

# In unprecedented move, EPA to block scientists who get agency funding from serving as advisers

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By **Juliet Eilperin**, **Brady Dennis** and **Chris Mooney** October 30

Scott Pruitt, the head of the Environmental Protection Agency, is poised to make wholesale changes to the agency's key advisory group by jettisoning scientists who have received grants from the EPA and replacing them with industry experts and state government officials.

The move represents a fundamental shift, one that could change the scientific and technical advice that historically has guided the agency as it crafts environmental regulations. The decision to bar any researcher who receives EPA grant money from serving as an adviser appears to be unprecedented.

A list of expected appointees to the EPA's Science Advisory Board, obtained by The Washington Post from multiple individuals familiar with the appointments, include several categories of experts — voices from regulated industries, academics and environmental regulators from conservative states, and researchers who have a history of critiquing the science and economics underpinning tighter environmental regulations. They would replace a number of scientists who currently have agency grants and whose terms are expiring.

The formal list of appointees is scheduled to be announced Tuesday.

Terry F. Yosie, who was the advisory board's director during the Reagan administration, said the changes "represent a major purge of independent scientists and a decision to sideline the SAB from major EPA decision-making in the future."

The EPA could not immediately be reached for comment, but Pruitt suggested in a speech this month at the Heritage Foundation that he planned to rid the agency's scientific advisory boards of researchers with EPA funding. He argued that the current structure raises questions about their independence, though he did not voice similar objections to industry-funded scientists.

“What’s most important at the agency is to have scientific advisers that are objective, independent-minded, providing transparent recommendations,” Pruitt said at the time. “If we have individuals who are on those boards, sometimes receiving money from the agency . . . that to me causes questions on the independence and the veracity and the transparency of those recommendations that are coming our way.”

Among the likely appointees are sharp proponents of deregulation who have argued both in academic circles and while serving in government that federal regulators need to raise the bar before imposing new burdens on the private sector.

John D. Graham, who now serves as dean of Indiana University’s School of Public and Environmental Affairs, launched a major deregulatory push while head of the Office of Management and Budget’s Office of Information and Regulatory Affairs under George W. Bush. He repeatedly informed agencies that they had not sufficiently justified the rules they wanted to enact, establishing a process under the Data Quality Act that allowed petitioners to ask agencies to withdraw information that did not meet OMB standards for “quality, objectivity, utility and integrity.”

In an interview with The Post in 2004, Graham said regulations are “a form of unfunded mandate that the federal government imposes on the private sector or on state or local governments.”

Anne Smith, who serves as managing director of NERA Economic Consulting and co-heads its environmental practice, belongs to a firm that has done extensive work for groups that fought the Obama administration’s regulatory agenda. In June, President Trump cited a report NERA produced for the American Council for Capital Formation and the U.S. Chamber of Commerce when announcing his decision to exit the international Paris climate agreement. The report projected that meeting America’s commitment under the accord would mean “as much as 2.7 million lost jobs by 2025.”

That study was based on several assumptions, including the idea that the United States would meet its emissions targets not by maximizing energy efficiency or other low-cost approaches but by forcing the industrial sector to cut emissions by 40 percent between 2005 and 2025. The report did “not take into account potential benefits” from cutting greenhouse gas emissions or technological advances that could make cutting carbon emissions cheaper.

After Trump’s use of these statistics drew criticism, NERA issued a statement saying that the 2016 report “study was not a cost-benefit analysis of the Paris agreement, nor does it purport to be one.”

At least three of the listed appointees have backgrounds working for large corporations whose activities are or could potentially be regulated by the EPA, including the French oil giant Total, Phillips 66 and Southern Co., one the largest U.S. utilities.

One of them, Larry Monroe, was previously chief environmental officer at Southern, which has millions of customers in the Southeast. Monroe has particular expertise in how the EPA regulated emissions from coal-fired power plants and criticized the Obama administration’s Clean Power Plan, which Pruitt is trying to roll back. Monroe argued that the plan, which was intended to reduce carbon emissions, was “unworkable and would increase electricity prices to customers while hurting reliability.”

In addition, the group of new appointees include those who have, like Pruitt, battled the EPA in the past. They include Michael Honeycutt, head of the Texas Commission on Environmental Quality's toxicology division; he has suggested that the health risks associated with smog are overstated. Another expected appointee is Donald van der Vaart, the former secretary of the North Carolina Department of Environmental Quality, who has called Obama-era efforts to slash carbon dioxide emissions from power plants and to regulate water quality in the nation's rivers and wetlands "glaring examples of federal overreach."

The move to prohibit anyone receiving EPA grant money from serving on the board has prompted questions and criticism from independent researchers and from some of the agency's current advisers, who noted that they follow strict ethics procedures to avoid conflicts of interest.

Robyn Wilson, an Ohio State University professor and an advisory board member who specializes in risk analysis, said in an interview Monday that she received a grant this year to work on a project evaluating the extent to which federal funds spent on restoring the Great Lakes have made an impact. The agency approved a roughly \$750,000 grant that will be divided among about 10 researchers at three different institutions; about \$150,000 would go to Ohio State.

"You want people there with expertise, who have experience with the issues EPA is dealing with," Wilson said, adding that with each assignment board members must "go through a pretty elaborate conflict of interest process" to make clear that they don't have a stake in the outcome.

"I just study how farmers make decisions," she added. "Whether EPA regulates something or not, that doesn't play into what I do."

Angela Nugent, who previously worked for the EPA as the designated federal officer for the board, said that the determination regarding EPA grants would differ from how the agency used to determine when a conflict of interest had occurred.

"It would be a major departure from current policy" to assume that board members have a conflict of interest based on their grants without looking at the actual situation in which they are being asked to do their work and how those grants might affect it, she said.

In the past, Nugent said, the board has required financial disclosures from members in relation to each particular study or project on which they were advising. Determinations of conflict of interest were then made relating to the specifics of the subject matter conflicts, rather than a blanket bar because an individual had an EPA grant.

Current advisory members reached out to Pruitt on Sept. 13, formally asking him to meet with them so they could discuss his agenda and their role in advising the agency.

"Such a meeting would afford you the opportunity to highlight EPA activities and priorities and would allow for a dialogue on how best the SAB can work to ensure the highest quality science supports Agency's policies and decisions," wrote board chair Peter Thorne, a professor of occupational and environmental health at the University of Iowa. "The SAB stands ready to serve and encourages you to take full advantage of the vital resource we can provide."