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August 25, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt:

We are writing to express our concerns about the current composition of an EPA Science Advisory Board (SAB) Committee charged with peer reviewing draft IRIS toxicological assessments of Ethyl Tertiary Butyl Ether (ETBE) and tert-Butyl Alcohol (TBA). These chemical products are both manufactured in Houston-based facilities and have contributed to the creation of many high-paying jobs in our Congressional districts. As you know, there remain long standing criticisms of the IRIS program and its peer review procedures. SAB began assembling the committee to review the draft IRIS assessments of ETBE and TBA in late 2016. The committee held its first meeting in late August to begin the peer review process.

Selection criteria to determine panel membership included "absence of an appearance of a loss of impartiality."¹ It appears, however, that Dr. John Budroe of the California Environmental Protection Agency Office of Environmental Health Hazard and Assessment (OEHHA) does not meet this criterion and therefore should not serve on the SAB committee. Dr. Budroe's lack of impartiality was raised in public comments but SAB failed to act.

Dr. Budroe was a primary author of an OEHHA scientific document on cancer potency that relied heavily on TBA toxicological information.² TBA also is also a primary metabolite of ETBE, and some of the toxicological effects of ETBE are attributed to TBA. Importantly, the OEHHA document and its scientific conclusions directly support OEHHA's air toxics regulatory program.

¹ <https://www.gpo.gov/fdsys/pkg/FR-2016-10-27/pdf/2016-25930.pdf>

² <http://oehha.ca.gov/media/downloads/cnrn/tbacurfsrpreview111416.pdf>


Compounding our concerns, we also have learned that OEHHA and EPA's National Center for Environmental Assessment (which manages the IRIS program) signed a Memorandum of Understanding (MOU) to increase "communication and cooperation in the development of risk assessment methods and toxicologic assessments." The MOU also states that OEHHA and NCEA staff will engage in "regular discussions at the staff level, both formal and informal, aimed towards harmonization of methods and results" (see appended MOU). It would appear that Dr. Budroe, as a member of the OEHHA staff, is not only subject to this MOU but as an SAB committee peer reviewer would aim to harmonize the findings of the OEHHA scientific document he co-authored with the findings of the two draft IRIS assessments.

Notwithstanding Dr. Budroe's scientific qualifications, his apparent impartiality and conflicted interests should amply disqualify him from serving on the SAB committee reviewing ETBE and TBA.

We urge you to review this matter and take the appropriate steps to ensure the scientific integrity of the SAB peer review process.

Best regards,


Congressman Brian Babin


Congressman Gene Green