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Statement by Al Rizzo, MD, FACP

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On "Strengthening Transparency in Regulatory Science"
to the Science Advisory Board

August 27, 2019

Hello, I am Albert Rizzo, MD, Chief Medical Officer for the American Lung Association. We at the American Lung Association along with more than 60 national, state, and local health and medical organizations sent comments to EPA in 2018 opposing the proposed rule that you are evaluating in an afternoon today.

EPA requests the SAB's help in determining how best to "assure that the underlying data" are publicly available "in a manner sufficient for independent validation." In this request, EPA seeks answers to solve a problem that does not exist.

EPA's existing approach toward science, with its detailed review and deliberation of the research, is already transparent and has worked well for decades.

For example, when reviewing a National Ambient Air Quality Standard, studies EPA considers are well-vetted: first, in their peer review and publication by recognized journals; and second, in the review by independent and staff scientists who ask tough questions about the scope, methodology, data sources, and findings during EPA reviews of proposed standards, policies and regulations. The findings are compared with other studies to examine similarities and differences as the scientists resolve the issues in question. Inconsistencies and replicability are explored in depth to understand what can and cannot be concluded from the findings.

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Many studies, including older studies, depend on or have historically used such data that legally cannot be made public. Indeed, patient information is understandably critical to many studies showing health impacts of pollutants. The fact that this information must be kept confidential to protect research participants does not make the data any less valid. Nor can researchers effectively redact identifying data in a way that will protect confidentiality for many of these studies. The risks to privacy from availability of patient data are recognized in the research and medical profession.

We are glad that, at last, EPA is seeking the opinion of the members of the SAB. However, one afternoon meeting to share a brief conversation about revoking an important, long-standing, well-established approach is not enough time. More in-depth discussion would be needed. SAB should want to carefully review an approach first championed by the tobacco industry and more recently by major polluters that would have excluded seminal studies that showed how dangerous their products and processes are.

As written, the proposal would allow the Administrator to limit and restrict the scientific research that EPA uses as the basis for public health and environmental protection regulations. We strongly urge SAB to share with EPA the many flaws of this approach.

Thank you for this opportunity to provide comments.