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November 5, 2014

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Dear Dr. Kleinman,

I am writing again to request that you respond to my October 22, 2014 letter, which challenged the legitimacy of your current service as Chairman of the Scientific Review Panel (SRP) on Toxic Air Contaminants (TAC). Until I see valid evidence to the contrary, I will assume that you have provided false and/or misleading information to the University of California (UC) President regarding the exact nature of your UC Irvine faculty appointment. Furthermore, I believe that you have significant conflicts of interest in connection with your service as SRP Chairman. I base this belief on the evidence contained in my October letter and on the strong evidence of unethical conduct and conflict of interest by former SRP Chairman John R. Froines (<http://calcontrk.org/Delta100913.pdf>). Please read the incomplete and deceptive information provided by Dr. Froines on his 2011 "University of California Form for Obtaining Background Information and Conflict of Interest Disclosure for Activities Related to Government Regulation" (UCCoIForm) (<http://scientificintegrityinstitute.org/FroinesCOI1211.pdf>).

Thus, I now request that you send me the completed UCCoIForm that you were required to submit to the UC President when you applied to be a SRP member. This form states: "When the State of California requests the University of California's assistance in convening scientific advisory committees or recommending scientific experts to produce reports for the purpose of providing expert advice intended to be used by the State in formulating state laws or regulations, it is essential that the work of the participants in such activities not be compromised by any significant conflict of interest. . . . no individual can be appointed to serve (or continue to serve)

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on a UC-convened scientific advisory committee or serve as a UC-recommended scientific expert or peer reviewer when the report(s) developed by such service are intended to be used by the State as part of the official process for developing government laws or regulations, if the individual has a conflict of interest that is relevant to the functions to be performed. . . .”

I continue to be very troubled by the fact that the SRP has repeatedly refused to reconsider its 1998 identification of diesel particulate matter (PM) as a TAC, in spite of overwhelming evidence that there are no “premature deaths” in California due to diesel PM, that diesel PM represents only a tiny portion of the total PM_{2.5} in California, that the 1998 identification was based on highly contested evidence that did not apply to California, and that most SRP members were serving improperly/illegally when the 1998 identification was made. Furthermore, there is no public health need to reduce diesel PM because 50 of the 58 California counties reported ZERO “unhealthy” days during 2011-2013 due to PM_{2.5}, as stated in Appendix C of the 2014 CAPCOA Report “California’s Progress Toward Clean Air” (http://www.capcoa.org/wp-content/uploads/2014/04/CA_Progress_Toward_Clean_Air_Report_2014.pdf).

However, CARB continues to justify and implement the CARB Truck and Bus Regulation by claiming that “In 1998, California [i.e., SRP] identified diesel particulate matter as a toxic air contaminant based on its potential to cause cancer, premature death, and other health problems” and by ignoring the massive amount of evidence that diesel PM is not harming Californians. This INVALID Regulation is having devastating consequences for thousands of California businessmen like me. For instance, the May 6, 2014 CARB News Release provides details on the \$2,177,813 in fines that have recently been assessed against 256 California companies for Truck and Bus Regulation violations (<http://www.arb.ca.gov/newsrel/newsrelease.php?id=610>). Most of these companies operate in counties with ZERO “unhealthy” days due to total PM_{2.5}, including the tiny portion from diesel engines. Yet these companies are being forced to comply with costly unjustified regulations and they face massive fines as well.

The companies paying the highest fines were: Thermo King Corporation - \$213,200, California Gas Transport - \$136,125, GC Harvesting - \$120,000, KS Industries, Inc. - \$230,250, Roly’s Trucking - \$58,000, White Arrow- \$50,700, THX Transport - \$50,000. The companies involved in 40 other settlements paid about \$870,000: Altos Brothers Trucking, Amador Transit, A.M. Ortega Construction, Inc., Apple Valley Unified School District, Arctic Glacier Ice, Inc., Bear Valley Electric Service, Berryessa Garbage Service, California American Water, Capital Drum, Inc., Cardenas Markets, Inc., CR&R Waste & Recycling, Daly Movers, Inc., Dash Transport, Inc., Dolphin Express/ Dolphin Transport, ESTES West, File Keepers, LLC, F.N.F Rolloff Services, Hansen & Adkins Auto Transport, Jerry Melton & Sons Construction Inc., JLV Transport LLC, Lakeport Disposal Company, Inc., Mike Tamana freight Lines, LLC, Mountainside Disposal, Inc., MVP Trucking, Inc., Old Durham Wood Co., Oltmans Construction, Pacific Green Trucking, Perner Packing Company, R & F Disposal, Redwood Debris Box, Reeve Trucking, Rodolfe Nunez DBA Nunez Transport, Selma Disposal & Recycling, Inc., Smartway Express, Sterling Express Services, Transloading Express, Inc.,

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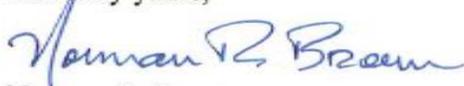
Victor Nunez DBA Nunez Transport, Vigold Transport Systems, Inc., Water Reclamation Equipment, Inc., Williams Tank Lines. The remaining 209 companies paid about \$450,000. No doubt, more fines will come to those who just cannot afford to comply.

In addition to the fines, with one stroke of the “regulatory pen”, CARB has devastated the net worth of thousands of businesses like mine who use their once diesel “assets” (now “liabilities”) to secure banking and bonding necessary for business operations. Businesses will close, resulting in increased unemployment and loss of a tax base to the State.

Most of these companies are not aware of the major role that the SRP has played in the Truck and Bus Regulation and the CARB fines that they have received. But I am well informed on this matter and I intend to apprise them of the serious problems with the SRP. Thus, I need your prompt response to this letter and my prior letter.

Thank you very much for your consideration of my important requests.

Sincerely yours,

A handwritten signature in blue ink that reads "Norman R. Brown". The signature is written in a cursive style with a large initial 'N'.

Norman R. Brown
Owner