

**Emergency Request to Scientific Review Panel to Evaluate
New Scientific Information Since the 1998 Toxic Air Contaminant
Risk Assessment for Diesel Particulate Matter**

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On behalf of a group of scientists, businessmen, legislators, and other concerned citizens to be specified, this document constitutes the first version of an emergency request to the Scientific Review Panel on Toxic Air Contaminants (SRP) to evaluate new scientific information since its 1998 identification of diesel particulate matter (DPM) as a toxic air contaminant. This group requests assistance from the SRP epidemiologist, Beate R. Ritz, M.D., Ph.D., in preparing the final version of this emergency request. Her assistance is necessary to insure that this emergency request complies with the “Scientific Review Panel Process for Evaluation and Response to Submittals of New Scientific Information as Evidence for Review of Toxic Air Contaminant Risk Assessments” (http://www.arb.ca.gov/srp/document/statementofneed_1989_.pdf).

Conclusions of Emergency Request:

1. There is now overwhelming scientific and legal evidence that the original 1998 SRP risk assessment for DPM will be qualitatively and/or quantitatively changed by this request.
 - a. The new evidence will change the determination of the health effects of DPM by documenting that the current health effects of DPM in California do not warrant the implementation of CARB diesel regulations to further reduce exposure to DPM.
 - b. The new evidence will change the threshold determination adopted by CARB and contained in the Truck and Bus Regulation, by showing that Californians are not experiencing adverse health effects at the current level of exposure to DPM.
 - c. The new evidence will change the potency which was the basis of the original risk assessment by showing that fine particulate matter (PM_{2.5}) and DPM are not causally related to premature death or lung cancer in California.
2. This submittal will describe in detail the importance of the new evidence as it relates to the science (published evidence, data, calculations, assumptions, and procedures) used to establish the original risk assessment. In addition, this submittal will describe in detail the violations of the California Health and Safety Code involved in the original risk assessment.

In support of the above conclusions, this version includes the following attached documents:

Recent Prior Requests for DPM TAC Reassessment

June 17, 2008 Enstrom-Malkan-Miller-Phalen Petition Challenging CARB DPM TAC
(<http://www.scientificintegrityinstitute.org/CARBPetition061708.pdf>)

December 10, 2010 Engine Manufacturers Association PPT re Revision of CARB DPM TAC
(<http://www.scientificintegrityinstitute.org/EMATAC121010.pdf>)

Scientific Evidence on PM2.5 and DPM Supporting New DPM TAC Reassessment

June 2012 *Inhalation Toxicology* Hesterberg Paper on Diesel Exhaust Health Effects Research
(<http://informahealthcare.com/doi/pdfplus/10.3109/08958378.2012.691913>)

August 2012 *Crit Rev Tox* Gamble Boffetta Paper on Diesel Exhaust and Lung Cancer
(<http://informahealthcare.com/doi/pdfplus/10.3109/10408444.2012.690725>)

September 28, 2012 *ASA JSM* Enstrom Paper "Particulate Matter is Not Killing Californians"
(<http://www.scientificintegrityinstitute.org/ASAS092812.pdf>)

Legal Challenges to Integrity of SRP Appointment Process and CARB Diesel Regulations

June 18, 2009 Pacific Legal Foundation Lawsuit (Brown v. Adams) re SRP Appointments
(<http://www.scientificintegrityinstitute.org/PLFBvA061809.pdf>)

December 13, 2011 Enstrom Letter to COAL Challenging Basis for CARB Diesel Regulations
(<http://scientificintegrityinstitute.org/GMERP121311.pdf>)

Newspaper Articles Challenging the Integrity of SRP Appointment Process and Members

February 20, 2011 Bakersfield Californian Article on Politics Involved in SRP Appointments
(<http://www.scientificintegrityinstitute.org/Henry020211.pdf>)

April 15, 2012 Bakersfield Californian Article on Biases of SRP Chair John R. Froines
(<http://www.scientificintegrityinstitute.org/Henry041512.pdf>)

May 13, 2012 Bakersfield Californian Article on Role of UC President Yudof Regarding SRP
(<http://www.scientificintegrityinstitute.org/Henry051312.pdf>)

March 10, 2013 Bakersfield California Article on Integrity of SRP Chair John R. Froines
(<http://www.scientificintegrityinstitute.org/Henry051312.pdf>)