

The Bush EPA: All Business, No Science.

Are we watching a rigged 1950's quiz show?

Like the television quiz shows of the late 1950's where corporate sponsors orchestrated the rigging of game shows (as captured in the award winning movie *Quiz Show*, based on the book *Remembering America: A Voice From the Sixties* by Richard N. Goodwin), the Bush EPA has been found to rig its science to meet desired corporate interests. While the nation watched Dr. Condoleezza Rice in her confirmation hearings for Secretary of State respond to questions from Senator Barbara Boxer (D-CA) by asking why the Senator would use the truth (i.e. her repeated and contradictory public statements on weapons of mass destruction) to try to impugn her reputation and credibility, another branch of government was preparing a report with a scathing indictment of the EPA manipulation of its scientific review to meet industry needs.

Inspector general finds EPA data rigged

A February 3, 2005 report by EPA Inspector General (IG) Nikki L. Tinsley (a Bush appointee) found that the administration's proposed rules for regulating mercury pollution, issued in January 2004, were biased by EPA senior management and not in compliance with the law. The report was requested by one Independent Senator and six Democratic Senators in April 2004. At the time, Senator Jim Jeffords (I-VT) said, "Congress and the public need to know whether EPA's rulemaking process can be trusted to put the public's health first." Senator Hillary Clinton (D-NY) said, "Once again, President Bush has decided to distort science to justify a policy that was tailor made for industry." The IG found that, "EPA's rule development process did not comply with certain Agency and Executive Order requirements, including not fully analyzing the cost-benefit of regulatory alternatives and not fully assessing the rules' impact on children's health." An administration spokesman disagrees.

While the corporate sponsors may no longer be sitting in the director's seat of TV quiz shows, they certainly, according to the IG report, orchestrated the outcome of a major regulatory proposal on controlling mercury pollution.

Risk assessment challenged as manipulated

Earlier that week, Beyond Pesticides and other groups submitted comments to EPA on the deadly wood preservative pentachlorophenol (PCP), which is still used to treat utility poles, railroad ties, pilings used in water, and other building materials. We said that the agency's risk assessment was absurdly inadequate and biased. The agency's revision and dramatic reversal of a five year old draft assessment is based totally on data provided to it by the Pentachlorophenol Task Force, a chemical industry group that has a vested economic interest in the continuing registration of PCP.

While the agency in a 1999 draft preliminary risk assessment acknowledged that children's exposure to utility poles in front yards, backyards and school yards was high, the 2004 preliminary risk assessment finds children's exposure "is not anticipated since play activities with or around these pole structures would not normally occur." The agency does say that soil around utility poles is contaminated as the chemical migrates out of the treated wood. In neighborhoods across the country, children can be seen with their faces against utility poles as they play hide and seek, playing in soil near utility poles, and using PCP-treated poles as "home base" when playing tag. Utility poles are often next to bus stops where people wait each day. People lean against them, tack notices on them, and otherwise are exposed because of their close contact with them.

Five years ago, EPA said it had to consider the risks associated with PCP's highly hazardous contaminants, dioxin and hexachlorobenzene (HCB). Today, EPA is moving to reregister PCP without any evaluation of these contaminants. This makes a mockery of even the pretense of scientific method.

An industry agreement derailed by media attention

Then there was the neurotoxic insecticide Dursban (chlorpyrifos) story at the end of 2004. Again, the Bush quiz show tested the limits of outrageous. The EPA was moving to break its June 2000 agreement to phase out residential Dursban use by allowing the company continued access to the large market of nearly 1/2 billion gallons of termite insecticides used for new home construction. When Beyond Pesticides broke the story to the media, one news service quoted an "EPA spokeswoman as saying the agency is 'still in talks with Dow' and 'nothing has been finalized'." Dow had given EPA a new reevaluation of indoor air contamination from Dursban, and based on that data, according to sources inside EPA, agreed to extend the phase-out by three years. In an unusual letter to Dow after the press attention, EPA Director of Special Review and Reregistration, Debra Edwards, Ph.D., said, "Communications from EPA staff to you late last month and earlier this month regarding prospective monitoring and suggesting EPA's willingness to grant an extension for this use were not official statement of a final EPA determination." Then comes the wink and a nod. Dr.

Edwards went on to say, "As I have noted, EPA remains open to discussing with you in the coming weeks the types of additional analyses or data that would allow EPA to make a determination regarding the reinstatement of this use." Oh, by the way, the letter was copied to three other chemical companies. *Stay tuned and stay vigilant.*

—Jay Feldman is executive director of Beyond Pesticides.

