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Reports to review:

Commentary on the Proposed Rule Defining the Scope of Waters Federally Regulated Under the Clean Water Act

SAB Consideration of the Scientific and Technical Basis of EPA's Proposed Mercury and Air Toxics Standards Rule

SAB Consideration of the Scientific and Technical Basis of EPA's Proposed Rule Titled Strengthening Transparency in Regulatory Science

SAB Consideration of the Scientific and Technical Basis of the EPA's Proposed Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule

On the review issues, I support transparency, condemn cronyism and conflicts. EPA grantees should never have been on review committees. The WOTUS, Air Toxics and SAFE review documents are evidence that the spirit of Carol Browner is still roaming the EPA halls promoting junk epidemiology, scaremongering and aggressive regulations.

The new SAB, cleansed of the conflict of interest problem and baptized in scientific integrity can and must extinguish EPA habits of bad epidemiology and regulatory overreach. In the 90s Administrator Browner pushed air regs through on a fast track in spite of wide spread objections by Clinton administration agencies and departments. She purged the protesting CASAC, chaired by George Wolff and made compliant replacements. The effect is still at the EPA 20 plus years later--bad risk assessments, bad risk management.

The EPA scaremongering is emblematic of the warning by HL Mencken:

“The whole aim of practical politics is to keep the populace alarmed (and hence clamorous to be led to safety) by menacing it with an endless series of hobgoblins, all of them imaginary.”

In 1993 the Supreme Court in *Daubert v. Merrill Dow* (1993) declared rules for scientific evidence admissibility. In 1995 the Federal Judicial Center published the *Reference Manual on Scientific Evidence* (2nd ed. 2000, 3rd ed. 2011) to educate judges and attorneys on scientific evidence admissibility. The rules on toxicology and epidemiology in the *Manual* have been routinely and serially violated by EPA sponsored researchers, for example:

- Claiming small associations as proof of harm/risk (association is not causation)

- Data dredging in the range of natural noise by multiple inquiry manipulation of temporal spatial data (slice and dice, torture the data to make it prove the claim)
- Claiming that statistical significance (small p values) makes for reliable evidence of causation (P hacking)
- Failure to properly assess and quantify exposures for populations studied
- Failure to correlate claims of harm with plausible supportive biological evidence
- Arguing that “weight of evidence” is dispositive on reliability when it is fallacious argument and the product of EPA’s 2 plus decades of funding bad epidemiological research that is bound to produce a pile of papers. A stack of bad papers does not morph into a reliable proof of causation (pile of sticks, faggot fallacy)

SAB members, right the wrongs, stop the deceit and scaremongering. EPA staff and researcher violation of basic rules of epidemiology and toxicology is scientific fraud and policy/regulatory misconduct, actionable and too much in evidence.

Do the right thing. Some EPA people need to lose their jobs, be prosecuted, or be moved to a closet for what’s left of their time to retirement, termination or voluntary departure.

Thank you for your attention.