

Comments from Donald Hassig  
Cancer Action, NY  
(submitted 3/8/11)

Mr. Armitage,

Please accept the paper found below as public comment upon the current activity of the US EPA SAB Dioxin Review Panel.

Thank you.

joyous in Nature,

Don Hassig

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Failure to Produce a Final US EPA Dioxin Reassessment Results from  
Corporate Control of Government-Donald L. Hassig, March 1, 2011

In April of 2011, the draft US EPA dioxin reassessment will be 20 years old. Failure to finalize this document for two decades has had very serious public health consequences. The remediation guideline for dioxin concentrations in soil is currently 1000 parts per trillion (ppt). The existing scientific knowledge supports the conclusion that this is not a sufficiently cancer protective standard. (There have been recent efforts within EPA to develop a Preliminary Remediation Guideline (PRG) via a process that is independent from the dioxin reassessment.) Additionally, the US federal government has no food safety standard for dioxins. The failure to have either of these standards in place is intimately connected to the failure to finalize the dioxin reassessment.

The failed EPA dioxin reassessment is a case study in corporate control of government. This control is so complete that government is rendered incapable of taking those actions that it exists to take. The failed EPA dioxin reassessment is an example of corporate influence depriving the public of the benefits of scientific knowledge that if utilized would create major protections for the environment and major reductions in disease burden for the general population. Americans develop cancer and die of this disease because the chemical industry, the paper and electronics industries, and the food industry have allied to stop EPA from producing a science based dioxin reassessment. Without a final dioxin reassessment, EPA is not in a strong position to take regulatory actions addressing dioxin contamination of the environment and all those organisms that consume animal fat. Keeping EPA in a less than strong position to regulate is advantageous to the industrial sectors named above because of several matters. For the chemical, paper and electronics industries there is the benefit of a soil clean-up standard that saves a great quantity of money compared to a much lower science based soil clean-up standard. The lack of a final dioxin reassessment is an arguing point for industries with clean-up problems. They say to EPA, "We will not negotiate clean-up actions until we know what the dioxin reassessment is going to set forth as a cancer slope factor." Cancer outcome has traditionally been used by EPA to determine acceptable levels of contamination. So long as the question of how much cancer is caused by dioxin exposure remains unanswered the corporations are able to avoid starting into costly clean-up projects. For the food industry the pay off for postponing finalization of the reassessment results from the uncertainty among regulatory and public health agencies concerning the matter of dioxin exposure cancer risk at the levels of contamination that exist in all foods that contain animal fat. So long as EPA fails to finalize the dioxin reassessment, the food

industry will be able to avoid the losses in sales of animal fat foods that would result from public education on the cancer risk imposed by consumption of dioxin contaminated animal fat. Additionally, the US Food and Drug Administration will continue to allow food animal producers to feed waste animal fat to their livestock as long as the uncertainty exists that results from the lack of a final dioxin reassessment.

According to EPA dioxin levels in the environment and in human tissue samples have declined over the course of the past several decades. However, there are important qualifications to these statements. The data upon which they are based is very limited. The US Department of Agriculture and the US Food and Drug Administration have generated a considerable percentage of the data. These federal government entities are controlled by the chemical and food industries to the extent that the data they produce should not be accepted as representative of actual levels of contamination. The changes that lead to decreased dioxin levels in the environment are reductions in dioxin emissions of major source categories. Emissions of incinerators and primary metal production facilities are measured and reported by the polluting industries themselves. There is no reason to trust the numbers that industry reports when so much is to be gained by under reporting. In the United States, dioxin emissions of incinerators are measured by conducting a stack test once a year. Total year long dioxin emissions are more than the quantity, which is estimated using the once a year stack test. This is due to the variability of dioxin creation. More dioxins are created during start-up and shut-down of the incinerator. More dioxins are created when PVC plastics are being incinerated as a greater proportion of the fuel. More dioxins are created during malfunctions of equipment that lead to reduced oxygen availability and lower operating temperatures. More dioxins are emitted when air pollution control equipment malfunctions. In Europe, dioxin emissions of incinerators are measured using continuous emissions monitoring equipment. The dioxin emissions reported for European incinerators are valid. The dioxin emissions reported for US incinerators are not.

Considering all that is stated above, it becomes clear that finalization of the dioxin reassessment is of major importance to the protection of the environment and public health. The history of the reassessment process makes clear the fact that removal of corporate control is essential to creation of a final document.

The US EPA Science Advisory Board Dioxin Review Panel (DRP) recently released a draft report advising EPA on revisions to that agency's 2010 draft "Reanalysis of Key Issues of Dioxin Toxicity and Response to NAS Comments" report, which is responsive to a National Research Council report published in 2006 that called for revisions in the draft 2003 dioxin reassessment. It is recommended by the DRP that EPA produce a quantitative uncertainty analysis for the quantitative cancer risk analysis that is set forth in Part III of the draft dioxin reassessment. All that is stated in this paragraph came about as the result of corporate efforts to prolong the finalization of the dioxin reassessment.

It is impossible to quantify the uncertainties that exist in the quantification of cancer risk set forth in the draft dioxin reassessment. The NRC's 2006 report did not call for a quantification of uncertainty. It called for EPA to explain what uncertainties existed in the cancer risk analysis. EPA does this in its draft "Reanalysis..." report. The DRP is advocating for a quantification of uncertainty because it is dominated by corporate team members who are using their position on the DRP to further prolong finalization of the reassessment.

The dioxin reassessment must be finalized in order to utilize existing scientific knowledge for the purpose of creating the environmental protection and public health protection that government is charged with creating. The only way to bring about finalization of the reassessment is to bring an end to corporate influence. This must start in the EPA Science Advisory Board Dioxin Review Panel itself. There are members of this panel who are not suitable for membership. Dr. Harvey Clewell is employed by the Hamner Institutes for Health Sciences. This institution was created with chemical industry money. It is a part of the corporate tribe. Dr. Clewell should be asked to relinquish his membership on the Dioxin Review Panel. Dr. Russ Hauser is affiliated with the Harvard School of Public Health, Harvard University. The Harvard School of Public Health began to publish the "Harvard Report on Cancer Prevention" in 1996. "Volume I: Causes of Human Cancer" sets forth the position that all exposure to pollutant carcinogens causes only a negligible amount of cancer. The report is a baseless attempt to protect corporations from being held accountable for the great cancer burden that they have imposed upon Americans as a result of their careless and excessive uses of carcinogenic chemicals during the past 70 years. Dr. Hauser should be asked to give up his membership on the review panel.

As long as the federal government agencies and their expert panels are composed of corporate tribe members, corporations will decide what government says and does. This must change. If corporations are allowed to continue dominating government to the point that government is nothing more than a shield for the actions of corporations, the quality of life for average Americans will continue to decline. This is an unacceptable reality. Americans must be strong enough to confront the corporations and tell them to get out of our government. Americans must begin to take active roles in government affairs so as to counter corporate influence. This is a moment in time when the tribe of the common people must enter into the work of driving the corporate tribe out of federal government.

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