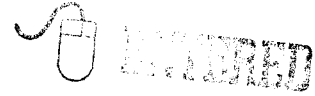




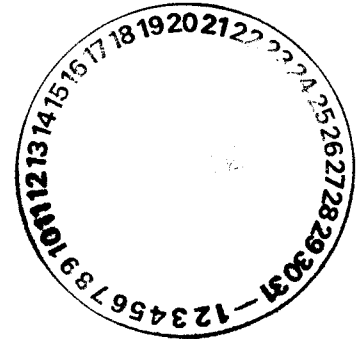
ENVIRONMENTAL EVALUATION GROUP



AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

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March 18, 2002



Dr. Inés Triay, Manager
Carlsbad Field Office
U.S. Department of Energy
P.O. Box 3090
Carlsbad, NM 88221-3090

Dear Dr. Triay:

I stated at the CBFO/EPA Working Meeting in Carlsbad on February 6-7, 2002 that EEG would comment on the conduct of each ASME/RSI Peer Review on a case-by-case basis. EEG has several concerns with the general ASME/RSI peer review process and with the PCB Disposal Authorization Peer Review Panel meeting which members of my staff observed on February 26, 2002.

First, the process is not transparent since a number of important activities are not available for review. These include determination of panel member requirements, selection of the panel members, and determination of the Peer Review Criteria.

Secondly, although external review groups and stakeholders were permitted to ask questions at the meeting and make a statement to the Peer Review Panel, there is no requirement that the briefing material presented to the Panel be made available to the stakeholders prior to the meeting. The public is not allowed to comment in writing after close of the oral presentations and are not allowed to see the Draft Report of the Peer Review Panel.

Thirdly, the RSI chair at the Peer Review meeting was inordinately involved in the process. These incidents included questioning presenters and attempting to get them to rephrase their presentation and provide yes or no answers. Such answers to complex scientific questions, can be, and are often, incomplete and potentially misleading. Also, questions from the Panel to presenters were rephrased by the RSI chair and at one point the chair asked the Panel if they really needed the details they were requesting. We would not expect such intrusive involvement by an RSI chair to be standard practice.

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Dr. Inés Triay
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EEG will obtain all information possible from individual Peer Reviews during our evaluation of a particular topic. However, because of our concerns about the process and unless there are substantial adjustments, we cannot place any special significance to the findings of a Peer Review Panel when making our evaluations of a particular topic.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew K. Silva', written in a cursive style.

Matthew K. Silva
Director

MKS:JKC:pf

cc: Alan Moghissi, RSI
Phil Gregory, RSI
Scott Monroe, EPA
Steve Zappe, NMED
Lindsay L. Lovejoy, NMAG