



California Dump Truck Owners Association

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June 23, 2010

Chancellor Gene D. Block
Executive Vice Chancellor and Provost Scott Waugh
University of California
2147 Murphy Hall
Los Angeles, CA 90095-1405

Dear Chancellor Block and Provost Waugh:

As members of the California business community representing well over 1,000 companies statewide, we are writing to indicate our strong support for Dr. James E. Enstrom of the UCLA School of Public Health. We understand from Dr. Enstrom that as of June 30, 2010 he is facing indefinite layoff from the UCLA faculty position that he has held for over thirty years. Furthermore, we understand that UCLA regulations require you to review the order of layoff for conformance to applicable University and campus policies before the layoff is implemented. Thus, we request that you undertake the review of the order of layoff of Dr. Enstrom as soon as possible and make sure that he is not discharged before your review is finished. Furthermore, we request that you give Dr. Enstrom the opportunity to make a strong case that he should be allowed to continue serving on the UCLA faculty.

During the past two years we have come to know, respect, and admire Dr. Enstrom. We have attended numerous public and scientific forums where he has courageously spoken out about the flawed science relating fine particulate air pollution (PM2.5) to premature deaths in California. The claim by the California Air Resources Board (CARB) that 18,000 annual premature deaths in California are due to PM2.5 exposure has been used as the primary public health justification for draconian diesel engine regulations that CARB approved on December 12, 2008. We estimate that full implementation of these regulations by California trucking and construction companies, such as the ones we represent, will cost over \$10 billion and will further damage the already weak California economy. Because of these regulations, which do not exist in other states, many of the companies we represent will be forced to go out of business or to leave California.

At the February 26, 2010 CARB symposium in Sacramento on PM2.5 and premature deaths, which most of us attended, Dr. Enstrom and others presented extensive evidence that there are NO premature deaths in California due to PM2.5. This evidence was supported with results from a major CARB-funded study by Dr. Michael Jerrett of UC Berkeley. Thus, the overwhelming epidemiologic evidence now supports Dr. Enstrom's contention that there is no public health justification for the CARB diesel engine regulations.

As one of the undersigned, I (Skip Brown) brought the matter of CARB diesel emissions science and regulations to your attention with two letters, one dated April 13, 2009 and the other dated June 30, 2009, alleging unethical conduct by UCLA Professors Mary D. Nichols and John R. Froines. These letters are now posted as an October 21, 2009 CARB public comment. Subsequently, Professor Nichols acknowledged unethical conduct as CARB Chair, beginning with a November 10, 2009 email message to

CARB member John G. Telles, which stated “it was wrong not to have informed you” (see enclosed Exhibit #16). In addition, I brought his letters to the attention of Dean Linda Rosenstock and Chair Richard J. Jackson, who are members of the UCLA Department of Environmental Health Sciences (EHS), along with Dr. Froines. I thought that Dean Rosenstock and Chair Jackson should know about his serious allegations against Dr. Froines.

Instead of properly examining the allegations against Dr. Froines and the scientific evidence on PM2.5 and mortality in California, we believe that Dean Rosenstock and Chair Jackson have selectively and deliberately targeted Dr. Enstrom for layoff because his scientific view of PM2.5 health effects conflicts with the scientific views and apparent agenda of several powerful EHS faculty members who control Dr. Enstrom’s academic appointment. From our perspective, it is totally improper for Dr. Enstrom to be terminated from UCLA under these circumstances.

We have a direct interest in this matter because the CARB diesel engine regulations have a major impact on our businesses, which depend on diesel-powered vehicles and equipment. The epidemiologic research and educational efforts of Dr. Enstrom have cast substantial doubt on the validity of CARB diesel science and the regulations that have resulted from this flawed science. As an indication of the serious concern that currently exists throughout California about CARB diesel science and regulations, please read the enclosed June 16, 2010 letter signed by us and several other major California trade associations and business owners. We are also enclosing a letter from September 9, 2009 signed by 52 California legislators, who believe that these CARB regulations are overly burdensome to California’s businesses and will result in worsening the record unemployment within our state.

This matter has profound implications for academic freedom and scientific integrity at the University of California, particularly UCLA, and for our ability to survive as business owners in California. Thus, we request that you review all the circumstances connected with the pending layoff of Dr. Enstrom and make sure that you fully adhere to UCLA academic policy. We believe that the facts will show that Dr. Enstrom should be allowed to retain his UCLA faculty position and continue the important epidemiologic research that he has conducted for over thirty years. UCLA benefits from the excellence of Dr. Enstrom.

The undersigned individuals are representative of several thousand California business owners who want this matter promptly and fairly resolved.

Thank you very much for your consideration.

Sincerely yours,



Lee Brown, Executive Director
CA Dump Truck Owners Assoc.



Skip Brown, President
Delta Construction Company, Inc.