



# United States Department of the Interior

U.S. GEOLOGICAL SURVEY  
Office of the Director  
Reston, Virginia 20192

In Reply Refer To:  
Mail Stop 101  
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Anne LeHuray, Ph.D.  
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Dear Dr. LeHuray:

This letter is in response to the Pavement Coatings Technology Council's (PCTC) April 8, 2014, appeal (Appeal Letter) to the U.S. Geological Survey's (USGS) March 19, 2014, decision (Final Response) on the PCTC's May 15 and May 31, 2013, requests for information correction submitted under the Information Quality Act (IQA).

A three-member panel of representatives from the USGS and the U.S Fish and Wildlife Service was convened to review and evaluate the appeal and to make recommendations on its findings, and the panel members were not involved in the development of either the products cited in the two PCTC May 2013 requests or the USGS Final Response. Based on my review of the panel's recommendations, as detailed in the enclosed, I have determined that the Final Response to the five corrective actions requested in the PCTC Appeal Letter (section III, pages 18-19) was appropriate and no additional corrective action by the USGS is warranted.

The USGS remains committed to providing unbiased, objective scientific information. The USGS ensures a high degree of transparency with regard to its data and methods to facilitate the reproducibility of its findings and results.

All related documents about the IQA requests, USGS Final Response, and the PCTC Appeal Letter are available at [http://www.usgs.gov/info\\_qual/coal\\_tar\\_sealants.html](http://www.usgs.gov/info_qual/coal_tar_sealants.html). This correspondence completes the appeal process for this complaint. We appreciate your interest in USGS science products.

Sincerely,

Suzette M. Kimball  
Director

Enclosure

**U.S. Geological Survey (USGS) Response to Information Quality Act (IQA) Appeal Request for Information Correction ([http://www.usgs.gov/info\\_qual/coal\\_tar\\_sealants.html](http://www.usgs.gov/info_qual/coal_tar_sealants.html))**

Items 1-5 below summarize the specific corrective actions cited in the Pavement Coatings Technology Council's (PCTC) Appeal Letter (April 8, 2014; section III, pages 18-19), and provide the USGS appeal response to these cited correction actions as well as related excerpts from the Final Response to the initial IQA requests.

**Corrective Request 1:** On page 19 of the Appeal Letter, in referring to USGS Web page <http://tx.usgs.gov/sealcoat.html>, the PCTC states that the "USGS RTS web page marked as Exhibit 6 must be modified to include references, citations and links to Comments and peer reviewed articles that critique past RTS studies conducted by the USGS...."

USGS Appeal Response: The USGS concurs with its Final Response, based on the purpose of the web page. Various additional updates and a redesign have been applied to the Web page since it was captured as PCTC's Exhibit 6, dated 4/8/2014. Updates include listing of additional USGS publications and content revisions for clarity and the redesign includes reorganized content and added headings for easier access to the information.

Excerpt of the Final Response:

This web page is one of several prepared by the USGS Texas Water Science Center for the purpose of providing stakeholders and the public with background and major findings from USGS projects ongoing in the Center. However, for additional clarification, words "USGS Research" have been added to the title, and the URL for the web page has been changed to <http://tx.usgs.gov/sealcoat.html>. (page 3)

**Corrective Request 2:** On page 19 of the Appeal Letter, the PCTC requests that "it be permitted to provide its input before anything is posted as part of a courtesy review" as well as an "opportunity to provide courtesy reviews on other USGS publications that might be drafted in the future regarding RTS."

USGS Appeal Response: The USGS concurs with its Final Response.

Excerpts of the Final Response:

When appropriate, USGS scientists may request a courtesy review of material from industry and other outside organizations before public release. But, decisions on the review of material are done on a case-by-case basis. We do not make blanket agreements with individuals or organizations on the review of publications associated with particular topics and external input is carefully reviewed for appropriateness because of the potential for conflict of interest. (page 2)

**Corrective Request 3:** On page 18 of the Appeal Letter, the PCTC requests that the USGS remove the web page titled, "Coal Tar Sealant Largest Source of PAHs in Lakes" because "it does not meet USGS or OMB guidelines for information quality."

USGS Appeal Response: The USGS concurs with its Final Response.

Excerpt of Final Response:

The web page [http://water.usgs.gov/nawqa/home\\_maps/sealcoat.html](http://water.usgs.gov/nawqa/home_maps/sealcoat.html) satisfactorily meets the USGS Fundamental Science Practices (FSP) review, approval, and release requirements and as such no corrective action to remove the web page will be taken. (page 2)

**Corrective Request 4**: On page 18 of the Appeal Letter, in referring to the USGS news release at <http://www.usgs.gov/newsroom/article.asp?ID=2651> (also titled “Coal Tar Sealant Largest Source of PAHs in Lakes”), the PCTC requests that the related press release be removed from the USGS web site because “it appears never to have undergone any type of FSP [Fundamental Science Practices] review, which is required.”

USGS Appeal Response: The USGS concurs with its Final Response, based on USGS policy for news releases at the time the news release was issued. However, USGS policy, Survey Manual 500.5 – News Release and Media Relations Policy was recently updated to include language related to FSP review and approval requirements for certain USGS news media related products (refer to <http://www.usgs.gov/usgs-manual/500/500-5.html>, sections 2, 3, and 5.D).

Excerpt of Final Response:

News releases are exempt from USGS Information Quality Guidelines ([http://www.usgs.gov/info\\_qual/](http://www.usgs.gov/info_qual/)), and as such, it will not be removed from the web site... (page 2)

**Corrective Request 5**: On page 19 of the Appeal Letter, the PCTC requests that photos of catfish with lip tumors “be removed from all USGS PowerPoint presentations regarding the alleged impact of RTS on the environment, or in the alternative, the entire presentations must be removed. Similarly, said photos must be removed from the USGS Factsheet and any other USGS publications concerning RTS.”

USGS Appeal Response: The USGS concurs with its Final Response and confirms FSP review and approval required for USGS publication series information products (see Survey Manual policy 502.4 <http://www.usgs.gov/usgs-manual/500/502-4.html>) was conducted for the Fact Sheet in question (Fact Sheet 2011-3010 at <http://pubs.usgs.gov/fs/2011/3010/pdf/fs2011-3010.pdf>).

Excerpts of the Final Response:

Rather, the purpose of showing this photograph is to indicate the types of effects hypothesized to be caused by PAH exposure in this fish species. However, to make this clearer to those who only have access to the slides, we will add a caveat to any slides or similar uses of this figure used in future presentations. (page 12)

Nonetheless, the major point of the figure (and its caption) is that elevated PAH concentrations in sediments are believed to be related to the incidence of tumors in brown bullhead catfish. As indicated above, the USGS will add a caveat to any slides or similar uses of this figure that we publish or present in the future, and will focus on the proven connection between PAHs and liver tumors in brown bullheads. (page 14)

and

The publications of USGS scientists follow standard FSP review and approval processes to ensure that findings are presented in an objective and unbiased manner and all of the publications authored by Drs. Van Metre and Mahler meet this standard. (page 11)

The figure and caption in question are included in a section of the document titled: “What are the concerns?” The purpose of the section is to provide the reader with information about the range of potential adverse effects of PAHs to aquatic life and humans. (page 13)

As previously explained, photographs of catfish with tumors have been included in publications and presentations as an example of the harmful effects of high concentrations of PAHs in the environment to aquatic life. (page 15)

## References

- PCTC Appeal Letter of April 8, 2014  
([http://www.usgs.gov/info\\_qual/documents/appeal\\_to\\_final\\_USGS\\_response040814.pdf](http://www.usgs.gov/info_qual/documents/appeal_to_final_USGS_response040814.pdf))
- USGS Final Response of March 19, 2014  
([http://www.usgs.gov/info\\_qual/documents/Final\\_USGS\\_Response\\_signed031914.pdf](http://www.usgs.gov/info_qual/documents/Final_USGS_Response_signed031914.pdf))
- PCTC Original Requests of May 15, 2013 and May 31, 2013  
([http://www.usgs.gov/info\\_qual/documents/Edwards-Wildman-Palmer\\_PCTC\\_IQA-Info-Correction-Request051513.pdf](http://www.usgs.gov/info_qual/documents/Edwards-Wildman-Palmer_PCTC_IQA-Info-Correction-Request051513.pdf)) and  
([http://www.usgs.gov/info\\_qual/documents/Edwards-Wildman-Palmer\\_PCTC\\_Second-IQA-Info-Correction-Request053113.pdf](http://www.usgs.gov/info_qual/documents/Edwards-Wildman-Palmer_PCTC_Second-IQA-Info-Correction-Request053113.pdf))