

## WHERE IS THE EPA'S SENSE OF DECENCY?

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### EDITORIAL

The Environmental Protection Agency (EPA) was founded in 1970 "to protect and enhance our environment today and for future generations." During the next decade, it earned a reputation as one of the more respected federal agencies. Its decisions were frequently litigated by industry and environmentalists, but they were generally well-reasoned, and occupied the middle ground. In 1980, Ann Gorsuch, became Administrator of the EPA, a choice widely criticized at the time as being based on political grounds. During the next several years there was an exodus of key professionals, and the EPA became a demoralized, do-nothing Agency. Following the Superfund scandal William Ruckelshaus was appointed to head the EPA. He was supposed to replace politics with science as the basis for EPA decisions, and set the Agency moving again. Under his leadership, however, things have not improved.

After examining the way the EPA responded to evidence of formaldehyde's carcinogenicity, an MIT professor reported in *Science* (222, 894, 1983) that the Agency's actions revealed "the interplay between politics and science policy in regulatory determinations. In some cases there were significant and unjustified departures from reasoned decision-making." The Agency's decision was, basically, to do nothing. Recently, an EPA official delivered essentially the same message to a national conference on toxics in ground-water: "We don't have any quick fixes. This is going to be a long-term problem." Much the same thing is occurring in the area of lead poisoning. A 1979 study published in the *New England Journal of Medicine* showed that children with high lead levels scored lower on IQ tests. The EPA then assembled what official of the National Institute for Occupational Safety and Health called a "hanging jury" (*Science*, 222, 907, 1983) which strongly attacked the study, thereby destroying the main argument for holding lead pollution to low levels—that is, the main argument for EPA to take action.

The situation has reached a new low with the recent efforts of the EPA in the matter of safety limits for environmental exposure to electromagnetic fields. In its Draft Study, the Agency's staff arbitrarily adopted the approach that only thermal effects need be considered. But since there are no significant thermal-level exposures in the environment, the conclusion that is pregnant in the Draft is that there is no need for action to protect the public health. Ruckelshaus himself appointed a panel to review the Draft which consisted almost exclusively of individuals well known for their thermal-effects-only viewpoint: the majority view among scientists world-wide—that there exists biological effects due to non-thermal electromagnetic fields -- was virtually unrepresented. It will not be surprising when this newest "hanging jury" largely endorses the staff's approach. Worse still, is the avowed purpose of the EPA which is to issue so-called guidance to the 20 or so Federal Agencies that have a role in regulating the electromagnetic spectrum, and not to enact regulations pursuant to its broad congressional mandate. The EPA intends to palm off its responsibility to other federal agencies that have vastly less expertise and that are even more certain not to act.

The EPA was created by Congress to protect Americans from risks and threats against

which the individual is almost completely defenseless. The public expects the EPA to be honest and fair, and to make decisions that protect the health of the American people. Instead, the EPA's recent performance has been woefully reminiscent of what occurred at the McCarthy hearings 30 years ago when attorney Joe Welch, in complete revulsion of the Senator's performance, said "You have done enough. Have you no sense of decency, sir?"

At long last have you left no sense of decency?"

Andrew A. Marino