

Let the EPA Know Why Restricting Science is Bad for Science

A Public Comment Guide for EPA's "Restricting Science" Policy

May 20-26 National Week of Public Comments

Last month, the EPA proposed *Strengthening Transparency in Regulatory Science*, a misleading rule that stipulates that when EPA makes changes to a public protection, the raw data supporting the rule (potentially including personal medical data) must be publicly available and the studies must be able to be validated by a separate EPA review. This wide-ranging proposal would significantly limit the research and data that EPA can use to make informed policy decisions under major public health and environmental laws, including the Clean Air Act, Safe Drinking Water Act, and Toxic Substances Control Act. Currently, the rule is only open for public comment until August 16, 2018.

500 Women Scientists, Earthjustice, the Public Comment Project, and the Union of Concerned Scientists are calling on scientists nationwide to submit public comments drawing on their expertise and detailing how the rule would impact the use of specific research. Join the National Week of Action, May 20-26.

[Click here to let us know that you'll submit a comment](#) and we will provide you with the guidance and resources you need to write an impactful comment, including a great toolkit from the Public Comment Project and a summary of the questions that EPA has put forward related to the rule.

Submitting a public comment can be an effective way to participate in the policymaking process, evaluate proposals, and ultimately shape final policies. Agencies look for information relevant to the proposed policy--from local impacts to technical knowledge--and are required to respond to substantive comments about a proposed policy's impacts, questions, and concerns. (More on the process [here](#).)

HOW TO SUBMIT:

Go to the [public comment page](#) on Regulations.gov for the proposed policy (docket EPA-HQ-OA-2018-0259-0001) and click on the "Submit a Formal Comment" button. Make sure all documents contain your name and contact information. Be sure to submit your comment by August 16th 2018 at 11:59PM and check your email for a receipt confirmation. While a submission can be typed directly into the website, uploading a separate document may be easier for for you edit, save, and submit.

TIPS FOR WRITING A COMMENT:

- Read through the summary, general information and background to be aware of the context on why the agency is taking this action.
- Write concisely, but provide all details you think may be relevant.
- Effective comments lay out and support facts the agency has ignored or overlooked.
- Describe the personal impact of a proposed rule. That could include how it will impact public health; local environments; ability to find study participants; cost of compliance; vulnerable communities; or any other factor.

- Address potential negative impacts of the proposed rule, overlooked impacts, and intended or unintended consequences, and when available attach key studies and research so they are on the record.
 - *Note:* With respect to the proposed rule on sidelining science at EPA, as a scientist, public health, or technical expert, you should also share examples of what types of studies the agency could **not** rely on because of the excessive data access requirements. Upload those examples and explain what the barrier would be to using them.
- It is not sufficient to simply disagree with the agency's policy judgments; this is a qualitative exercise, not a poll. Explain why you disagree.

Remember that the most effective comments are thorough, unique, and specific. The public comment process allows scientists and the public to help agencies understand the full range of consequences of a proposed rule. Arguments made during this process are often used as evidence for any future court challenge.

WHO SHOULD WRITE

Scientists who research public health, toxicology, etc.-- and those who have produced or worked with rigorous research without publishing underlying datasets in full. Anyone who can speak to the impact of the restrictions on the EPA's ability to protect human health and the environment.

WHAT TO ADDRESS

The EPA needs to hear from scientists why excluding research based on non-publishable datasets limits EPA's access to the best available science, and the harm that these restrictions would create for people. Be as specific as possible, including detail on specific studies that would be excluded and what the burden would be to redact information.

The guide you receive when you [commit to making a comment](#) will outline the questions that EPA asks in its proposed rule. You can also learn more about the rule from the Union of Concerned Scientists [here](#); from a group of scientific journal editors [here](#); and from the Environmental Defense Fund [here](#) and [here](#).

In general, you should consider addressing the following in your comment:

Limiting consideration of science in EPA decisions

Would the rule make it more difficult for your research to be used in policymaking? If so, how? Insert examples of research that would be excluded if available.

Costs of reducing privacy

What would be the cost of redacting data in both time and monetary terms? What laws prevent you from releasing raw data? Would it be more difficult to do your work without being able to guarantee confidentiality? What are the privacy costs?

Impact on Research

Would the proposed rule make public health research more difficult? Would the proposed rule make it more difficult to use public health research, specifically, to create regulations and laws in support of human health and wellbeing?

Current quality control and peer review methods

What are the data release norms for your field of study? Why have they been developed in that manner? How does peer review work in your field to ensure that research is of sufficient quality? What kinds of safeguards already exist? What genuine improvements that could be made in improving transparency?

Impact on people

What communities near you would be affected if EPA restricts the types of evidence that can be used to make decisions? How would the communities be affected? Use specific examples. Do you work with communities that have more exposure to pollution? Would they be more or less exposed to pollution if data and evidence are restricted?

Shifting responsibility for evaluating science

Should the EPA administrator be able to decide to exclude specific studies from consideration or exempt specific studies from data disclosure? What would be the effect of shifting the responsibility for evaluating the weight of the evidence from scientists to political appointees?