessarily need to review the budget. Dr. Keating commented that he wanted to evaluate if there is a process in place to execute the program's vision.

Subcommittee Activities

Dr. Charlie Menzie, Chair, Land Restoration and Preservation Research Subcommittee

Dr. Clark will integrate the working group reports so he has not been assigned to any specific working group. Dr. Menzie reiterated the working group assignments, which are as follows:

- ✧ Relevance: Todd Bridges (lead), Lynne Haber, and Charlie Menzie
- ✧ Quality: Lynne Haber (lead), Eugene Keating, and Tim Thompson
- ✧ Performance 1: Robert Siegrist (lead), Barry Dellinger, and Robert Phaneuf
- ✧ Performance 2: Robert Phaneuf (lead), Barry Dellinger, and Robert Siegrist
- ✧ Scientific Leadership: Tim Thompson (lead), Todd Bridges, and Eugene Keating

The Subcommittee members should work through the materials they have at hand to address the specific charge questions to which each member was assigned. Although he realized that the Subcommittee has not had sufficient time to review the materials, Dr. Menzie asked the Subcommittee members if there were any specific requests for additional information. No requests were made.

Dr. Menzie reminded the Subcommittee members to avoid large group communications and to contact him or Dr. Clark if there were questions about structure or expectations.

Dr. Lynne Haber asked how much time should be spent answering charge questions to which team members were not assigned. Dr. Menzie explained that the review has been broken up into smaller tasks so that members are not overwhelmed. One individual from each group has the responsibility for pulling together the relevant information to share with the entire Subcommittee at the face-to-face meeting.

A participant asked for clarification regarding addressing the charge questions and inquired if Tab Q of the notebook was the crux of the assignment. Dr. Wentsel responded that Tab B has the necessary information to address the charge questions. Dr. Menzie added that Ms. Drumm could be queried before the face-to-face meeting for additional information.

Dr. Keating thought that some of his questions may have to wait until the poster presentations at the face-to-face meeting. He queried as to what would happen if his questions were not answered at that point. Dr. Menzie asked if EPA could send information that responds to reviewers' questions before the face-to-face meeting. Dr. Wentsel replied that Dr. Keating could write a paragraph of what he would like poster presenters to include in their presentations and forward it to Ms. Drumm. Ms. Drumm could then forward it to Dr. Wentsel, who would communicate the request to the poster presenters. A participant also suggested that poster

presenters could supply research-relevant Web sites to the Subcommittee for review before the face-to-face meeting.

Ms. Drumm reiterated that the Subcommittee members should not hesitate to ask her or Dr. Wentsel for any information they might need to complete their evaluation.

In considering time constraints, Dr. Menzie decided to postpone the discussion of the agenda for the face-to-face meeting until the December 9, 2005, conference call. He reminded team leaders to communicate with their group and all members to review the evaluation materials. Dr. Haber asked if members were to prepare an initial draft report before the face-to-face meeting. Dr. Menzie replied that the members' thoughts should be pulled together but a draft report was not necessary prior to the meeting.

Public Comment

Dr. Menzie offered members of the public the opportunity to comment. No members of the public were present for comment.

Dr. Menzie adjourned the conference call at 2:10 p.m.

Action Items

- ✧ Subcommittee members will review the materials.
- ✧ Team leaders will communicate with their groups.
- ✧ Dr. Keating will write a paragraph of his expectations for poster presenters and submit it to Ms. Drumm.
- ✧ EPA will provide relevant Web sites for the poster presentations to the Subcommittee members so that they can familiarize themselves with the information prior to the meeting.

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APPENDIX A

**Teleconference Agenda
November 28, 2005
12:00 p.m.–2:00 p.m. EST**

**U.S. EPA BOARD OF SCIENTIFIC COUNSELORS
Land Restoration and Preservation Subcommittee**

**MEETING AGENDA
November 28, 2005
12:00 noon – 2:00 p.m. EST**

Monday, November 28, 2005

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|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| 12:00 p.m. | Welcome <ul style="list-style-type: none">- Overview of Subcommittee Objectives- Introduction of Subcommittee Members- Agenda for this Conference Call | Dr. Charlie Menzie
Chair, Land Subcommittee |
| 12:10 p.m. | Administrative Procedures | Heather Drumm (EPA)
DFO, Land Subcommittee |
| 12:20 p.m. | ORD 101 | Dr. Kevin Teichman (EPA)
Director, Office of Science Policy |
| 12:50 p.m. | Road Map Materials and Overview
of Land Research Program | Dr. Randy Wentzel (EPA)
National Program Director |
| 1:10 p.m. | Subcommittee Activities <ul style="list-style-type: none">- Review of BOSC Charge Questions- Discuss Face-to-Face Meeting Agenda- Identification of Information Needs | Chair/Subcommittee |
| 1:50 p.m. | Public Comments | |
| 2:00 p.m. | Adjourn | |