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May 14, 2020

Environmental Working Group comments on the Environmental Protection Agency's supplemental notice on the "Strengthening Transparency in Regulatory Science" proposed rule

Submitted to docket EPA-HQ-OA-2018-0259

With this letter, the Environmental Working Group (EWG) objects to the Environmental Protection Agency's proposal to apply polluter-friendly limitations to the types of scientific data that can be considered for environmental policy rulemaking at the EPA. The proposed rule, deceptively named "Strengthening Transparency in Regulatory Science," was first published on April 30, 2018, at 83 Fed. Reg. 18768. In the "Supplemental Notice of Proposed Rulemaking", published on March 18, 2020, at 85 Fed. Reg. 15396, the EPA proposed to limit even further the data used in the regulatory process.

EWG is a nonprofit public health research and advocacy organization headquartered in Washington, D.C. From the year it was founded, EWG has studied the human health effects of chemicals in the environment, especially focusing on the impact of pollution and toxic chemicals on children's health.

EWG finds that the EPA's proposal is inconsistent with both science and public health. The proposed rule, as the EPA well knows, has received tremendous opposition from independent research scientists, public health organizations and state agencies. This opposition is justified: The proposed rule, should it be finalized, would severely circumscribe the scope of public health protection because of limitations on the types of studies considered. This would in turn lead to crucial epidemiological studies being excluded from consideration.

To illustrate this core concern and to highlight the value of using epidemiological studies for chemical risk assessment, EWG brings to the EPA's attention a peer-reviewed scientific study, published by our team, on the "Analysis of Cumulative Cancer Risk Associated with Disinfection Byproducts in United States Drinking Water."¹ This study conducted the first side-by-side comparison of cancer risk assessments based on toxicological and epidemiological studies of disinfection byproducts using a comprehensive contaminant occurrence dataset that EWG has developed for haloacetic acids and trihalomethanes, two groups of disinfection

¹ Evans S, Campbell C, Naidenko OV. Analysis of Cumulative Cancer Risk Associated with Disinfection Byproducts in United States Drinking Water. *Int J Environ Res Public Health*. 2020;17(6):2149. <https://doi.org/10.3390/ijerph17062149>



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byproducts in drinking water. Epidemiological data suggest that lifetime cancer risk from disinfection byproducts for the U.S. population served by community water systems is approximately 3.0×10^{-3} (95% CI- 2.1×10^{-4} , 5.7×10^{-3}), or a lifetime cancer risk of three cases per thousand people. This analysis by EWG scientists highlights the value of using human data in health risk assessments to the greatest extent possible in order to accurately evaluate health impacts and better protect human health.

Aside from drinking water contaminant assessment, epidemiological data should be considered essential for all chemical risk assessments, with key examples of important human studies conducted on the pesticides paraquat,² atrazine,³ glyphosate,⁴ and chlorpyrifos,⁵ and other chemical substances used in industrial and agricultural applications, such as per- and polyfluoroalkyl substances, or PFAS.⁶ The data generated in these studies are essential for developing national policies to protect public health.

EWG closes by urging the EPA to withdraw the proposed Science Transparency Rule. Rather than disassembling the existing safeguards that limit the impact of pollution, the EPA should uphold its core mission of protecting human health and the environment. As proposed, the Science Transparency Rule is completely at odds with this mission.

Submitted on behalf of Environmental Working Group,

Olga V. Naidenko, Ph.D.
Vice President, Science Investigations
Environmental Working Group

² Zhang XF, Thompson M, Xu YH. Multifactorial theory applied to the neurotoxicity of paraquat and paraquat-induced mechanisms of developing Parkinson's disease. *Lab Invest.* 2016; 96(5):496 - 507. <https://doi.org/10.1038/labinvest.2015.161>

³ AlMBERG KS, Turyk ME, Jones RM, Rankin K, Freels S, Stayner LT. Atrazine Contamination of Drinking Water and Adverse Birth Outcomes in Community Water Systems with Elevated Atrazine in Ohio, 2006-2008. *Int J Environ Res Public Health.* 2018; 15(9):1889. <https://doi.org/10.3390/ijerph15091889>

⁴ Zhang L, Rana I, Shaffer RM, Taioli E, Sheppard L. Exposure to glyphosate-based herbicides and risk for non-Hodgkin lymphoma: A meta-analysis and supporting evidence. *Mutat Res.* 2019; 781:186 - 206. <https://doi.org/10.1016/j.mrrev.2019.02.001>

⁵ Rauh VA, Garfinkel R, Perera FP, et al. Impact of prenatal chlorpyrifos exposure on neurodevelopment in the first 3 years of life among inner-city children. *Pediatrics.* 2006; 118(6):e1845 - e1859. <https://doi.org/10.1542/peds.2006-0338>

⁶ ATSDR. Per- and Polyfluoroalkyl Substances (PFAS) and Your Health. Available at <https://www.atsdr.cdc.gov/pfas/PFAS-health-effects.html>