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EPA Administrator Wheeler Worsens Particulate Pollution Review Process

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In April, EPA Administrator Andrew Wheeler [rejected the recommendations](#) of his hand-picked science advisors on the particulate matter and ozone standard updates. Now, we again see him choose to meet a political deadline at the expense of a scientifically sound process. The bottom line is that Administrator Wheeler has made a small, inadequate, and unprecedented addition to what is still a very broken process of updating our National Ambient Air Quality Standard for particulate matter.

A path of destruction

Let's recap. The Clean Air Act-mandated process for updating the National Ambient Air Quality Standards has a long history of relying on independent

science advice to set health-based standards. This process has [worked remarkably well](#) across administrations and across pollutants. But under the Trump administration, science advice has been slashed [at the EPA](#) and [across the government](#).

On air pollution standards specifically, last October, the administrator appointed a new Clean Air Scientific Advisory Committee (CASAC) led by an industry consultant and [nixed](#) the particulate matter review panel—a group of experts that boosted the span of expertise CASAC and the EPA had access to in their review. The 10 to 20 person pollutant review panels have for decades augmented the seven member CASAC’s expertise, helping to review the EPA’s science assessment of the health and welfare effects of particulate matter, ozone and other ambient air pollutants. Since then, the process has only gotten further away from what was historically a reliable and productive science-based process of setting health-based air pollution standards. The administration has [expedited the review](#) timeline, [refused to listen](#) to its own advisers, and shortchanged CASAC and the public’s ability to review the science and policy assessments that provide the body of evidence on which air pollution standards are set. All of these moves caught up with the administrator at the recent CASAC meeting where the science advisors acknowledged they [didn’t have the expertise](#) to conduct the particulate matter review.

Window dressing on an irreparably broken process

So what’s a former-coal-lobbyist-turned-EPA-Administrator to do? Save face. The EPA has put out [a call for consultants](#) to inform the particulate matter and ozone standard updates through a highly controlled interaction with CASAC. This “phone a friend” approach is laughably insufficient for what now amounts to a huge need for independent and interactive science advice. Here are a few reasons the move is inadequate and ill-advised:

- 1. Concealing a once open and interactive scientific discussion.** These

consultants are fundamentally different than a review panel. The particulate matter review panel participated in public meetings with the CASAC to discuss the science and process. They worked toward consensus opinions. Members of the public could give comments, listen the scientific issues discussed, and hear any differing opinions among panelists. By contrast, in Wheeler's process the consultants will operate individually and in the dark. They won't have a public meeting. They won't discuss scientific issues with each other or with CASAC. Instead, the CASAC Chair will communicate with them on an individual basis. Even if the administration were to choose knowledgeable independent scientists to serve as consultants (which is a big if, given their [recent advisory committee picks](#)), they wouldn't have to actually consult them at all. Even if they did, CASAC wouldn't be able to engage with them in real-time, and the public might not see it until after the fact.

2. A Highly Controlled Process. Administrator Wheeler is exerting significantly more control and executive authority over this process than is typical for EPA's engagement of outside experts on ambient air pollutant reviews. He is cutting EPA career staff out of the process and blocking public input. By contrast, for pollutant review panels, EPA career staff would compile, vet, and seek public comment on a list of qualified nominees for a pollutant review panel. Career staff would then be involved in choosing the final panelists. For Wheeler's call for consultants, there will be no public comment period and the administrator will simply choose his favorites rather than engaging the expertise of EPA career staff in selecting consultants.

Once chosen, the consultants will also be tightly controlled. They won't be able to offer opinions, ask questions, or make recommendations on anything beyond what narrow questions they might be asked by the CASAC Chair and they don't have a chance to engage with the full CASAC panel or EPA staff. This is a far cry from the robust science and policy discussion that members of pollutant review panels would have with CASAC and EPA staff during past review processes.


3. Too little, too late. This is far too late in the process to start getting only piecemeal science advice on the particulate matter standards. To start, the EPA already missed the boat on getting independent advice on the Integrated Science Assessment, the primary scientific document on which further assessments—and ultimately the decision on the standard—is made. (In his recent letter, Administrator Wheeler [declined to allow CASAC to review](#) a second draft of the science assessment.) Even if you had an incredible list of consultants and they were fully utilized by the committee, EPA staff scientist wouldn't have time to go back and incorporate feedback into the science assessment and other documents based on the administration's timeline of completing the particulate matter standard update by 2020.


4. Science is sidelined, and the public loses. An unfortunate consequence of Administrator Wheeler's refusal to allow independent science advice to inform ambient air pollution standards is the public conversation we lose. Typically in pollutant standard reviews, the public gets the chance to hear about the state of the science—what do we know? Where are edges of our scientific understanding? What can we conclude about air pollutants' impact on health? And where do we need more research? These are questions that scientific experts can disagree about and the ambient pollutant review process offers a rare opportunity for the public to get a glimpse of those discussions.

As in any pollutant review, there are important science policy questions we should be discussing. *Can we attribute adverse health impacts to ultrafine particles? What happens at low levels of fine particulate matter? Do we still see adverse health effects? What does the latest scientific literature tell us about whether the current standards adequately protect public health?* But we don't get to have those conversations among a robust group of scientific experts because Administrator Wheeler has chosen instead to outsource agency science advice to a few one-on-one conversations between the CASAC Chair and consultants hand-picked by the Administrator without public participation.

Adding insult to injury

We must not accept this move as problem-solving or even helpful. The administrator should have re-convened the particulate matter review panel when it was abundantly clear the EPA needed it at the end of 2018. This kludged and illegitimate process will make it difficult to arrive at a science-based outcome for the particulate standards. From now on, whatever science and policy decisions CASAC and the administration make, they are doing it with one hand tied behind their back. The administration has doubled down on avoiding independent science advice rather than choosing to serve EPA’s mission of protecting public health. When it comes to his broken process, the Administrator has just added insult to injury.

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