



August 16, 2018

Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

RE: Strengthening Transparency in Regulatory Sciences; 83, Fed. Reg. 18,768 (April 30, 2018); Docket # EPA-HQ-OA-2018-0259

Dear Acting Administrator Wheeler:

On behalf of the Agricultural Retailers Association (ARA), I am writing in support of the proposed rulemaking entitled “Strengthening Transparency in Regulatory Science” published by the U.S. Environmental Protection Agency (EPA) in the *Federal Register* on April 30, 2018.

Statement of Interest

ARA is a not-for-profit trade association that represents America's agricultural retailers and distributors. ARA members provide goods and services to farmers and ranchers which include: fertilizer, crop protection chemicals, seed, crop scouting, soil testing, custom application of pesticides and fertilizers, and development of comprehensive nutrient management plans. Retail and distribution facilities are scattered throughout all 50 states and range in size from small family-held businesses or farmer cooperatives to large companies with multiple outlets.

Comments

ARA strongly supports the EPA's proposal to prioritize transparency in the use of scientific studies as it relates to regulatory decisions. It is important for EPA and other federal agencies to ensure all relevant data, the methodology used, and underlying assumptions / studies utilized during the regulatory decision-making process are open for public viewing for verification or criticism. Over many years EPA has failed to properly use peer reviewed scientific studies and data that could stand up to public scrutiny when making major regulatory decisions. EPA's transparency requirements should be utilized for all rulemaking actions that rely on scientific and / or economic information for the basis of regulatory actions taken by the agency.

ARA agrees that this proposed rule is consistent with the Administrative Procedures Act (APA) as well as programmatic statutes that EPA administers to disclose to the public the bases for agency rules and to rationally execute and adequately explain agency actions. We also agree it is consistent with Executive Orders 13777 and 13783. ARA believes any scientific study needs to hold up based upon the data, methodologies, and assumptions it presents. Only a transparent and open process will allow for proper outside review that properly reveals the quality of any scientific study being used in a rulemaking decision making process by EPA. ARA requests EPA more clearly define and clarify what is means by asking "peer reviewers to articulate the strengths and weaknesses of EPA's justification for the assumptions applied and the implications of those assumptions for results." ARA recommends EPA ensure any third-party peer reviewers are truly independent and external from the agency staff, former staff or organizations that receiving EPA funding.

Thank you for your review and consideration of these comments. Let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink that reads "Richard D. Gupton". The signature is written in a cursive, flowing style.

Richard D. Gupton
Senior Vice President, Public Policy & Counsel