



Rena Steinzor, Contributor

Professor, University of Maryland School of Law

# The Age of Greed: Toxic Chemical Control Is 'High Priority' Failure for Nation's Government

02/12/2015 04:53 pm ET | **Updated** Apr 14, 2015

The Government Accountability Office (GAO) [reiterated](#) its conclusion that EPA's regulation of toxic chemicals is in crisis, unable to deliver badly needed protection to the American people. These benighted programs are among a couple of dozen of "high priority" failures that cause serious harm to public health, waste resources, or endanger national security, and Congress is giving the report red carpet treatment, with House and Senate hearings on the report scheduled the very day it was released.

In auditor speak, GAO says that "[b]ecause EPA had not developed sufficient chemical assessment information under these programs to limit exposure to many chemicals that may pose substantial health risks, we added this issue to the High Risk List in 2009." At the time, then-Administrator Lisa Jackson took clear steps to rescue the program. Since then, very little progress has been made, largely because the Obama Administration has narrowed its focus to climate change, and a major overhaul of initiatives swamped by chemical industry nitpicking does not seem to be in the cards until at least 2017.

The Government Accountability Office (GAO) has been reviewing the performance of federal agencies and departments for decades and has achieved amazing success simply by surviving the onslaught of attacks against government in any form. Although GAO's work is largely controlled by majorities in Congress, and its findings of poor performance now provide fodder for anti-government zealots, if anyone read the reports and took them to heart, reform and not destruction would be the goal.

So what's the story on toxics? [Marvelous reporting](#) by David Heath of the Center for Public Integrity explains that the Obama administration never fulfilled its campaign promise to divorce science from politics at the EPA:



*the EPA's findings on potential health risks posed by toxic chemicals. Some of those findings applied to chemicals to which all of us are exposed. Formaldehyde is in our kitchen cabinets and carpet. Arsenic is in our drinking water and rice. EPA scientists had determined that both of these carcinogens were more deadly than previously thought. Yet, officially, the agency remains unable to say so or to do anything about it.*

Heath reports that Lisa Jackson, EPA's first administrator under President Obama, quickly rolled out a plan to quicken the pace of toxicity assessments for hundreds of chemicals like formaldehyde that not only cause cancer but harm childhood neurological development, foster birth defects, impede fertility, exacerbate asthma and other respiratory problems, and trigger heart disease. The plan did not require congressional approval. Instead, it was designed to be under the administration's complete control. The goal was to ramp up dramatically the pathetic performance of the Bush administration, which eked out six assessments annually.

In 2014, EPA's Integrated Risk Information System (IRIS) produced just one new chemical risk assessment.

Who made IRIS one of the walking dead? These stories always begin with people, and for toxic chemicals, the first body blow to Lisa Jackson's commitment was the appointment of Ken Olden, a civil servant who decided that making friends with the chemical industry was his top priority. He succeeded in record time. At a recent hearing before the House Science Committee, where I testified as the only Democratic witness among a fulsome panel of industry representatives, Olden was showered with praise. Again, as David Heath reports:

*Rep. Paul Broun of Georgia has called for the elimination of the EPA. But at the hearing, he said, 'Dr. Olden has been a refreshing ambassador for the IRIS program and I applaud his commitment to an open and transparent IRIS process that includes early communication and increased opportunities for meaningful stakeholder input.' Michael Walls, a lobbyist for the American Chemistry Council, testified, 'You can count me among the fans of Ken Olden.'*



---

with industry stakeholders, endless peer review, reconsideration of every assessment in the face of chemical company micro-criticisms, workshops, coffee klatches, and reviews. The chemical industry has not done this dirty work alone. To its everlasting discredit, the National Academies of Science have contributed to the endless barrage of evaluation and advice for no other reason than the need to support its own staff by congressional appropriation and the passion on the Hill of bashing EPA for any reason or none at all.

The upshot is the clearest case of old-fashioned regulatory capture since senior executives at the Minerals Management Service of the Department of Interior partied drunkenly into the night with the very same oil company executives the Department was assigned to regulate.

Ultimately, though, as nauseating as this Republican display of adoration on Capitol Hill for a lone bureaucrat who has effectively shut down the program he is supposed to be running may be, those responsible work in the big White House at the other end of Pennsylvania Avenue.

Yes, the president has a lot on his plate, and yes, climate change is by far the most important environmental problem, and arguably the most important problem, period, that the nation faces right now. But the Obama administration should be able to do more for public health than focus decades into the future while ignoring the grave damage that formaldehyde, dioxin, arsenic, and a slew of other, untested industrial by-products cause every hour of every day. When a Democratic administration that claims to care about ordinary people does worse than a Republican administration known for its lack of enthusiasm for aggressive public health safeguards, it deserves the odor of corruption now wafting through the atmosphere.

*Do you have information you want to share with HuffPost? [Here's how.](#)*



**BEFORE YOU GO**

---