

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

WILLIAM L. KOVACS  
VICE PRESIDENT  
ENVIRONMENT, TECHNOLOGY &  
REGULATORY AFFAIRS

1615 H STREET, N.W.  
WASHINGTON, D.C. 20062  
(202) 463-5457

July 12, 2004

Mr. Fred Butterfield  
Designated Federal Officer (DFO)  
EPA Science Advisory Board (1400F)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

**Re: Science Advisory Board Staff Office Clean Air Scientific Advisory  
Committee (CASAC) Notification of Advisory Committee Meeting of  
the CASAC Particulate Matter Review Panel**

Dear Mr. Butterfield:

These comments, which are filed on behalf of the U.S. Chamber of Commerce (Chamber), the world's largest business federation, address the recently revised draft<sup>1</sup> of the U.S. Environmental Protection Agency's (EPA or the Agency) *Air Quality Criteria for Particulate Matter* (Criteria Document). The Chamber represents more than three million businesses of every size, sector, and region and serves as the principal voice of the American business community.

In its prior comments to the Agency<sup>2</sup>, the Chamber cited available, peer-reviewed scientific information that raises very serious questions about the credibility of EPA's Criteria Document. Moreover, members of EPA's own Clean Air Act Scientific Advisory Committee (CASAC) have similarly advised the Agency that EPA has failed to make an adequate effort to improve the objectivity and scientific soundness of the Agency's assessment of particulate matter health effects<sup>3</sup>.

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<sup>1</sup> The Chamber's comments are relevant to Chapters 8 and 9 as cited in the following public notice: "Air Quality Criteria for Particulate Matter (External Review Draft)," *Federal Register* 69 (120): 35028-35029.

<sup>2</sup> U.S. Chamber of Commerce Comments on the Air Quality Criteria for Particulate Matter (External Review Draft) [FRL-7604-5], January 31, 2004.

<sup>3</sup> CASAC has expressed concern to EPA on several occasions, most recently in 2004: CASAC letter signed by Dr. Philip K. Hopke (CASAC Chair), addressed to EPA Administrator Michael Leavitt, March 1, 2004.

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Relevant to this issue, the Chamber notes that it cited information<sup>4</sup>—a peer-reviewed science journal article<sup>5</sup> written by UK scientists Gary Koop and Lise Tole of the University of Leicester—that indicates that the totality of current epidemiological knowledge fails to support a conclusion that there are adverse health effects associated with current **ambient** levels of particulate matter.

The Chamber and other commenters strongly advised the Agency to consider Koop and Tole's conclusion that, owing to large uncertainties, finding small risks in epidemiological studies is virtually impossible<sup>6</sup>. EPA's CASAC similarly advised the Agency, with one CASAC member going so far as to observe that with respect to particulate matter health effects: *Since this Koop and Tole article is potentially a show stopper, it should be discussed in the [Criteria Document]*<sup>7</sup>.

Yet despite the fact that the Koop and Tole report has been repeatedly called to the attention of the Agency, there is absolutely no mention of, let alone discussion of, the Koop and Tole report in the Criteria Document. It is as though the Koop and Tole report does not exist. This is a matter of the gravest concern to the Chamber and many other business and industry stakeholders.

In the interim, Koop and Tole have produced a second draft report, *An Investigation of Thresholds in Air Pollution-Mortality Effects*, which reinforces their original findings that the state of scientific knowledge about particulate matter is fraught with enormous uncertainties. This report is attached as part of these comments, and, in addition to reiterating our previous request that the first Koop and Tole report<sup>8</sup> be given due consideration, the Chamber now requests that this second report also be included in the Agency's assessment of scientific knowledge concerning particulate matter health effects.

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<sup>4</sup> Footnote 2, *Ibid*.

<sup>5</sup> G. Koop and L. Tole, "Measuring the health effects of air pollution: to what extent can we really say that people are dying from bad air?" *Journal of Environmental Economics and Management* 47 (2004): 30-54.

<sup>6</sup> Koop and Tole report that...*in respect to at least one area of the empirical literature—the estimation of the health impacts of air pollution using daily time series data—existing estimates are questionable and thus have limited relevance for environmental decision-making. By neglecting the issue of model uncertainty—or which models, among the myriad of possible models researchers should choose from to estimate health effects—most studies overstate confidence in their chosen model and underestimate the evidence from other models, thereby greatly enhancing the risk of obtaining uncertain and inaccurate results. This paper discusses the importance of model uncertainty for accurate estimation of the health effects of air pollution and demonstrates its implications in an exercise that models pollution-mortality impacts using a new and comprehensive data set for Toronto, Canada. The main empirical finding of the paper is that standard deviations for air pollution-mortality impacts become so large as to question the plausibility of previously measured links between air pollution and mortality.* *Ibid*.

<sup>7</sup> Footnote 3, *Ibid*, page B-64.

<sup>8</sup> Footnote 5, *Ibid*.

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EPA must address and reduce these huge uncertainties in knowledge. If not, it will be impossible to correctly identify and prioritize risks. If risks are not properly prioritized, billions of taxpayer dollars will be unwisely spent in a manner that fails to address the most serious risks first and the least serious risks last. If this happens, businesses would be forced to spend money addressing insignificant risks. Doing this would weaken business and industry operations, in turn leading to business failures, and employee layoffs. This is just not good science, not good economics, and not protective of Americans' best interests. The sad thing about this issue is that many such difficulties could be avoided if the Agency were to address the huge problem of scientific uncertainties. As of now, however, EPA has failed to do this.

In sum, EPA's selective and discriminatory weight-of-evidence treatment that ignores the significance of scientific uncertainties about particulate matter health effects is in the Chamber's view absolutely unacceptable. The Chamber remains very seriously concerned about the Agency's persistent failure to adequately consider Koop and Tole's research findings. Should EPA continue to ignore such peer-reviewed and highly influential information, the Chamber will pursue any and all means available to assure that Agency considers these scientists' important findings.

Sincerely,

A handwritten signature in black ink, appearing to read "William L. Kovacs". The signature is written in a cursive, flowing style.

William L. Kovacs

Attachment

cc: Paul Gilman  
William Glaze