

12 December 2018

US Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Oral Comments of John Bachmann on behalf of the Environmental Protection Network.

To: EPA Acting Administrator Andrew Wheeler and the Clean Air Scientific Advisory Committee (CASAC):

This is John Bachmann, and I thank CASAC and EPA for the opportunity to comment. I am representing the Environmental Protection Network (EPN), a volunteer organization of former EPA employees and others concerned about continuing protection of public health and the environment. I worked for EPA's Air Office for 33 years, many of them as Associate Director for Science/Policy and New Programs. I was heavily involved in all reviews of the PM NAAQS through 2006.

I am speaking today mainly because EPN is concerned that the preemptive changes EPA has made to the NAAQS review process will undermine its quality and credibility, and could lead ultimately to ill informed decisions that might adversely affect the public health and environmental protections that have been the hallmark of science-based air quality standards. EPN also supports EPA's continued use of the core elements of the formal causal framework, which was developed with strong support of past CASAC panels over the last decade.

We shouldn't be talking about process today. But we are because EPA management made a serious mistake last summer in not consulting the chartered CASAC after wholly changing the process, the schedule, and adding a new charge to the orderly Integrated Review Plan for the PM NAAQS that EPA and CASAC had agreed to in 2016. Given EPA's commitment, they owed the full committee a chance to weigh in with their advice on the changes in the Back to Basics memo.

On the other hand, they did meet with me on July 5,th, to hear and discuss my concerns with the process, as well as some suggestions for speeding it up and accommodating the new charge on adverse effects of implementation (see my written comments). I was very clear that their next step should be to remedy the lack of respect for the committee shown by not consulting them ahead of time.

Instead, they met only with the new CASAC chair, who had never participated in CASAC NAAQS reviews before his recent appointment. We now know that at least one CASAC member had expressed process her concerns in writing to the Chair, and suggesting they hold a CASAC meeting to discuss it. Instead the chair suggested the request be put on hold pending a

meeting he was about to have with EPA to discuss some of his recommendations on addressing the issues.

That meeting took place, and EPA management ultimately rejected Dr. Cox's initial recommendations for a new subcommittee of CASAC members and other experts to review the implementation issues. Yet the rest of the summer went by with no call by EPA or the chair to vet these issues before the actual review processes started. And then there was the October surprise, in which the Administrator appointed a new CASAC and dissolved the PM panel, again without consulting with the full committee.

I learned about the possibility of limiting the CASAC review to only the 7 charter members in my July 5th meeting. I strongly advised against it, making the essential and obvious arguments you have already heard or read. With respect to legal requirements, I pointed out consultant panels have been used since the very first CASAC reviews in the late 1970s.

If they discussed this option with me in early July, surely they discussed it with the chair shortly thereafter. Dr Cox can confirm whether or not that was the case. Either way - such an enormous change should have been considered by the full committee last summer. If EPA or the chair had called for a public meeting to air these process issues last summer, we could today be focused solely on the review of the ISA.

Some members of this committee have echoed the concerns of the process and the panel, yet the committee as a whole has not had an open public discussion on how to address these issues. You should not keep kicking this can down the road. If you do, you can be sure that the credibility and relevance of this committee and this review will be severely compromised.

My final point is to strongly endorse the core elements of EPA's causal framework. I've briefed many administrators on PM, and we were always able to characterize the scientific uncertainties in associative studies without having to introduce a new lexicon about causality. In fact, very few air pollution studies have used these promising approaches. As more appear, they can fit into, but not replace the causal framework. In fact, the new Medicare life expectancy study Dr. Dockery mentioned used causal inference methods. It and other relevant studies published in 2018 should be included in the document. I must note that Dr. Cox made many references to his own work in his comments on the ISA, yet no other panelists did. It would be far better if the committee included several expert epidemiologists who could offer a broader perspective.