

Second-Hand Science

CONGRESSMAN John Dingell, testy Democrat from Michigan and longtime chairman of the House Energy and Commerce Committee, was blunt about the EPA's approach to science, saying, "It cooks the books with great vigor." Mr. Dingell was supporting his Senate colleague, Bennett Johnston, in sponsoring an amendment to the bill that would elevate the EPA to Cabinet level. The amendment would require the EPA to commission and publish professional scientific assessments of risks to human health addressed by any proposed regulation. The secretary of environment would have to certify that each regulation is "supported by the best scientific data." For good reason. As Senator Johnston said, the EPA has foisted on the American people regulations that are "burdensome, misguided [and impose] enormous costs."

We are skeptical about the ability of some well-crafted words to change the way the EPA does business, but it is interesting that so many non-conservatives (the amendment passed 95 to 3) have caught on to the agency's ways. What may be needed are victims prepared to fight back when afflicted by the EPA. So tobacco growers and cigarette companies are serving the public interest in taking the EPA to court for its misuse of science in declaring environmental tobacco smoke (ETS) a "Class A carcinogen," its most deadly category.

ETS is regarded by many people as a nuisance, and is properly the subject of private rules such as no-smoking zones. But it is typical of the authoritarian that he attempts to transform a nuisance properly handled by an infinite variety of private arrangements into a deadly menace justifying a national edict. The EPA's edict on ETS was accompanied by a weighty tome of junk science, in which almost every known statistical confidence trick is on display.

The overwhelming number of scientific studies have shown no statistically significant relationship between lung and heart disease and exposure to ETS, whether measured by workplace conditions or a history of living with a smoker. Of course, a few studies have shown a slight relationship. Several studies, for instance, suggest higher rates of heart disease among "passive smokers" than among direct smokers; but we would properly protest if the tobacco industry claimed these studies prove that "smoking protects your heart."

Yet the EPA engaged in exactly such statistical finangling in making its case against the highly diluted smoke typically breathed by non-smokers (which is indistinguishable in chemical composition and concentration from cooking and heating system fumes inside buildings). The EPA handpicked studies, including those which best suited its preconceived policy, excluding others which didn't. It failed to adjust for a variety of plausible confounding factors such as diet, a history of other lung disease, etc. It broke the cardinal rule for "meta-analysis" by combining unlike studies. It rewrote the statisticians' rulebook for minimizing the risk of chance association by dropping the standard 95 per cent confidence interval to 90 per cent. It read significance into an odds ratio of less than 1.2 when statisticians conventionally reject the significance of odds ratios of less than 2.0 or even 3.0.

By the scandalously manipulative standards of the ETS case, the EPA could move immediately to ban chlorination of drinking water, order massively expensive reorganization of electricity service lines (because of the speculative dangers of electro-magnetic fields), and outlaw diesel vehicles and heating systems that use number 2 home heating oil. In all these cases there are already statistical studies that produce risk numbers at least as strong as those used to indict ETS.

When power-grabbing scaremongers like those at the EPA hustle up bogus science, an industry has a choice. It can either roll over and die, as the asbestos industry did. Or it can fight, as the apple growers are fighting over the alar scare. The tobacco people are in the fighting tradition in taking the EPA to court over its ETS junk science. We are on the side of the fighters where science supports them, however politically incorrect they maybe.