

## Interference at the EPA: Science and Politics at the U.S. Environmental Protection Agency

# Toxics

A strong and capable EPA is more important than ever, as each year brings new toxic chemicals into our homes and workplaces. An investigation by the Union of Concerned Scientists revealed that the EPA is an agency in crisis. Based on information gathered from nearly 1,600 EPA scientists, UCS has found that hundreds of scientists report political interference in their work, significant barriers to free communication of scientific results, and concerns about the agency's effectiveness.



### Widespread Interference at EPA

- **889** scientists personally experienced at least one type of political interference during the past five years.
- **507** scientists knew of “many or some” cases in which “commercial interests have inappropriately induced the reversal or withdrawal of EPA scientific conclusions or decisions through political intervention.”
- **285** personally experienced frequent or occasional “selective or incomplete use of data to justify a specific regulatory outcome.”

## Scaling Back Your Right to Know about Toxins in your Neighborhood

The EPA's Toxics Release Inventory (TRI) requires manufacturers to provide annual reports on the use and release of over 600 toxic chemicals into the environment. The TRI is widely credited with enhancing public knowledge, empowering communities, and triggering significant voluntary reductions in pollution.

Yet in early 2007, the EPA finalized a plan—known as the “TRI Burden Reduction Rule”—to scale back reporting requirements for industries. The new rule raised the amount of pollution an industry could emit before being required to report. It further weakened requirements on releases of chemicals that accumulate in the environment, such as lead, mercury, and dioxin.

A 2007 investigation by the Government Accountability Office (GAO) found that the new rule disproportionately affected low-income and minority communities and the EPA's analysis “masked” the impact of the changes. It also found that the White House Office of Management and Budget (OMB) set unrealistic deadlines and forced the EPA into specific policy positions.

"EPA needs dynamic, scientific leadership interested in the well being of the environment and public health. EPA should not be the political agency it has become, the right hand of industry and short economic gain."

*-A scientist from the Office of Solid Waste and Emergency Planning, replying to the UCS survey*

## Giving Control to Polluting Agencies

In an April 2008 policy, the EPA announced that it would allow polluting federal agencies more control over the EPA's Integrated Risk Information System (IRIS), a publicly available database containing toxicology profiles of more than 500 chemicals. Agencies such as the Department of Defense (DOD), the Department of Energy, the Office of Management and Budget (OMB), and the National Aeronautics and Space Administration now have the power to delay or remove chemicals from IRIS review.

By classifying chemicals as "mission critical," these agencies can require additional or modified studies on the chemicals and delay regulations for six years.

This interagency interference is troubling because federal agencies themselves are part of the regulated community, and thus have significant conflicts of interest in determining the outcome of a toxicity assessment. For example, information from IRIS on the toxicity of perchlorate may mean that the DOD and its contractors can be held liable for potentially billions of dollars in cleanup costs.

OMB is given a significantly increased role in the new process - equal stature to the other agencies in delaying chemicals. It is also allowed to shape the reviews that scientific panels give IRIS risk assessments.

In addition, EPA has recently proposed that the agency no longer publish numerical assessments of toxicity in its draft reports on IRIS chemicals. This means the public and other regulatory agencies will have to wait for safety thresholds until the reports are finalized.

The EPA scientists at the National Center for Environmental Assessment, the office responsible for IRIS and assessing the health risks of toxics, reported the highest levels of interference of any of the EPA centers surveyed. 41 scientists (85% of respondents) reported personally experiencing at least one type of political interference in the last five years.

### Letting Polluters Go Unpunished

The EPA is failing to enforce pollution regulations in a consistent and meaningful fashion.

- In the first five years of the Bush administration, the EPA opened fewer criminal investigations, filed fewer lawsuits, and levied smaller fines against polluters, in comparison with the final five years of the Clinton administration.
- The number of EPA criminal investigators has fallen below the minimum set by Congress.
- Changes that weakened existing regulations have undercut pending EPA lawsuits against polluters.

The EPA is also failing to effectively monitor pollutants in many critical areas. In addition to weakening reporting requirements under the Toxics Release Inventory, the EPA exempted farms and other agricultural facilities from requirements to report emission of toxic substances, again despite findings by staff scientists that such emissions could harm nearby residents. The network for monitoring lead air pollution has shrunk from over 900 in 1980 to little more than 200 in 2005, such that only two of the 27 worst sources of such pollution have a monitor within one mile.



This summary was prepared by the Union of Concerned Scientists based on *Interference at EPA: Science and Politics at the U.S. Environmental Protection Agency* (UCS, 2008).

For more information or to download a copy of the report, visit [www.ucsusa.org/EPAScience/](http://www.ucsusa.org/EPAScience/) or contact us at [rsi@ucsusa.org](mailto:rsi@ucsusa.org).

