

**SUMMARY OF TESTIMONY FOR THE PUBLIC MEETING OF THE SCIENCE ADVISORY BOARD (SAB)
TESTIMONY BY JOHN BACHMANN**

June 5, 2019

EPA held [a two-day public meeting](#) of the Science Advisory Board (SAB) on June 5 and 6, 2019. The SAB heard remarks from EPA Administrator Andrew Wheeler and discussed EPA's proposed [Science and Transparency Rule](#), planned actions on [EPA's 2018 Spring Regulatory Agenda](#), actions related to updating [EPA guidelines for carcinogen and non-cancer assessment](#), a self-initiated SAB project to evaluate the "scientific" aspects of EPA's [co-benefit calculations](#), EPA's proposed [PFAS Plan](#), and proposed [Waters of the U.S.](#) rule. The SAB also heard testimony by phone and in person on agenda topics.

John Bachmann, former Associate Director for Science/Policy and New Programs, EPA Office of Air Quality Planning and Standards, presented testimony about the need for SAB to recognize and push back on the continuing attempts by EPA management to diminish the importance of science and external science advice, particularly where science and peer reviews might affect their policy and regulatory agenda.

John highlighted how this has been evidenced by a number of actions over the last two years:

- Shortening SAB and the Chartered Clean Air Scientific Advisory Committee (CASAC) terms, and eliminating scientists who have EPA funding, but not industry consultants or employees;
- Cutting EPA's research budget;
- Making fundamental changes to the National Ambient Air Quality Standards (NAAQS) review process including dissolving the expert panels long used in such reviews without consulting CASAC;
- Challenging the modeling and scenarios used in EPA and interagency assessments of the effects of climate change;
- And most pertinent to this meeting, the Administrator's 10-month delay in responding to past SAB requests, which obviously limits SAB's role in reviewing the science underlying regulations and guidance.

John recommended that the Science and Transparency Rule and several other rules should be subject to a full review by the SAB.

- In not providing any information on the Transparency Rule to SAB ahead of the proposal last year, EPA not only broke the spirit of established procedures but violated the letter of the 1978 Environmental Research, Development and Demonstration Authorization (ERDDA) legislation.
- With respect to the Transparency Rule itself, SAB should not accept the Administrator's attempt to limit the scope of examination of the many important issues and questions raised in the 2018 SAB Workgroup report.
- The Clean Air Act Advisory Committee is not a substitute for cases where an SAB peer review is warranted.
- SAB should adopt the 2019 workgroup conclusions regarding the need for SAB review of the update to the mercury and air toxics rule for power plants, and the "SAFE" rule that weakens future light duty vehicle greenhouse gas standards, with respect to methodology and practice for cost-benefit analysis.
- Given the recent SAB proposal for addressing co-benefits, an initial consultation and peer review of relevant aspects of the new EPA proposal, "Clean Air Act Benefit-Cost Reforms," should be high on the SAB agenda for this year.
- SAB should consider reinstating the recently dissolved Economics Panel to provide both the appropriate expertise as well as the balance of perspectives needed for a review of EPA's proposal.