

# A UNIQUE EDUCATIONAL FORUM

## “NONE OF THIS IS REAL”

### MISUSE OF DIESEL SCIENCE BY THE CARB

Ontario Convention Center • 2000 E. Convention Center Way • Ontario, CA • (800) 455-5755

**Sat., Aug. 1, '09 3 - 5 p.m. @ Ontario Convention Ctr - Room 203 ABC, 2nd Flr.**

**View Webcast Live at: [www.cdtoa.org/webcast](http://www.cdtoa.org/webcast)**

This informative two-hour presentation will focus on epidemiologic research and policy making in California, especially the misuse of scientific evidence by the California Air Resources Board (CARB) in order to justify draconian diesel vehicle regulations. Because of the many valuable improvements in air quality in California that have been made during the past 50 years, few scientists have been willing to publicly object to diesel particulate matter (PM) science that is faulty and to subsequent diesel regulations that are not scientifically justified. However, the presenters of this session clearly express their concerns about scientific integrity and public policy making in connection with recent scientific and regulatory actions by CARB.

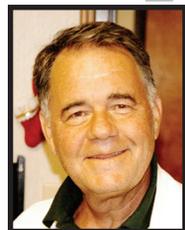
#### PRESENTERS/TOPICS:



**James E. Enstrom, Ph.D., M.P.H.**, is Research Professor at the UCLA Jonsson Comprehensive Cancer Center; President, Scientific Integrity Institute in Los Angeles; Trustee, American Council on Science and Health in New York City; and, Fellow, American College of Epidemiology. He holds a Ph.D. in physics from Stanford University and a Masters in Public Health and Postdoctoral Certificate in epidemiology from UCLA. He has been a UCLA faculty member since 1976, conducting epidemiologic research on healthy lifestyles and environmental risks that has been published in prominent peer-reviewed journals. Since his research and other comparable research does not support the health effects claims of CARB, Dr. Enstrom has become a vocal and energetic critic of CARB diesel science and diesel vehicle regulations.

#### **Dr. Enstrom will give an easy to understand presentation on the following topics:**

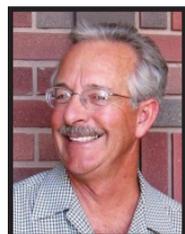
- historical examples of good and bad science that reinforce the importance of honest science
- history of CARB diesel science since 1998 that has lead to current diesel regulations
- epidemiologic evidence that diesel PM does not cause premature deaths in California
- systematic exaggeration by CARB of the health effects of diesel emissions in California
- specific recommendations for improving diesel science and regulations in California



**John Dale Dunn, M.D., J.D.**, is a 37 year physician, 30 year attorney, who teaches emergency medicine, but has interests in family practice and public health. Dr. Dunn is a civilian emergency medicine faculty physician at Carl R. Darnall Army Medical Center, Fort Hood, Texas the largest United States Army base with the busiest emergency department in the Department of Defense. Dr. Dunn served as public health authority for Brown County, Texas for more than ten years and is the Brown County Sheriff's Medical Officer. He is a science policy advisor for The Heartland Institute and the American Council on Science and Health. For many years he has lectured and written on environmental and public health issues and recently he has extensively criticized the air pollution science used by US EPA and CARB.

#### **Dr. Dunn will address:**

- how epidemiologic studies of air pollution often bypass the rigor of the scientific method
- how legal rules of scientific evidence should be used to evaluate epidemiologic evidence
- how weak scientific evidence is being used by CARB to justify unwarranted regulations
- how CARB dismisses scientific criticism that disagrees with its aggressive regulatory agenda



**Norman R. "Skip" Brown**, President of Delta Construction Company in Sacramento for the past 44 years. Skip has written two authoritative letters to Governor Arnold Schwarzenegger regarding the adverse impact CARB diesel regulations on his 66-year old company. He is the lead petitioner in the June 2009 Pacific Legal Foundation lawsuit, *Brown v. Adams*, regarding the CARB Scientific Review Panel that declared diesel exhaust to be a toxic air contaminant.

Skip will present the perspective of a long-term businessman who is trying to survive in the current depressed California economy. He will discuss ongoing efforts to make CARB responsive to important scientific, legal, and economic issues that are directly relevant to the validity of its on-road and off-road diesel vehicle regulations and to the survival of thousands of impacted companies in California.

#### **ADDITIONAL CALIFORNIA SCIENTISTS:**

Two other California scientists who have made public comments critical of CARB diesel science and regulations will participate in the Forum and their backgrounds are summarized below. Additional California scientists have been invited to attend the Forum and they may contribute to the discussion of CARB diesel science and regulations.

**Anthony Fucaloro**, Ph.D., George C.S. Benson Professor of Public Affairs, Claremont McKenna College; 35-year chemist with scientific and public policy expertise relevant to PM; member of CARB Scientific Review Panel when it declared diesel exhaust to be a toxic air contaminant in 1998.

**Matthew A. Malkan**, Ph.D., Professor, UCLA Department of Physics and Astronomy; 25-year accomplished astrophysicist with expertise in the scientific method and the conduct of rigorous science; recent independent critic of PM epidemiology and science, particularly as it is used by CARB.

**There are always two sides to every story; this is the side that is seldom heard.**

**Be prepared to leave this forum with:**

- an understanding of how biased science can be used to manipulate public opinion and government policy
- a well tuned sense of when to suspect panic-mongering by government agencies like CARB
- tools and rules for analyzing public health research claims
- a better understanding of how bad or contrived science makes bad policy and regulation
- a new body of knowledge that arms the member citizen with truth to help inform elected and appointed officials
- a sense of confidence in dealing with science, “experts,” government officials, and agencies

## **Key Quotes from the Academic Community which has shaped this event!**

**Quotes from the transcript of April 22, 1998 CARB Scientific Review Panel (SRP) on Toxic Air Contaminants meeting when key, long-term panel members expressed serious concerns about the scientific evidence behind their “identification” of diesel exhaust as a toxic air contaminant. This identification was the foundation for all future CARB diesel engine regulations.** ([www.arb.ca.gov/srp/mt042298.htm](http://www.arb.ca.gov/srp/mt042298.htm))

“ACTING SRP CHAIRMAN FROINES: None of it’s correct anyway.

SRP Member DR. GLANTZ: Well, don’t say that.

ACTING SRP CHAIRMAN FROINES: It’s a risk assessment.

SRP Member DR. GLANTZ: I know, but, thanks, you just got yourself sued.

ACTING SRP CHAIRMAN FROINES: None of this is real.”

**Quote from October 2004 paper “The Particulate Air Pollution Controversy” by UC Irvine Professor Robert F. Phalen.** ([www.pubmedcentral.nih.gov/picrender.fcgi?artid=2659607&blobtype=pdf](http://www.pubmedcentral.nih.gov/picrender.fcgi?artid=2659607&blobtype=pdf))

*“The Crossroad – Today, we are at an important crossroad with respect to the future of air-pollutant regulation. One road involves performing the needed research and making decisions on the basis of the science, with full consideration of the many trade-offs associated with new regulations. The other road involves adopting regulations driven by public fear, politics, and pressure groups. The first road is obviously the more beneficial one for protecting human health. . . . The second approach promises uncontrolled, chaotic, and rapidly changing rules. A great deal is at stake. Will science and reason, or expediency, fear, and ignorance, be the determinants of public health decisions?”*

**Quote from May 1996, Environmental Health Perspectives paper by Harvard Professor Douglas Dockery, whose epidemiologic research is an important part of the scientific justification for the CARB diesel vehicle regulations** ([www.ehponline.org/realfiles/members/1996/104-5/dockery.html](http://www.ehponline.org/realfiles/members/1996/104-5/dockery.html))

“There appears to be no evidence that the prevalence of asthma or asthmatic symptoms in children is associated with chronic exposure to particulate, sulfur oxide, or ozone air pollution.”

**Quote from December 2007 book, “Air Quality in America” by Joel M. Schwartz, a Scientist and Environmental Policy Consultant, Sacramento, CA, [joel@joelschwartz.com](mailto:joel@joelschwartz.com) and Steven F. Hayward, a F. K. Weyerhaeuser Fellow in Law and Economics at the American Enterprise Institute in Washington, D.C.**

*“The Clean Air Act charges the US EPA (and state subdivisions) with setting air pollution health standards. But this means that federal regulators decide when their own jobs are finished. Not surprisingly, no matter how clean the air, the EPA continues to find unacceptable risks. The EPA and state regulators’ powers and budgets, as well as those of environmentalists, depend on a continued public perception that there is a serious problem to solve. Yet regulators are also major funders of the health research intended to demonstrate the need for more regulation. They also provide millions of dollars a year to environmental groups, which use the money to augment public fear of pollution and seek increases in regulators’ powers. These conflicts of interest largely explain the ubiquitous exaggeration of air pollution levels and risks, even as air quality has steadily improved.”* ([www.amazon.com/Air-Quality-America-Reality-Pollution/dp/0844771872/ref=sr\\_1\\_1?ie=UTF8&s=books&qid=1202493031&sr=1-1](http://www.amazon.com/Air-Quality-America-Reality-Pollution/dp/0844771872/ref=sr_1_1?ie=UTF8&s=books&qid=1202493031&sr=1-1))

**“Knowledge is Power”**  
Sir Francis Bacon (1597)

**“There is only one good, knowledge, and one evil, ignorance.”**  
Socrates, Greek Philosopher (469-399 BC)

**“Real knowledge is to know the extent of one’s ignorance.”**  
Confucius (551-479 BC)

**“An investment in knowledge pays the best interest.”**  
Benjamin Franklin (1706-1790)