

REQUEST TO UC PRESIDENT YUDOF TO REASSESS CARB REGULATIONS

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UC President, UC Professors, California Air Resources Board (CARB), and CARB Scientific Review Panel (SRP) on Toxic Air Contaminants (TAC)

- 1) Since 1989 five UC Presidents have not made regular (annual) nominations to SPR, as stated in AB1807 and AB3792 and California Health and Safety Code Section 39670-39671.
- 2) The two SRP Chairs (James N. Pitts and John R. Froines) and CARB staff have facilitated the severely flawed SRP appointment process, including the extreme example of Epidemiologist Gary D. Friedman serving without any appointment since 1994.
- 3) UC professors, particularly environmental activists John R. Froines and Stanton A. Glantz, have dominated the SRP since it started in 1984 and over 250 substances have been declared to be Toxic Air Contaminants, a status unique to California.
- 4) Based on review of public comments, scientific critiques, and lawsuits, SRP has not objectively evaluated the health effects on Californians of many TACs, including diesel exhaust, formaldehyde, volatile organic compounds, and environmental tobacco smoke.
- 5) Expensive CARB regulations, particularly those for diesel and formaldehyde, have relied upon SRP identification of these substances as TACs and CARB, particularly the UC professors (Nichols, Loveridge, Sperling, Balmes), should have monitored the SRP appointment process.
- 6) Points 1) to 5) violate UC Standards of Ethical Conduct, because of failure to adhere to applicable laws and knowingly omitting and misrepresenting results in the research record.
- 7) Based on a full and fair evaluation of the current health effects of these substances in California, very strong cases can be made for suspension and reassessment of CARB diesel and formaldehyde regulations and this evidence should be reviewed by UC Office of the President.
- 8) If UC President agrees with the points above, he could ask CARB to suspend diesel and formaldehyde regulations until the scientific basis for these regulations can be independently reassessed. This should be done in the best interest of California economy, honest science in California, and UC Standards of Ethical Conduct.

If CARB does not agree to suspend and reassess its diesel and formaldehyde regulations, the UC Office of the President could consider the following actions to facilitate a reassessment of SRP TAC identifications and CARB regulations:

- 1) UC Vice President for Research Steven Beckwith could interview UC experts with very different views: epidemiologists James E. Enstrom (UCLA) and Michael L. Jerrett (UCB) and toxicologists Robert F. Phalen (UCI) and John R. Froines (UCLA).
- 2) UC Academic Senate Leadership could interview these same UC experts.
- 3) A former UC Office of the President (UCOP) official, such as Robert C. Dynes or Lawrence B. Coleman, could interview these same UC experts.
- 4) The UC President could evaluate the October 21, 2009 letter to CARB by Norman R. Brown alleging unethical conduct by UCLA Professors Mary D. Nichols and John R. Froines.
- 5) The UC President could endorse and cooperate with a bipartisan Legislative investigation into SRP appointments, SRP scientific objectivity, and CARB regulations.