

The EPA's secret, wasteful methodology exposed

By ACSH Staff — June 1, 2015



In the latest Townhall.com, ACSH friend Paul Driessen, senior

policy adviser for the Committee For A Constructive Tomorrow (CFACT) and author of *Eco-Imperialism: Green Power, Black Death*, published an op-ed entitled [Curbing EPA Abuses](#) [1]. In it, he points out several examples of behind-the-scenes negotiating between EPA officials and agents for environmental activist groups, resulting in notorious sue-and-settle arrangements. These deals result in a win-win for activists seeking ever-tighter environmental restrictions which limit our access to safe and useful products out of hyper-regulatory precaution, and often damages payments to the litigious consumer groups. On the other side, the EPA gets its goals more regulatory authority over more and more of our private property. The losers in these corrupt bargains: the American people and our economy.

As one example, Driessen cites articles from the Wall Street Journal last month by Kimberly Strassel ([May 14](#) [2] and [May 21](#) [3]) documenting how the EPA made a pretense of evaluating a proposed mining venture in Alaska, while already having decided to veto the plan. Other examples abound, of incredible collusion, deception, fraud and abuse of power to impose agency edicts and appease environmental ideologues in and out of EPA. Moreover, it is just the latest in a long line of abuses and usurpations by this Obama agency, under a culture of corruption and secretive, manipulated science used to justify regulatory overkill that imposes extensive damages for few or no benefits.

Only last week, Driessen goes on, the EPA (under its new rule) announced that it will [henceforth regulate](#) ^[4] any ponds, puddles, creeks, ditches and other waters that have a significant nexus to navigable waterways, even if that ill-defined connection enjoys six degrees of separation from streams in which you can actually paddle a kayak. EPA itself recognizes that science does not support its new regime, so now it says its experience and expertise justify its regulation of virtually all waters of the United States (WOTUS) and thus of all lands, land uses, and family, farm and industrial activities not already covered by its climate rules. Homeowners, farmers and businesses will now have to apply for permits to do almost anything that might theoretically pollute or affect waterways. Even [taking a shower](#) ^[5] is now subject to EPA regulation.

ACSH's Dr. Gil Ross had this comment: Paul Driessen has long been a thorn in the side of those who would substitute their own agenda generally a big-government, hyper-regulatory one for sound science. He is a well-known orator and writer on issues such as chemophobia against DDT and other pesticides, and on the EPA's devotion to rule-making based on...well, based on who-knows-what? They keep their data, if any exists, close to their vests, failing to allow independent scientists to verify their computer-modeled estimates of illusory benefits to health and the environment, even when such rules, as *WOTUS* and the ozone regulation, would drain our economy of billions, or trillions of dollars. We discussed the proposed remedy to this anti-scientific behavior, the [Secret Science Reform Act](#) ^[6], a few months ago. I found it quite interesting that in today's New York Times, an editorial entitled [Scientists Who Cheat](#) ^[7] noted the recent apparent deluge of false studies and retracted ones. Their solution?

*The scientific community clearly needs to build a better safety net. **It can start by ensuring that scientists, especially peer reviewers, are allowed to see the underlying data of a paper, which researchers are typically reluctant to share.** The federal Office of Research Integrity should be given ample funds and sufficient independence to investigate all major cases that come to its attention.*

So the Times, in an apparent absence of irony, bemoans the sad state of affairs, and calls upon the Federal government to take action (or at least throw money at the problem). But if the question of how to deal with the secret science holding sway at the EPA (among many other regulatory bodies, e.g. IARC), they would recoil in horror, as to them, the EPA can do no wrong.

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[1] <http://townhall.com/columnists/pauldriessen/2015/05/30/curbing-epa-abuses-n2005783/page/full>

[2] <http://www.wsj.com/articles/the-greens-back-door-at-the-epa-1431645574>

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[4] <http://www.wsj.com/articles/epas-amphibious-attack-1432769456>

[5] <http://www.washingtontimes.com/news/2015/mar/18/ernest-istook-epa-showers-the-people-with-unwanted/?page=all>

[6] <http://acsh.org/2015/02/secret-science-everywhere-nowhere-yet-rules-lives/>

[7] <http://www.nytimes.com/2015/06/01/opinion/scientists-who-cheat.html?partner=rssnyt&emc=rss>