

United States Senate

WASHINGTON, DC 20510

January 19, 2012

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson,

We are extremely concerned that both the State of Wyoming on 20 December 2011, and EnCana on 6 January 2011 requested that EPA release all of the data that EPA had on hand when it prepared its draft report on “Investigation of Ground Water Contamination Near Pavillion, WY.” We understand that EPA has not yet fully complied with these requests. We are therefore urging EPA to immediately release this data and extend the comment period by a sufficient amount of time from this release so that data can be properly reviewed and analyzed.

Further, as EPA has noted that its 30-day peer-review process will soon begin, we are requesting that EPA provide us with a detailed written explanation of its approach to this peer review process. Specifically, we ask that you please explain to us what objective the peer review panel will be charged with achieving, what steps the panel will take to achieve that goal and how the panel will be structured.

We understand from your 17 January 2012 notice in the Federal Register that EPA has tasked an independent contractor with vetting and selecting panel members. Beyond technical capabilities, we would like to know specifically what methodology this contractor will rely upon to ensure that the panel is sufficiently “independent,” appropriately balanced, unbiased and impartial, and that members are the most qualified candidates.

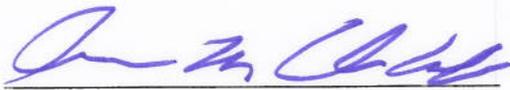
We are also interested to learn whether each member of the panel will independently evaluate the report, whether the approach will be consensus-based, and how EPA will handle dissenting opinions within the panel, should they arise.

Lastly, we ask that EPA extend the public comment period for this report in order to ensure adequate evaluation and review of the complete data set. Given that it is currently scheduled to close on January 27, we request that EPA respond to the questions and concerns raised in this letter by that date and quickly and fully release the requested data to the public immediately. We

are extremely concerned that the comment period will not be productive if this data is not made available and ample time is not provided, in order for it to be carefully studied.

In light of the significant interest in and potential consequence of this report, it is critical that EPA proceed in the most transparent manner and ensure adequate time for public input.

Sincerely,

A handwritten signature in blue ink, appearing to read "James M. Inhofe", written over a horizontal line.

Senator James M. Inhofe
Ranking Member
Senate Committee on Environment
And Public Works

A handwritten signature in blue ink, appearing to read "Lisa Murkowski", written over a horizontal line.

Senator Lisa Murkowski
Ranking Member
Senate Committee on Energy
and Natural Resources