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July 13, 2015

Moreno Valley City Council
c/o Mr. Mark Gross
Moreno Valley Planning Department
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(951) 413-3214

Re: Critique of June 8, 2015 CARB Letter and June 24, 2015 SCAQMD Letter re
World Logistics Center Final Environmental Impact Report

Dear Mr. Gross,

Please include this letter with other public comments on the World Logistics Center (WLC) Final Environmental Impact Report (FEIR) (<http://www.moval.org/misc/pdf/wlc/FEIR.pdf>). Also, please make sure that all members of the Moreno Valley City Council receive the letter. My comments are limited to a scientific critique of the “Health Risk Assessment” section of the June 8, 2015 CARB letter from Heather Arias and the “Potential Health Risks” section of the June 24, 2015 SCAQMD letter from Ian MacMillan, which are earlier comments on the WLC FEIR.

The specific section of the June 8, 2015 CARB letter from Heather Arias is on pages 5 and 6:

Recirculation Is Required Due To Fundamental Inadequacies in the Project’s Health Risk Assessment

Several elements of the health risk assessment section of the FEIR are flawed and inadequate, and require revision and recirculation. As noted above, one of the circumstances triggering the need for EIR recirculation is the addition of information showing that the EIR was fundamentally inadequate and conclusory in nature that meaningful public review and comment were precluded. (14 CCR § 15088.5(a).)

In this case, this recirculation “trigger” is present. The FEIR analysis has been revised since the draft EIR was released to include a new study regarding health impacts from diesel engines, specifically, the Advanced Collaborative Emissions Study (ACES). The FEIR repeatedly references that the ACES study concludes that the “application of new emissions control technology to diesel engines have virtually eliminated the health impacts of diesel exhaust.” First, the use of only one study as the basis for this analysis is not sufficient for the purpose of providing a comprehensive analysis of health risk from project construction and operations. The ACES study is only one of many scientific studies related to health risk and emissions, and therefore, cannot serve as substantial evidence regarding the project impact to human health. In fact, there are many other studies

that conclude that diesel particulate matter (PM) is a health hazard. For example, the International Agency for Research on Cancer evaluated the scientific literature as a whole and concluded in 2012 that diesel PM is carcinogenic to humans (class 1). Second, and more importantly, the ACES study's methodology and findings render it inadequate for inclusion in an environmental document, and cannot serve as substantial evidence supporting a finding that the project will not result in significant cancer risk impacts (4). Therefore, use of and reference to the ACES study should be removed throughout the FEIR (5).

Further, the air quality and health risk methodology and models used in the FEIR should be fully explained to ensure the information is accessible and understandable to the public. Specifically, the final document should include the presentation of all cancer and non-cancer health risks at the receptor locations of interest for all emissions from construction and operations at the WLC. The methodology should include the use of all the current Office of Environmental Health Hazard Assessment (OEHHA) approved risk assessment methodology contained in the OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines: Guidance Manual for the Preparation of Health Risk Assessments (February 2015).

The specific section of the June 24, 2015 SCAQMD letter from Ian MacMillan is on pages 4 and 5:

Misleading Discussion of Potential Health Risks

The PEIR misinterprets and then relies heavily on a single study published by the Health Effects Institute (HEI) to determine that "*new technology diesel exhaust does not cause cancer.*" (PEIR pg. 4.3-1). The PEIR should not make such sweeping conclusions based on a single study. . . . From the study results, it is not possible to make any conclusions on the relative carcinogenic potency of diesel exhaust particulates.

Further, the state Office of Environmental Health Hazard Assessment (OEHHA) is charged with determining the cancer potency factors of all pollutants for use in Health Risk Assessment (HRAs) throughout the state. The cancer potency factors from OEHHA have been used in the HRA prepared for this EIR, and the emission factors from the state Air Resources Board's EMFAC model already account for the reduced diesel exhaust coming from 2010 trucks. Therefore, the EIR's conclusions regarding diesel exhaust from this single HEI study are wholly unsupported by the volume of studies that OEHHA and ARB rely on to determine the carcinogenicity of diesel particulate matter coming from 2010 trucks.

Based on my own independent assessment, there are NO "Fundamental Inadequacies in the Project's Health Risk Assessment" and there is NO need for "Recirculation" of the FEIR as claimed by CARB. Also, there is NO "Misleading Discussion of Potential Health Risks" as claimed by SCAQMD. Regarding the above claims made by CARB and SCAQMD, I have these responses: 1) HEI Research Report 184 "Advanced Collaborative Emissions Study (ACES): Lifetime Cancer and Non-Cancer Assessment in Rats Exposed to New-Technology Diesel Exhaust" (<http://pubs.healtheffects.org/view.php?id=438>) is a very high quality, peer reviewed study that is directly relevant to the FEIR and reference to it must not be removed from FEIR; 2) There are serious methodological and scientific problems with the Office of Environmental Health Hazard Assessment (OEHHA) "Air Toxics Hot Spots Program Risk Assessment Guidelines: Guidance Manual for the Preparation of Health Risk Assessments (February 2015)" (http://oehha.ca.gov/air/hot_spots/hotspots2015.html) and the OEHHA cancer potency factors should not be used in the Health Risk Assessment for this project.

Since January 2006 I have submitted extensive comments to CARB and/or SCAQMD that dispute their exaggerated claims about the health effects of fine particulate air pollution (PM_{2.5}) and diesel particulate matter (DPM). This is overwhelming scientific evidence that PM_{2.5} and DPM do not cause "premature deaths" or cancer among Californians. My evidence, as well as

additional evidence from numerous other qualified scientists, has been systematically and deliberately ignored by CARB and SCAQMD for a decade and these agencies continue to make inaccurate and exaggerated health claims such as those contained in their letters.

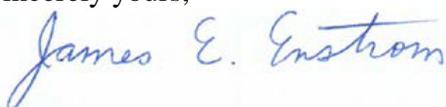
One way to put the CARB and SCAQMD exaggerations in context is to note that life expectancy from birth in California has increased from 71.7 years in 1970 to 80.8 years in 2013. The age-adjusted total death rate in California has declined by 45% from 11.370 deaths/1000 in 1970 to 6.301 deaths/1000 in 2013. These declines are not related to reductions in air pollution (like PM_{2.5}), because air pollution does not cause deaths in California. Indeed, California (CA) has the lowest age-adjusted total death rate in the continental United States (US) (only Hawaii has a lower rate) and nearly the lowest age-adjusted total cancer death rate. The South Coast Air Basin (SCAB), which includes Riverside County, has total and cancer death rates that are even lower than the corresponding California death rates (<http://wonder.cdc.gov>):

2013 age-adjusted total deaths/1000: 7.310 in US, 6.301 in CA, 6.202 in SCAB (.847 of US)
2013 age-adjusted cancer deaths/1000: 1.675 in US, 1.505 in CA, 1.465 in SCAB (.874 of US)

My statements are supported by the documents shown below that I have submitted to CARB and/or SCAQMD. In order to fully understand and assess these documents you need to get comments from the individuals who I have copied on this letter. All of these individuals have knowledge that is relevant to CARB, SCAQMD, and/or the health effects of air pollution in California. It is particularly important that you get comments from the ten UC Riverside (UCR) academics, who all work within 10 miles of Moreno Valley and who all should be concerned about the environmental, health, and economic impacts of the WLC. If helpful, I am willing to discuss the CARB and SCAQMD letters about the WLC FEIR with these UCR academics in front of the Moreno Valley City Council and/or any other person(s) suggested by you.

Thank you very much for your consideration.

Sincerely yours,



James E. Enstrom, Ph.D., M.P.H.

December 15, 2005 Enstrom paper "Fine particulate air pollution and total mortality among elderly Californians, 1973-2002" *Inhalation Toxicology* 2005;17: 803-816
(http://www.arb.ca.gov/planning/gmerp/dec1plan/gmerp_comments/enstrom.pdf)

December 10, 2008 Enstrom public comments criticizing proposed CARB Statewide Truck and Bus Regulations with evidence not cited by CARB (http://www.arb.ca.gov/lists/truckbus08/897-carb_enstrom_comments_on_statewide_truck_regulations_121008.pdf)

August 31, 2010 Unpublished Letter from Krewski to HEI with California-specific Results from Krewski 2009 (http://www.arb.ca.gov/research/health/pm-mort/HEI_Correspondence.pdf)

December 13, 2011 Enstrom Letter to California Office of Administrative Law Challenging Scientific Basis for CARB Diesel Regulations (http://www.arb.ca.gov/lists/gmbond2011/2-enstrom_letter_to_coal_cornez_re_suspend_carb_diesel_regs_121311.pdf)

August 1, 2012 Gamble, Nicolich, and Boffetta paper "Lung cancer and diesel exhaust: occupational epidemiology review" *Critical Reviews in Toxicology* 2012;42(7):549-598 (<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3441149/>)

September 20, 2012 Enstrom Criticism of SCAQMD Revised Draft 2012 AQMP Appendix I Health Effects (<http://www.scientificintegrityinstitute.org/AQMP092012.pdf>)

September 28, 2012 American Statistical Association 2012 Joint Statistical Meeting Proceedings Session Description and Enstrom Paper on "Particulate Matter is Not Killing Californians" (<http://www.scientificintegrityinstitute.org/ASAS092812.pdf>)

November 21-22, 2013 California State U San Bernardino Sustainable Goods Movement Symposium with Four PPTs (<http://www.scientificintegrityinstitute.org/SGMS4PPT112113.pdf>)

June 11, 2015 International Conference on Climate Change Panel 8 on Health Effects (<http://climateconference.heartland.org/>) with Enstrom PPT "EPA's Clean Power Plan and PM2.5-related Co-benefits" (<http://www.scientificintegrityinstitute.org/JEEICCC061115.pdf>)

July 9, 2015 US House Science Committee Hearing Examining EPA's Regulatory Overreach (<http://science.house.gov/hearing/full-committee-hearing-examining-epa-s-regulatory-overreach>)

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