

Over 100 Organizations Across the US Oppose Michael Dourson for the EPA

October 3, 2017

Dear Chairman Barrasso and Ranking Member Carper:

On behalf of our millions of members and the American people, the undersigned 118 organizations urge you to stand up for our health and environment by opposing the nomination of Dr. Michael Dourson for the position of Assistant Administrator for Chemical Safety and Pollution Prevention of the Environmental Protection Agency.

The job of the Assistant Administrator is to lead the office whose mission is to protect American families and the environment from the potential risks of pesticides and toxic chemicals. This position will shape the way that the United States manages its environmental and chemical programs and thus will have a significant effect on the lives of millions of Americans. In particular, the next Assistant Administrator will be responsible for implementing and enforcing the laws designed to safeguard our health from toxic chemicals. This includes the Toxic Substances Control Act (TSCA), recently updated and amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act. The new law was signed on June 22, 2016 with the intention and hope that the updated requirements would be a beacon for change in the management of toxics and chemical safety.

Implementation of the 2016 TSCA amendments is a significant and challenging task. It must be undertaken by someone who not only demonstrates through their actions and accomplishments a commitment to human and environmental health, but also by someone who is committed to implementing and enforcing the law as written without influence from the regulated industries that may have an interest in seeing the law weakened or poorly enforced. Dr. Dourson's background indicates that he is not the person for this job.

Dr. Dourson's work consulting for the chemical industry during the last few decades raises significant concerns. First, he has a history of serving the interests of big business and industry dating back to the inception of the non-profit he founded and directed, Toxicology Excellence for Risk Assessment (TERA). Examples of TERA's questionable bias include:

- In 1997, Dr. Dourson was hired by the Center for Indoor Air Research, which was later disbanded by a judge who found it to be a tool to bolster the credibility of tobacco products, to produce a report on the effects of secondhand smoke, which is

known to cause cancer even in people who don't smoke. The report downplayed the effects by reporting that nonsmokers in the workplace have minimal exposures to secondhand smoke.

- In 2002, DuPont sought out Dr. Dourson's firm TERA to recommend to West Virginia's Department of Environmental Protection a "safe" level for perfluorooctanoic acid (PFOA), a chemical made by DuPont and linked to cancer, thyroid disease, and obesity. His firm recommended a level that, as reported in *The Intercept*, was "150 times higher than the maximum safety level DuPont's own scientists had determined in 1988 — 1 [part per billion] — based on internal company research showing that PFOA was toxic to both workers and lab animals." The EPA later conducted its own assessment which determined a level that was thousands of times more protective than TERA's recommended level. PFOA has also contaminated rivers and drinking water in Ohio, Michigan, New York, North Carolina, Pennsylvania, Vermont, West Virginia and other communities around the country.
- An email revealed in *The Intercept* demonstrates how chemical companies hired Dr. Dourson to "bless" their dangerous chemicals:

While everyone had a few names to offer, the common theme that emerged was that TERA (i.e. Mike Dourson) was the leading choice. TERA had "a very good reputation among the folks that are still in the business of blessing criteria," [DuPont employee Timothy] Bingman explained, going on to describe the company's ability to "assemble a package and then sell this to EPA, or whomever we desired."

- "Trump's EPA Chemical Safety Nominee Was in the 'Business of Blessing' Pollution", *The Intercept*, July 21, 2017.

- In 2013 Dr. Dourson was hired by Koch Industries to produce a study that found no adverse health effects to residents in Chicago who were concerned about piling amounts of petroleum coke (petcoke) from Koch subsidiary KCBX Terminals. Dr. Dourson's findings were based on soil studies and use of KCBX air monitors showing that petcoke soil is no different in the neighboring community than baseline levels in the rest of Chicago, and that the level of air contaminants are not likely to cause health effects. However, research by the city of Chicago and residents' own documentation of petcoke on their properties contradicted Dr. Dourson's findings. A class action lawsuit was ultimately settled for \$1.4 million.

- Dr. Dourson also published a report in 2014 entirely funded by a polluting company to study 1,4 dioxane, one of the first ten chemicals being reviewed under the revised TSCA by the office he has been nominated to lead. PPG Industries, responsible for discharging the chemical and contaminating Ohio's waterways, hired Dr. Dourson to publish a paper on the chemical. The paper argued for an acceptable level of 1,4 dioxane that is 1,000 times higher than EPA's drinking water guidelines. The methodology Dr. Dourson used in his assessment of 1,4 dioxane was rejected by a panel convened by the state of Michigan.

We are not only concerned about Dr. Dourson's ties to the chemical and tobacco industries, but by the role he played in presenting industry-biased science in a seemingly neutral manner to alleviate concerns about their products. For example, Dr. Dourson administered a website designed for parents called "Kids + Chemical Safety" that minimized the concern of chemical risks using chemical industry talking points. Another example of downplaying concerns about chemical risks includes the "Tox Topics" webpage of the Toxicology Education Foundation, led by Dourson and funded by companies like Chevron, ExxonMobil, 3M, and the chemical industry's trade association.

The importance of this job is best defined by the imperative to protect our health. This is made clear by tragic personal stories including the West Virginia residents who lost their drinking water due to the 2014 Elk River Spill; the parents in Flint, MI worrying about the effects of the lead in their water on the IQ and brain development of their children; the farmworkers in Bakersfield, CA poisoned by chlorpyrifos; and the family of 18-year-old Jonathan Welch who died on the job from exposure to methylene chloride. Whether and how potentially dangerous chemicals enter the marketplace is a matter of life and death. We can't leave those decisions to someone with Dr. Dourson's history of close ties to the chemical industry.

As organizations committed to the health of the American people, we are deeply concerned with the nomination of Dr. Dourson as the Assistant Administrator.

We need and deserve an Assistant Administrator for EPA's toxics office who will put public health first, without favoring the industry that the office is charged with regulating. We urge you to oppose the nomination of Mr. Dourson and insist on a nominee with an unblemished record of defending the health of the American people from the hazards of toxic chemicals.

Sincerely,

5 Gyres
Air Alliance Houston
Alaska Community Action on Toxics
Alliance for Appalachia
Alliance of Nurses for Healthy Environments
As You Sow
Asbestos Disease Awareness Organization
Blue Green Alliance
Breast Cancer Action
Breast Cancer Prevention Partners
Build A Better Planet
Cape Fear River Watch
Capital District Against Fracking
Catskill Mountainkeeper
Center for Environmental Health
Center for Health, Environment & Justice
Center for International Environmental Law
Central California Environmental Justice Network
Citizens' Environmental Coalition
Clean and Healthy New York
Clean Production Action
Clean Water Action
Clean Water Action California
Clean Water Action Connecticut
Clean Water Action Massachusetts
Clean Water Action Minnesota
ClimateMama
Coalition for a Safe and Healthy Connecticut
Coalition for Clean Air
Collaborative on Health and the Environment
Coming Clean
Comit Civico del Valle
Communications Workers of America
Community Food and Justice Coalition
Connecticut Families Against Chemical Trespass
Connecticut Health Care Associates, NUHHCE, AFSCME, AFL-CIO
Conservation Minnesota
Conservation Voters for Idaho
Cook Inletkeeper
Del Amo Action Committee
Democracy Initiative
Earthjustice
Ecology Center
Empire State Consumer Project
Environmental Advocates of New York
Environmental Health Strategy Center
Environmental Justice and Health Alliance
Environmental Working Group
Farmworker Association of Florida
Farmworker Justice
Food & Water Watch
Fresnans against Fracking

Friends of the Earth

Global Alliance for Incinerator Alternatives (GAIA)

GMO Free Connecticut

Grassroots Environmental Education

Great Neck Breast Cancer Coalition

Green Inside and Out

Green Living Guy, NY

Greenaction for Health and Environmental Justice

GreenFaith

Greenpeace

Headwater LLC

Health Care Without Harm

Health Professionals and Allied Employees

Healthy Building Network

Healthy Legacy Coalition

Healthy Schools Network

Hillsborough Clean Investment Coalition

Hip Hop Caucus

Huntington Breast Cancer ACTION Coalition, Inc

International Center for Technology Assessment

League of Conservation Voters

Learning Disabilities Association of America

Learning Disabilities Association of Georgia

Learning Disabilities Association of Illinois

Learning Disabilities Association of Maine

Learning Disabilities Association of New Jersey

Learning Disabilities Association of South Carolina

Learning Disabilities Association of Tennessee

Lenape Indian Tribe of Delaware

Los Jardines Institute

Marin City Parent Academy

Natural Resources Council of Maine

Natural Resources Defense Council

NC Child

Nontoxic Certified / Made Safe

North Carolina Conservation Network

Northwest Atlantic Marine Alliance

Oregon Environmental Council

Organize Florida

People for Clean Air & Water of Kettleman City

Pesticide Action Network

Physicians for Social Responsibility

PODER

Safer Chemicals Healthy Families

Safer States

San Francisco Firefighters Cancer Prevention Foundation

Science and Environmental Health Network

Sierra Club

Stupid Cancer, Inc.

Sustainable Hudson Valley, NY

Texas Campaign for the Environment

Texas Environmental Justice Advocacy
Services (TEJAS)

The Environmental Justice Coalition for
Water

The Institute of Neurotoxicology and
Neurological Disorders (INND)

The Progressive Hub, Saratoga

Toxic-Free Future

Toxics Action Center Campaigns

Tri-County Watchdogs

Tri-Valley CAREs

United Steelworkers

Utility Workers Union of America

Vermont Conservation Voters

Vermont Public Interest Research Group
(VPIRG)

WE ACT for Environmental Justice

West Berkeley Alliance for Clean Air and
Safe Jobs

Women's Voices for the Earth

Why signatories oppose Michael Dourson's nomination:

"Dourson has a long history of working for the interests of the chemical industry rather than for the health of communities affected by devastating pollution from these industries. This is a clear conflict of interest with the important mission of EPA to protect the environment and public health. His nomination must be rejected."

-**Pamela Miller**, Executive Director, Alaska Community Action on Toxics

"The implementation of the updated TSCA rule will have health implications for years to come. We need a leader who will put public health first when addressing toxic chemicals and Mr. Dourson is not that leader. As nurses, we strongly oppose his nomination for Assistant Administrator."

-**Katie Huffling**, Executive Director, Alliance of Nurses for Healthy Environments

"Dr. Dourson's work consulting for the chemical industry during the last few decades raises significant concerns. The job of the Assistant Administrator is to lead the office whose mission is to protect American families and the environment from the potential risks of pesticides and toxic chemicals. We are sure that there are more qualified candidates for this position."

-**Andrew Behar**, CEO, As You Sow

"Profoundly unqualified."

-**Linda Reinstein**, President, Asbestos Disease Awareness Organization

"Involuntary chemical exposures are linked to increased risk of breast cancer and other diseases and disorders. The OCSPP's mission is to protect the public 'from potential risks from pesticides and toxic chemicals' and 'prevent pollution before it begins'. Mr. Dourson's industry links threaten to undermine the use of "sound science as a compass" in pursuit of this mission and his track record shows he will put corporate profit before public health. Protect the safety of our food, air, and personal care and other consumer products by opposing Mr. Dourson's nomination and insisting on a nominee who will stand up for public health."

-**Karuna Jaggar**, Executive Director, Breast Cancer Action

"OCSPP must be led by an individual free from any conflict of interest with the chemical industry. Based on his record, Michael Dourson is not that person."

-**Jeanne Rizzo**, R.N., President and CEO, Breast Cancer Prevention Partners

"Dr. Dourson's ties to the chemical industry can pose a significant conflict of interest. His concerns should lie with the American people and their health and safety."

-**Soledad Haren**, CEO and Founder, Build A Better Planet

"His history of downplaying the risks of chemicals in drinking water supplies. Testing currently shows 1,4 dioxane and several perfluorinated compounds in our *treated* drinking water."

-**Kemp Burdette**, Riverkeeper, Cape Fear River Watch

"Corporate shill"

-**Collin Thomas**, Co-Founder, Capital District Against Fracking

"Michael Dourson has a history of working for the chemical and tobacco industries to minimize the health risks of their products. With the EPA poised to finalize chemical safety rules for the next generation, the stakes are too high to install a leader compromised by the industry he is nominated to regulate."

-**Ansj Miller**, Director of Policy and Partnerships, Center for Environmental Health

"No individual with a documented role in industry deception campaigns related to toxic risks can be trusted to address and effectively regulate those risks."

-**Carroll Muffett**, President and CEO, Center for International Environmental Law

"He has a strong conflict of interest because he has represented the chemical industry for years rather than the public health interests."

-**Barbara Warren**, Executive Director, Citizens' Environmental Coalition

"We represent 50,000 Californians who want the toxics program to help drive the development and use of safer materials to protect our people, our environment, and yes, our economy!"

-**Andria Ventura**, Toxics Program Manager, Clean Water Action California

"The Environmental Protection Agency should be that - an agency whose priority is protecting the environment, including the people who live in it, and its leadership and staff should be made up of people who embody that mission. Michael Dourson is the opposite. He has consistently worked with the chemical industry to ensure that regulations of chemicals are based on profit motives rather than environment and public health protection. He does not belong in the EPA."

-**Elizabeth Saunders**, Massachusetts Director, Clean Water Action Massachusetts

"He has multiple conflicts of interest."

-**Bill Magavern**, Policy Director, Coalition for Clean Air

"The American public needs someone who will put the health of all families and children before anything else. Michael Dourson is not the person for the job."

-**Karen Wang**, Director, Collaborative on Health and the Environment

"The American People need and deserve a true champion for their health and safety in the office of the EPA, not Michael Dourson, whom the regulated industry has paid time and again

to undermine safer chemical policies and regulations, advances, which if adopted, lead us to stronger public health and environmental justice outcomes for all."

-**Judith Robinson**, Executive Director, Coming Clean

"Community Food and Justice Coalition believes we need advocates working on behalf of communities and not industry."

-**Y. Armando Nieto**, Executive Director, Community Food and Justice Coalition

"He's a chemical industry lackey."

-**Bob Shavelson**, Inletkeeper, Cook Inletkeeper

"Industry ties. A person in that position should be a scientist and completely independent of any industry ties."

-**Judy Braiman**, President, Empire state Consumer Project

"He appears to be a nominee that will put public health at risk."

-**Peter M. Iwanowicz**, Executive Director, Environmental Advocates of New York

"Communities living on the frontlines of chemical hazards become even more susceptible to toxins when natural and human-made disasters strike. When we look at Dourson's nomination from environmental justice and chemical security perspectives, it's even more clear that the Trump Administration is prioritizing industry profits over health and safety."

-**Michele Roberts**, Co-Director, Environmental Justice and Health Alliance

"Farmworkers are among the most vulnerable people in our nation today. They are chronically exposed to toxic agricultural chemicals in the work place. Michael Dourson's record of denying the science and cozying up to industry is a threat to the health and safety of farmworkers, and ultimately, to us all."

-**Jeannie Economos**, Pesticide Safety and Environmental Health Project Coordinator, Farmworker Association of Florida

"Michael Dourson is the wrong person for any leadership position at the EPA since his career has been to minimize the true dangers of toxic chemicals in the service of those who manufacture and sell them. Even if he wanted to, he would be unable to change his orientation to firm control of the dangers from these chemicals."

-**Ronald J. Martin**, Fresnoans against Fracking

"USEPA appointees should serve to strengthen the mission of the Offices they head. The appointment of Michael Dourson will weaken OCSPP and, as his track record has demonstrated, only serve the best interests of the chemical industry."

-**Ahmina Maxey**, U.S. & Canada Regional Coordinator, Global Alliance for Incinerator Alternatives (GAIA)

"The EPA needs to be strengthened to protect public health and the environment from toxic pollution, not gutted to protect corporate toxic polluters."

-**Bradley Angel**, Executive Director, Greenaction for Health and Environmental Justice

"Mr. Dourson's track record suggests he is ethically compromised and inclined to represent chemical industry giants, rather than the public interest."

-**Charlie Cray**, Senior Research Specialist, Greenpeace

"We need impartiality and scientific leadership in this position. Allowing Michael Dourson to lead this program will put profits in front of scientifically-defensible common-sense health protections."

-**Eric Uram**, Principal Consultant, Headwater LLC

"We are deeply concerned that Mr Dourson has no interest in upholding this office's solemn duty. His history indicates that his priority is to undermine efforts to protect American families and the environment from the potential risks of pesticides and toxic chemicals."

-**Tom Lent**, Policy Director, Healthy Building Network

"Michael Dourson is the wrong person for this job. He has demonstrated throughout his career that his focus is on protecting industry interests, rather than protecting human health and our environment."

-**Kathleen Schuler**, Co-Director, Healthy Legacy Coalition

"distorts the safety of chemicals "

-**Steven G. Gilbert**, Director, The Institute of Neurotoxicology and Neurological Disorders (INND)

"Michael Dourson has a well-documented history of underestimating or ignoring risks to children's health from toxic chemicals. It's critical that we have someone leading the office of Chemical Safety who is on the side of our children and families, not on the side of polluting chemical industries."

-**Patricia Lillie**, President, Learning Disabilities Association of America

"Our toxic environment impacts the neurology of our citizens. This impacts the ability to learn and function on an optimum level. Therefore, Michael Dourson's relationship with and support of the tobacco and chemical industries proves his interest is not in the health and welfare of our families but in corporations that make their money at the cost of people's lives. As a support group for those suffering with learning disabilities and other mental health issues, we do not support his nomination."

-**Dr. Joan K. Teach**, President, Learning Disabilities Association of Georgia

"We must have someone who has a clear understanding of the dangers of toxins in our environment."

-**Bev Johns**, President-Elect, Learning Disabilities Association of Illinois

"Michael Dourson has a history of supporting companies which produce and/or encourage toxic effects on our population. As a mother, grandmother and great-grandmother, I worry about the future generations. We need environmental PROTECTION, not DESTRUCTION!!!!"

-**Theresa Cavanaugh**, Imm. Past-President, Learning Disabilities Association of New Jersey

"As a member of a national LDA coalition, the Healthy Children's Project, we have campaigns that advocate for the banning of toxic chemicals in products used by infants and children that may cause learning disabilities, attention deficit disorder, Autism, and other disorders. Mr. Dourson's background in the chemical industry would not be beneficial as we're trying to ban toxic chemicals, not just lower the 'acceptable' levels."

-**Anne Fogel**, Co-Secretary, Learning Disabilities Association of South Carolina

"He will not make the health of our children a priority."

-**Dr. Joy S. Marsh**, State President, Learning Disabilities Association of Tennessee

"We need someone who will protect our most vulnerable including children, low income and communities of color."

-**Tracy Gregoire**, Healthy Children Project Coordinator, Learning Disabilities Association of Maine

"Dourson's record indicates that if he's confirmed as head of EPA's toxics program, communities already disproportionately impacted by toxins--particularly the millions of people living near chemical facilities--will face even greater risks to their health."

-**Sofia Martinez**, Co-Director, Los Jardines Institute

"The EPA is intended to protect the health and well-being of the general public and thus should not be staffed by people who have made a career of aligning with industry in a way that put profits ahead of people. The American people want and deserve better."

-**Amy Ziff**, Founder & Executive Director, Nontoxic Certified / Made Safe

"21st century science reveals how critical the environment is to human health. Our well-being and our economy depend upon agency leadership that understands the true value of health-protective policy. Michael Dourson has not exhibited that leadership or understanding."

-**Jennifer Coleman**, Director of Health Outreach, Oregon Environmental Council

"Corporate connections are inappropriate, undermine EPA's mission to protect health and the environment."

-**Kristin Schafer**, Executive Director, Pesticide Action Network

"Sounds like he's against regulation."

-**Sue Scherer**, The Progressive Hub, Saratoga

"Firefighters throughout the United States are faced with highly elevated rates of cancer to do toxic chemical exposures on the job. President Trump has said that he is a great supporter of first responders yet he has recommended an individual that has worked 'hand in hand' with the chemical industry downplaying many of the toxic chemicals that are killing firefighters. The selection of Mr. Dourson is of extreme concern for the men and women of the entire firefighting profession. We cannot let this happen!"

-**Tony Stefani**, President, San Francisco Firefighters Cancer Prevention Foundation

"We oppose the nomination of Dr. Dourson to lead the toxic program at EPA. This is another example of the Trump Administration having the fox protect the henhouse."

-**A. Tianna Scozzaro**, Director, Gender Equity, Sierra Club

"The cancer community at large – 80MM Americans strong – collectively demand that toxic chemicals in our food, air, water and everyday household products be regulated for safety."

-**Matthew Zachary**, Chief Executive Officer, Stupid Cancer, Inc.

"People who have worked for industries should not be running the government initiatives to police their former employers or clients."

-**Robin Schneider**, Executive Director, Texas Campaign for the Environment

"Generally speaking, there exist evidence on numerous pesticides and fertilizers used for agricultural farming in mid-western states that indicate fertilizers and pesticides get into the Mississippi River, as a result of run-offs, and drain into the Gulf, creating what is referred to as a 'Dead Zone'. The science is there to proof those chemicals are causing and extending the dead zone, yet, like in this particular situation, the person being nominated, is not one we would stand by. His past record is a reflection of what we can expect, not reliable."

-**Juan Parras**, Director, Texas Environmental Justice Advocacy Services (TEJAS)

"Mr. Dourson is not a good choice. He has taken public policy positions on behalf of the very industries he will be regulating. The person in this role must protect the most vulnerable, not the companies who will profit from his decisions."

-**Laurie Valeriano**, Executive Director, Toxic-Free Future

"Michael Dourson is a bad choice to run the toxics program because his track record of working for the chemical industry means that the fox will be guarding the henhouse when it comes to critical decisions with widespread impacts on the health of our communities."

-**Sylvia Broude**, Executive Director, Toxics Action Center Campaigns

“Dourson's ties to the chemical and tobacco industries and his past actions in support of those industries lead us to believe he will serve them and not the public health.”

-**Katherine King**, Secretary, Tri-County Watchdogs

"Conflict of Interest"

-**Paul Mercurio**, Recording Secretary, USW

"Michael Dourson's support of the toxic chemical industry biases him against the public interest, intent of the law and the EPA mission, and our communities health."

-**Johanna de Graffenreid**, Environmental Advocate, Vermont Public Interest Research Group (VPIRG)

"Mr. Dourson has a history of manufacturing doubt and ignoring science. We need a leader who is willing to stand up against chemicals giants who bury facts in order to gain profit. We need a leader willing to put the health of the nation's vulnerable, our children, and our communities first."

-**Erin Switalski**, Executive Director, Women's Voices for the Earth

"Impact of pollutants on the marine environment and health of commercially fisheries is often underestimated. But we know it's really important to sustainable fisheries and ocean ecosystems. And who is responsible for this balance is really critical. Mr. Dourson's history of dismissing issues and facts tells us he is not the right choice for this job."

-**Niaz Dorry**, Coordinating Director, Northwest Atlantic Marine Alliance