



PEERreview

A Publication of Public Employees for Environmental Responsibility

Twin Plagues – Pandemic & Pollution

When President Trump declared a national emergency on March 13th due to the pandemic, it was supposed to trigger policies enlisting all federal agencies to focus on their mission essential functions. However, for many federal agencies, this emergency declaration was just another opportunity to continue to dole out favors to the powerful interests that control this government.

Nowhere has this been more apparent than at EPA.

For example, this year is on track to be among the hottest on record. In June, parts of the Arctic reached over 100 degrees. Wildfires are now spreading throughout the north as the levels of greenhouse gases in our atmosphere continue to rise to record levels. The American public now recognizes these dangers and overwhelmingly supports strong government action to address climate change.

So what's EPA's current response to this crisis? Nothing. Instead, EPA Administrator

Wheeler has been busy accelerating efforts to gut important air quality protections, protections that would also help address climate change. These actions have unleashed what a staff report from U.S. Senator Tom Carper calls a "pandemic of pollution."

Since March 1, EPA has rolled back vehicle fuel economy standards, relaxing efforts to limit tailpipe pollution, and virtually undoing one of the government's most significant efforts to combat climate change. It has also weakened the mercury and air toxics standards, as well as the requirements for repair and disposal of refrigeration appliances and industrial refrigeration units. Now only ozone-depleting substances will be subject to the rule's requirements, thereby exempting other harmful substances that pose risks to climate change and air quality.

It has also drafted guidance substantially narrowing pre-construction requirements under the Clean Air Act's New Source Review. This guidance would allow

construction and modifications to power plants, industrial boilers, and manufacturing facilities to begin without air pollution permits. And it ignored its own scientists' recommendations to strengthen annual standards for fine particulate matter pollution by proposing to keep those standards the same.

These air quality rollbacks are occurring despite a growing body of evidence documenting the connection between exposure to air pollution, especially particulates, and adverse outcomes from COVID-19.

As the pandemic spreads across the country, one of EPA's first actions was to tell polluters they would be mostly exempt from enforcement for polluting during the pandemic. This was done at the request of the oil and gas industry. Even as the number of its investigations and enforcement actions continues to free-fall, EPA also allowed states to suspend monitoring and discharge limits for industrial polluters.

With no hint of irony, EPA is citing the pandemic as the reason for delaying testing for PFAS (per- and polyfluoroalkyl substances, known as "Forever Chemicals" because they do not break down in the environment) in water systems (see article on Page 6). Yet, PFAS weaken the immune system, making exposed persons more susceptible to life-threatening COVID-19 effects.

Even more galling has been EPA's

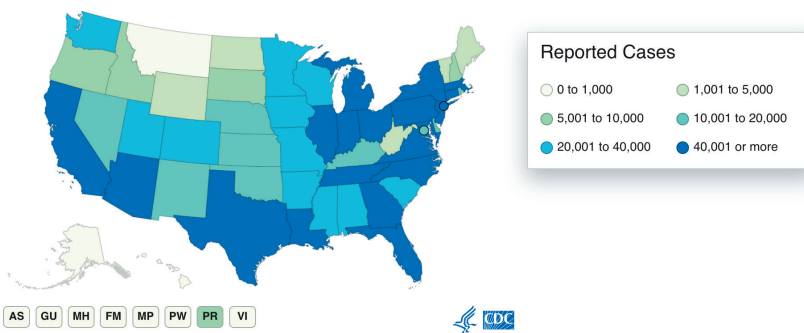


PHOTO: CDC

COVID-19 deaths eclipsed all American losses in the Vietnam conflict, have just surpassed all those from World War I, and are still climbing.



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FROM THE EXECUTIVE DIRECTOR

There are many troubling aspects of our collective response to the COVID-19 pandemic. One is the waves of threats and protests at the homes and offices of public health workers. Almost daily, we see disturbing reports about people threatening physical violence and personally attacking these workers.

Some of those threatening violence are inspired by the rhetoric of politicians and right-wing commentators, who, it is worth pointing out, have been spectacularly wrong in all their prognostications about the course of this pandemic.

Why have they been spectacularly wrong? Because the arrival of a pandemic didn't support their prepackaged political narrative that government is bad, bloated and increasingly unnecessary in the modern era. And yet they have used the cover of COVID-19 to continue to weaken our government to benefit their business allies.

Meanwhile, U.S. rates of COVID-19 are so high that Europe has announced a ban on American travelers.

What have we learned from this mess? One thing we have learned is that our future collective well-being depends not only on science-based laws, regulations and policies, but also on electing leaders who believe in a strong civil service.

Unfortunately, without more political support, our crisis response, public health, and environmental protection systems will be further decimated and more serious crises will await us all. These disturbing trends are why all of us at PEER are working tirelessly to present the new administration and Congress with ideas on reinvigorating the civil service and better protecting public servants from undue political influence.

It is also why this election in November really matters.

As we move forward into the election season, please feel free to reach out to me for any reason whatsoever. Thank you for your support in these difficult times.

Kind Regards,

Tim Whitehouse, Executive Director

Mission Statement

PEER protects public employees who protect our environment. We are a service organization for local, state, federal, and tribal public employees, including scientists, law enforcement officers, land managers, and all others dedicated to upholding environmental laws and values. Through PEER, public servants can choose to work as "anonymous activists" so that public agencies must confront the message, rather than the messenger.

NATIONAL PARK SERVICE

Reclaiming Park Skies

Capping a three-year PEER litigation battle, the United States Court of Appeals for DC has ordered the Federal Aviation Administration and the National Park Service to adopt limits on noisy air tours in twenty-three National Parks within the next two years. The case involves the long-standing failure of the agencies to produce an Air Tour Management Plan as required by the National Park Air Tour Management Act of 2000 in a single park.

For years, parks have sought to limit overflights but could not proceed without agreement from the FAA, which was never

forthcoming. The court order in the PEER suit ends this bureaucratic stalemate and directs the adoption of management plans for all 23 parks that have at least 50 overflights per year. Affected parks include Glacier, Bryce Canyon, Death Valley, Great Smoky Mountains, Mount Rainier, Mount Rushmore, Lake Mead, and Muir Woods.

PEER General Counsel Paula Dinerstein, who argued the case before the court, said, “In the coming months, PEER will work to ensure that the court’s order is fully implemented, with parks and

affected communities at long last responsibly limiting tourist overflights and the terrible noise pollution and disruption they cause.”



PHOTO: NPS

Curbing the Constant Buzz. Last year saw more than 47,000 park overflights, with some parks, such as Hawaii Volcanoes, seeing up to 80 flights a day.

E-Bike Trail Mix



PHOTO: BLM

Blind Gully. The Park Service did no review of safety and other impacts of allowing an unlimited number of faster, heavier e-bikes onto park trails

The Trump administration is scrambling to finalize a regulation to counter a PEER lawsuit and shore up its unauthorized order allowing electric bicycles on national park trails. PEER contends that this after-the-fact regulatory maneuver is itself illegal and will put both park visitors and wildlife at risk.

Last year, PEER uncovered and prompted the disbanding of an illegal industry lobbying effort called the “E-bike Partner and Agency Group” whose efforts generated a directive from the National Park Service (NPS) opening national park trails to e-bikes, which supply up to four times the power of human pedaling, on the same basis as human-powered bicycles. A PEER-assembled coalition sued to overturn that directive on several grounds, including that the order was contrary to provisions of federal regulation.

In April with much of the country closed due to the COVID-19 pandemic, NPS unveiled its proposed rewrite to cure this regulatory defect. In public comments filed on the proposed

regulation, PEER and its partners point out that it –

- Ignores studies showing more and more serious accidents on trails where e-bikes are allowed, including dangerous conflicts with other users, such as horseback riders;
- Would put fast, mechanized transport deep into park backcountry, disturbing wildlife and adding to an already large unfunded backlog of trail maintenance work; and
- Illegally eschews analyses required under the National Environmental Policy Act (NEPA) and consultations mandated under the Endangered Species Act.

“Once again, the Park Service seeks to leap before taking a careful look at the consequences,” stated PEER Senior Counsel Peter Jenkins, noting that the NPS claims this nationwide policy shift is only a “minor change” meriting a “categorical exclusion” from any NEPA review. “The Park Service has not even evaluated the adequacy of current bicycle trail design to determine if they can safely accommodate much faster and bigger e-bikes.”

Significantly, the proposal does not allow park managers to exercise their judgment about the appropriateness of e-bikes outside of developed areas. It also forces park rangers to cope with unenforceable rules, such as limiting use of electric motors when riders are pedaling.



COVID-19

COVID-19 and Sewage Spills: A New Cause for Concern

As wastewater treatment systems age across the United States, sewer overflows are becoming routine in many parts of the country, contributing to serious surface water and drinking water problems.

Now with news that the virus SARS-CoV-2, which causes COVID-19, can remain viable in feces and urine outside the human body for hours or days, municipalities need to pay careful attention to their wastewater and drinking water systems for possible viral contamination. The risks to the public are concerning but not well understood. We know workers in wastewater treatment plants are particularly at risk and that environmental inspectors also face infection dangers.

One problem is our aging wastewater infrastructure cannot handle heavy rains from storms, which are a frequent cause of sewage overflows as torrents of wastewater inundate collection pipes and treatment plants. For example, a recent nor'easter caused massive sewage overflows into the Merrimack River, a

drinking water source for a half-million Massachusetts residents.

In Florida, wastewater problems are exacerbated by government neglect. Last month, PEER issued a report showing that, during the past five years, Orlando's major wastewater treatment facility has been responsible for nearly 200 sewage overflows spewing 3.4 million gallons into local surface waters and wetlands, and onto city streets. In addition, the facility routinely violates its treatment permit limits, discharging large amounts of excess pollutants that feed the algal blooms plaguing Florida's waters. Evidence of an aging infrastructure is not limited to Orlando.

"In the age of COVID-19, our aging water infrastructure represents a growing public health vulnerability as these sewage spills become more common," stated PEER Science Policy Director Kyla Bennett. "Congress, EPA and the states need to step it up to upgrade our sewers and to better monitor our drinking water systems."



PHOTO: JERRY PHILLIPS

Jerry Phillips, PEER's Florida Director, has been documenting how the state's lax approach to environmental enforcement endangers public health and the environment.

"Algal blooms, climate change, and now COVID-19 should be a wakeup call for Florida to stop papering over wastewater violations," added Florida PEER Director Jerry Phillips, a former enforcement attorney with the state Department of Environmental Protection (DEP). "Unfortunately, these types of violations are now routine throughout Florida."

Spray First Philosophy in Massachusetts

In Massachusetts, Governor Charles Baker is sponsoring emergency legislation that embraces a spray-first philosophy to control outbreaks of mosquito-borne illnesses such as Eastern Equine Encephalitis (EEE) and West Nile Virus (WNV). PEER has joined a coalition of environmental, public health, pollinator, and organic farming advocates, which has won major amendments to the bill, but seeks further refinements, including –

- Disclosure of pesticides' chemical composition, as some ingredients harm the respiratory system, and others are immuno-suppressants, both problematic during a pandemic;

- Greater focus on actions shown to effectively reduce incidence of EEE and WNV, such as larviciding, and restoring fish habitat in streams and wetlands; and
- Requiring agencies to follow a science-based mosquito-borne disease management plan.

"Massachusetts should make certain that its disease control efforts are safe and effective," stated PEER's Kyla Bennett. "We have questions about the efficacy of spraying, and we know very little about the impacts in spray zones on non-target insects, such as pollinators as well as fish and wildlife."

BUREAU OF LAND MANAGEMENT

Suit to Oust “Bad Acting” Directors

A new PEER lawsuit charges Interior Secretary David Bernhardt with violating the Constitution and federal law by keeping lower-level Deputies in place as the *de facto* leaders of the National Park Service (NPS) and Bureau of Land Management (BLM). The suit faults Bernhardt for illegally authorizing Deputy Directors David Vela of the NPS and William Pendley of the BLM to act in the role of the Director. The lawsuit will continue even though President Trump recently announced his intention to nominate Pendley to lead the BLM.

The lawsuit asks the court to rule that Vela and Pendley cannot exercise a Director’s authority because they have not obtained the required Constitutional “advice and consent” of the Senate. Further, neither was named or qualified to serve as an “acting” Director under conditions specified by the Federal Vacancies Reform Act.

Vacancies Hamper Pandemic Response

Joining a PEER campaign, a coalition of 18 civil society organizations urged key Senators to hold the Trump administration to its obligations to fill the key holes in the federal government and seek Senate confirmation for agency leaders who require confirmation by law. Their letter detailed how the fumbling federal response to the coronavirus pandemic is an outgrowth of the current vacancies vacuum. Read the letter here: <https://www.peer.org/agencies-leadership-vacancies-tied-to-poor-pandemic-response/>



PHOTO: DOI



PHOTO: BLM

Bad to Worse. PEER is also suing Bernhardt (left) for refusing to release records on his selection of William Pendley, a lawyer from an ultra-conservative, anti-environmental legal foundation, to run BLM despite lacking the basic qualifications required by law.

“By law, the actions of these ‘bad actors’ are without force or effect and may not later be ‘rehabilitated,’” stated PEER Senior Counsel Peter Jenkins, noting the combined area these two officials control makes up almost one-seventh of the nation’s total land area. “The Pendley appointment is particularly troublesome because he forcibly moved the BLM Headquarters from Washington, DC to remote western Colorado, uprooting the lives of scores of seasoned BLM staff and disrupting an already overmatched agency.”

Bernhardt kept these two officials through a series of delegation orders giving them the power to “exercise the authority of the Director” for periods of months. In response to the PEER suit, Bernhardt’s office issued a statement that the two would remain in place indefinitely through a “succession” order he refused to reveal, but PEER is moving to uncover.

New Bundy Trench Line

For months, the Bureau of Land Management has sat on a complaint that the notorious Bundy clan has illegally built irrigation trenches and laid pipes to carry spring water off of a federal national monument in Southern Nevada. PEER is pressing the BLM’s current leader, William Pendley, a self-described “Sagebrush Rebel” who has editorialized in support of long-time illegal grazing by Bundy cattle on federal land, to

seek prosecution.

In mid-April, hikers came across extensive irrigation work, heavy equipment, and piping in the Gold Butte National Monument, a 300,000-acre unit managed by BLM where rancher Cliven Bundy and his sons have been grazing their cattle illegally for the past 20 years. The hikers filed a complaint and photos with the local BLM office,

which says the matter is still under review.

“Tearing up federal land is a serious offense,” stated Pacific PEER Director Jeff Ruch, noting that damage to federal land in excess of \$1,000 is punishable by up to ten years in prison. “If, as he claims, Mr. Pendley is now truly representing the American taxpayer, it is high time to start showing it.”



NATIONAL PARK SERVICE

Trump's Dirty Water Rule Moves to Court

PEER is part of a coalition of conservation groups suing to block the Trump rollback eliminating clean water protections for wetlands and streams that feed drinking water sources for the vast majority of Americans. In May, EPA issued a final rule whereby approximately 60% of the nation's wetlands, and up to 90% in the arid southwest, could be filled without Clean Water Act permits.

EPA's rule flies in the face of overwhelming ecological and economic evidence. In addition to suing, PEER filed a scientific

integrity complaint documenting how EPA political appointees deliberately ignored, or shunted aside, the agency's scientific integrity requirements.

While we are confident of ultimately prevailing in court, bulldozers now have a green light in many parts of the country to destroy streams, pollute waters, and fill wetlands. How much damage has been done before a final verdict is rendered remains to be seen. Meanwhile, the stakes for America's waters and environmental health could not be higher.

Crippling Wetlands Restoration

Trump's massive clean water rollback will also cripple a thriving industry sector that preserves U.S. wetlands through compensation programs, wetland mitigation banks, and ecological restoration projects.

Just as EPA was stripping away legal protections for these aquatic resources, another federal agency, the Fish & Wildlife Service, launched a month-long celebration of American wetlands, declaring that these now imperiled waters are "of vital importance to local communities, recreation and wildlife" and perform critical functions and ecosystem services, such as "recharging groundwater, filtering excess nutrients, toxins and sediment from water that ends up in our rivers, oceans and faucets, mitigating against floods and supporting hunting,



From Eco-Progress to Regress. Ecological restoration of degraded wetlands has been a huge national success story because it has cost-effectively provided so many benefits for both people and wildlife.

fishing and outdoor opportunities."

No one could accuse the Trump administration of being constrained by consistency.

Slow-Walking PFAS Control

Known as "Forever Chemicals" because they do not break down in the environment and bioaccumulate in the food chain, per- and polyfluoroalkyl substances (PFAS) are now found in the bloodstreams of most Americans. They have a variety of adverse health effects for both humans and wildlife, but are not subject to any meaningful federal regulation.

In February 2019, EPA issued a PFAS Action Plan, promising "immediate action" yet has produced little. After several delays,

the agency finally proposed to recommend federal drinking water limits, but for only two of an estimated 5,000 PFAS chemicals. EPA's current, non-binding limits are several times above the health threshold recommended by outside experts. Moreover, EPA has only taken the first steps in a regulatory process that will not produce an enforceable standard for years.

Meanwhile states are left to address a growing PFAS crisis with limited tools and resources. But addressing the PFAS crisis

on a state-by-state or chemical-by-chemical basis is totally untenable.

The entire family of PFAS chemicals must be regulated together as a class, because manufacturers are shifting to alternative PFAS compounds, leaving regulators to play whack-a-mole with each new substance. PEER has proposed a comprehensive approach that may require legislation to produce safeguards in a timely fashion.

EPA Fumbles on Reopening Offices

Since the pandemic hit the U.S., most EPA employees have been working remotely and keeping the important work of the agency going. Even EPA Administrator Andrew Wheeler has praised EPA workers for their productivity while teleworking.

Yet now, as the pandemic regains momentum in the U.S., EPA is starting to reopen many of its offices, and in so doing has been dishonest and misleading to employees about the criteria it is using to determine when it is safe to return to the office. As of late June, EPA has delayed responding to requests from PEER and employee unions to release data showing how offices will meet CDC criteria

for testing availability, and it has not set forth clear criteria for how the agency will comply with CDC-specified safeguards once offices reopen.

CDC guidance lays out “gating criteria” for conditions communities should meet before entering “Phase One” reopening. Yet, almost none of the cities with major EPA offices appear to meet the CDC’s criteria for a “Robust testing program.” Moreover, in several cities, infection rates are not on the “Downward trajectory (or near-zero incidence)” that CDC prescribes but have spiked, as some states lifted restrictions prematurely.

Once these EPA offices enter Phase One, it is not clear how they will implement CDC guidance governing social distancing, risk assessments, enhanced cleaning and disinfection. Instead, EPA is rushing to move people back into their offices to maintain an appearance of normalcy.

“EPA has yet to brief workers about what they will be facing when they return to the office, such as what personal protective equipment will be required and whether it will be provided,” remarked PEER Science Policy Director Kyla Bennett, noting abrupt start and stop directives are causing anxiety among employees.

“Instead of needlessly forcing employees who are productively working at home back into the office, EPA should be focusing on building up the capacity of its field staff to respond to specific environmental threats and harms,” added PEER Executive Director Tim Whitehouse, a former EPA enforcement attorney. “Not surprisingly, given EPA’s track record during the Trump administration, Administrator Wheeler is more focused on rapidly rolling back environmental protections and giving polluters a free pass to pollute than the health of EPA employees.”

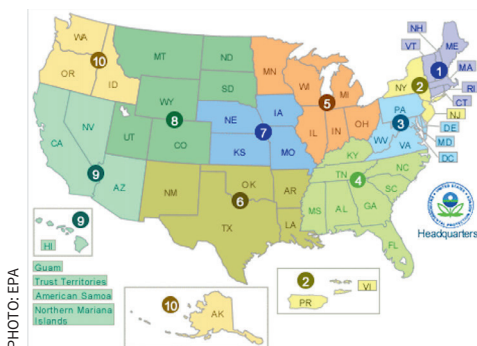


PHOTO: EPA

Every Building Is Ground Zero. EPA has yet to issue clear guidance for reopening its 10 Regional Offices, Headquarters, and labs.



PHOTO: KYLA BENNETT

On the Front Line. PEER Science Policy Director Kyla Bennett notes that field supervisors are confused by directives to exercise case-by-case discretion without clear standards.

EPA’s Science Rule is Just Plain Crazy

EPA is actively pursuing an industry-supported “Sound Science Rule” developed by infamous former Administrator Scott Pruitt. It would disallow most epidemiological research from agency decision-making unless patient identities are revealed. Advancing such a measure in the midst of a pandemic is just plain crazy, and PEER and many public health organizations have condemned it. Curiously, EPA contends the legal authority for this ill-conceived scheme is the 1874 “Housekeeping Statute” giving department heads the right to manage personnel and internal record-keeping. It is telling that current EPA leaders consider public health subordinate to its preferences in internal book-keeping.



INSPECTORS GENERAL

Trump's War on Inspectors General

Donald Trump has described himself as a “wartime president.” While he deserted the frontlines of combating COVID-19, he has waged war on the cadre of Inspectors General. These “IGs” are presidentially-appointed and Senate-confirmed, but more importantly Trump can remove them basically at will. The only requirement law imposes is he must submit a written explanation.

Shortly after his impeachment trial, Trump began by firing the IG for the intelligence community, who had forwarded a whistleblower complaint to Congress about Trump conditioning military aid to Ukraine on a promise to investigate the Biden family. Trump had already removed officials who testified in House hearings leading to impeachment.

Another removal, the acting Health & Human Services IG, came days after she issued a survey about COVID-related equipment shortages at hundreds of hospitals. Since the report undermined the false image that the White House had the emerging pandemic “under control,” Trump dismissed it as a “fake dossier” before dismissing her.

With the removal of the State Department IG, Trump has fired four of these official watchdogs since impeachment. These developments bode ill for the Inspector General as an accountability mechanism. Now, each IG has to cast a profile in courage before opening probes or issuing reports that cause political unease.

This means whistleblowers need to think twice before relying upon IG promises of

independence or protection. For more than a generation, PEER has provided experienced guidance and free legal representation to public servants who must speak truth to power. Our services have never been more needed.



PHOTO: WIKIPEDIA

Inspectors General play a key role in rooting out government corruption, which is why they are being targeted by the Trump administration.

Accountability Upstairs-Downstairs Dichotomy

In reaction to charges of non-cooperation from its Inspector General, Administrator Andrew Wheeler has decided political appointees atop the U.S. Environmental Protection Agency, unlike line staff, can now ignore requests to answer questions from the IG. PEER has assembled a coalition of government watchdog, public health, and conservation groups seeking to end this questionable double standard shielding political appointees from inquiry.

Wheeler's stance echoes that of Pentagon political appointees who refused to talk to that IG about White House efforts to block a contract with Amazon, a company run by Trump's least favorite CEO. It also recalls Secretary of State Mike Pompeo refusing to interview with his IG before having him fired.

“Andrew Wheeler has created an

‘upstairs-downstairs’ system of accountability at EPA, where his inner circle is functionally exempt from review,” declared PEER Executive Director Tim Whitehouse. “As things stand now, the EPA IG is a watchdog without teeth.”



PHOTO: EPA

Swallowing His Word. When he became Administrator, Wheeler pledged to cooperate with the IG and respect its independence but has now endorsed a legal opinion that the IG is not an independent agency due to “Constitutional limitations.”

Zinke Sees Plot

Ryan Zinke has resurfaced to claim he resigned as Interior Secretary in 2018, after 22 months, because of harassment from a “politicized” Inspector General working in cahoots with “radical environmentalists” and “in coordination with the opposition.”

Zinke frequently traveled with his wife on tax-paid sightseeing trips. In a typical outing, which PEER exposed, Zinke commandeered a Park Service ship and crew to pick up his wife and her aunt, as well as cronies he called “technical experts” to tour the Channel Islands and discuss his scheme to reestablish cattle ranches and big-game hunting on islands called America's Galapagos due to their unique native wildlife.

Zinke's unlamented departure did not stem from a plot, but from a pattern of sleazy self-dealing and a strong sense of entitlement.

NATIONAL PARK SERVICE

Will Parks Finally Curb Overcrowding?

Under orders from President Trump to reopen, many national parks risk spreading COVID-19 by ignoring public health safeguards as crowds return. For example, Yellowstone has reopened without any rules for social distancing or masks, in contrast to restrictions enforced in state parks and beaches, and even Disney World.

This stance flies in the face of warnings from the National Park Service's (NPS) own health staff. Throngs of visitors pouring into gateway communities increase infection risks not only for employees, but for local residents. Grand Canyon, for example, reopened entrances that abut the Navajo reservation, one of the nation's infection hotspots. As Yellowstone Superintendent Cam Sholly conceded, "The gateway communities have to understand the numbers (of coronavirus infections) are going to go up."

By contrast, Rocky Mountain, with the third highest visitation, has adopted a reservation or timed-entry system to prevent overcrowding – crowds are thinned out, bottlenecks minimized, and overall

visitation will reach no higher than 40% of peak levels.

Rocky Mountain is not alone. Yosemite has announced that it too will implement a reservation system. By contrast, when Arches threw open its gates the crush of visitors forced it to close again after only three hours. Ironically, both Arches and Zion proposed reservation systems in 2017 but withdrew them due to local opposition and lack of Interior Department support.

What makes this transition so difficult is national parks have grown addicted to overcrowding. During peak season, some parks more resemble a perpetual traffic jam than a cathedral of nature. With each new visitation record, NPS issues a glowing press release, as if overcrowding is a measure of parks' relevance and worth.

It should not be this way.

The National Parks and Recreation Act of 1978 requires "visitor carrying capacities for all areas" of each park. NPS policies also prescribe standards to



PHOTO: NPS

National Parks or Attractive Nuisances?
Yellowstone is not enforcing social distancing as crowds return.

prevent overcrowding, such as caps on waiting times to see a feature, maximum number of encounters on trails, or camping out of sight of neighbors. In addition, parks are supposed to monitor conditions and establish indicators for excess usage such as soil compaction, exposed tree roots, or vegetation loss.

Unfortunately, a PEER survey of the 108 major parks found very few had carrying capacities. The current pandemic creates a new public health rationale for parks to reduce crowding. To that end, PEER is pressing for adoption of statutorily required carrying capacities so that parks will not be loved to death.

Trump's Fireworks Show

Denied his wish for a military parade, Donald Trump ordered a giant firework spectacular at Mount Rushmore, which suspended the practice after pyrotechnics repeatedly sparked wildfires. The Park Service dutifully conducted an environmental assessment, which cited adverse effects ranging from groundwater contamination to discoloration of the monument. Notwithstanding these adverse effects, the park approved the event with a Finding of No Significant Impact.

No social distancing or masks will be

required for the 7,500 celebrants gathered to "Make America Infected Again."



PHOTO: DOI

Vanity Fair. The Park Service will spend a million dollars despite expert warnings that shooting fireworks over the extremely flammable ponderosa pine forest is extremely ill-advised.

Yellowstone's Chainsaws

Yellowstone often claims efforts to install cell and Wi-Fi service are meant only for its developed areas. But in documents PEER examined, we found the park had chainsawed 100 trees in a 30-year old stand located in recommended wilderness because they reduced signal strength from a passive reflector. Clear-cutting trees to improve wireless reception seems unclear on the concept of what national parks are for.



PEER PERSPECTIVE

Dominating the Battlespace



Dr. Rick Bright

The nation owes a debt to Dr. Rick Bright for his testimony highlighting the lack of a coherent strategy and dominance of crony politics hamstringing America's response to the Coronavirus epidemic. He also blew the whistle on lack of evidence for hydroxychloroquine, the drug touted and taken by Donald Trump before the FDA barred its use for that purpose. He is unlikely to be restored to his former position as Director of the Biomedical Advanced Research & Development Authority, but he made a major contribution to our nation's public health by stepping out from behind the bureaucratic curtain.



Rebekah Jones, Former Florida Department of Health Data Scientist

Rebekah Jones was hired to develop the official data portal to track COVID-19 cases in the Sunshine State. In May, she refused an order to alter the data on the dashboard she had created: "They asked me to delete the report card because it showed that no counties, pretty much, were ready for reopening. And they didn't want to draw attention to that." Gov. Rick DeSantis's office issued a non-denial statement that Jones was removed because she "exhibited a repeated course of insubordination." Undeterred, now-private citizen Jones used crowdsourcing to fund her own dashboard, which shows only two of the state's 67 counties meet the state's own criteria for reopening, thus explaining why infections in Florida have spiraled up. She wants people to have access to reliable data: "I think I'm uniquely equipped to try to help with that, so that's what I'm doing. I just don't want people to panic. I don't want anybody to feel afraid or powerless." She again proves that (accurate) information is indeed power.



Arizona Governor Doug Ducey

In early May, Gov. Doug Ducey (R) announced that the state would start easing social distancing restrictions, but he did not stop there. He also directed a team of academic health experts to "pause" their work on models and projections for the coronavirus outbreak. Those models projected that COVID-19 cases would dramatically increase unless Arizona delayed reopening until late May. Guess what happened?



U.S. Attorney General William Barr

With each passing week, Barr's performance as Attorney General creates greater cause for concern but his role in the operation to clear demonstrators from Lafayette Park so that Trump could pose holding a Bible upside-down in front of a church is hard to forget. Contradicting several witnesses and the White House press office who all said Barr gave orders to clear the park, Barr adamantly denies it, offering this explanation: "I was frustrated, and I was also worried that as the crowd grew, it was going to be harder and harder to do. So, my attitude was, get it done, but I didn't say, 'Go do it.'" What a pillar of Justice.



U.S. Senator Gary Peters

Senator Gary Peters of Michigan is calling on the Air Force to expedite the cleanup of toxic PFAS from the former Wurtsmith Air Force Base in Oscoda, Michigan. The pollution from these "forever chemicals" is contaminating nearby water sources, stream, lakes and wildlife. Throughout the country, all branches of the U.S. military are dragging their feet on PFAS cleanup. Peters and U.S. Representative Dan Kildeer had stepped in after the Air Force said the earliest clean up could begin was in 2024. Peters is one of a bipartisan group of members of Congress that is pushing back against these ridiculous clean up delays and calling for greater regulations of this dangerous class of chemicals.



NASA Administrator Jim Bridenstine

Following a Trump executive order to pursue commercial use of space resources, NASA unveiled a new plan for a permanent presence on the moon and extraction of lunar resources. This strengthens the U.S. contention, disputed by some countries, that lunar mining is not barred by the Outer Space Treaty, to which the U.S. and 131 other nations are signatories. NASA Administrator Jim Bridenstine tweeted "It's a new dawn for space exploration!" Hopefully, our aspirations transcend a desire to strip-mine the cosmos.

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION

NOAA's Sinking Scientific Integrity

No one would call this the Golden Age for science at NOAA.

PEER today is involved in a slew of cases from coast to coast where NOAA scientists are being silenced or overruled by Trump political appointees. From whales to anchovies, sea turtles to crustaceans, NOAA marine scientists are forced to sit by while their work is misrepresented or omitted from official decisions directly affecting marine life.

In the case of endangered right whales, NOAA scientists' recommendations on the need to avoid lobstering in critical migratory zones have been shunted aside, blocked by its parent agency, the aptly named Department of Commerce. After its position was challenged in court, senior

NOAA officials submitted sworn affidavits arguing that reopening restricted fishing areas would not adversely affect the right whale. In fact, the opposite was true. PEER discovered many contrary scientific findings were authored by NOAA's own scientists in peer-reviewed journal articles.

PEER exposed this misrepresentation and the court ruled that NOAA violated the Endangered Species Act. Yet, these prevaricating officials are still in place, as conscientious scientists are making their way to the exits.

While NOAA caving to corporate pressure has occurred for decades, during the Trump tenure it has become rampant. NOAA's conflicting mission of promoting the fishing industry while also protecting

marine life and ecosystems is becoming increasingly untenable. Reform of NOAA is a key priority for PEER in the next administration. Equally important is enactment of PEER-drafted legislation for judicially enforceable protections of both the quality of federal science and the careers of scientists whose findings do not match agency talking points.



PHOTO: NOAA (VIA FOIA)

Casualty of Official Misconduct. This highly-endangered North Atlantic breeding female right whale named Dragon is presumed to have starved to death after a lobster buoy stuck in her mouth.

Corporate Assault on Ivory Tower – and Climate Science

Significant scientific data collection on atmospheric conditions in the Arctic is ending because the University of Colorado abruptly removed the researchers doing the work. As a result, years of continuous readings on volatile organic compounds, produced by fossil fuel combustion, in the Arctic atmosphere will cease.

"Petty politics at the University of Colorado are impeding scientific work important to planetary health," stated PEER Rocky Mountain Director Chandra Rosenthal, who is assisting Dr. Detlev Helmig, whose work has been attacked by the Independent Petroleum Association of America and other fossil fuel interests. "Dr. Helmig's research is producing evidence that the petroleum industry is delighted to have disrupted."

In addition to his Arctic research, Dr. Helmig has been instrumental in monitoring oil

and gas emissions in the Rockies. PEER is spearheading a campaign for an independent review of Dr. Helmig's case and for him to be able to continue his research.

PEER is presently working to aid a growing number of public university scientists targeted by energy, chemical, and industrial agriculture interests.



PHOTO: UNIVERSITY OF COLORADO

Oil Companies Hate Atmospheric Research. Dr. Detlev Helmig worked for 25 years at Colorado's Institute of Arctic and Alpine Research, publishing more than 200 peer-reviewed journal articles.

Thank You!

This quarter, we would like to express our gratitude for the generosity of members James Biasco, Michael Washburn & Nancy Carmichael, Michael Caire, David L. and Evelyne Lennette, John McFadden, Peter Rizzo, Daniel Roby and Chuck Twichell.

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COVID-19 — Continued from page 1 ►

prioritization of a purely political agenda. A prime example of this is its “Censored Science Rule” (see article on Page 7). Despite opposition from almost every scientific organization in the country, EPA is pushing ahead with a plan to essentially bar the agency from considering critical scientific studies when underlying data is not publicly available, such as health studies where patient data must be protected by law. This approach ignores well-established rules for vetting scientific research, and it serves industry efforts to hamstring regulations.

Experts say this pandemic will be with us for a very long time. Instead of identifying ways to respond effectively to its challenges, EPA has been overly anxious to rush its workers back into their offices (see article Page 7).

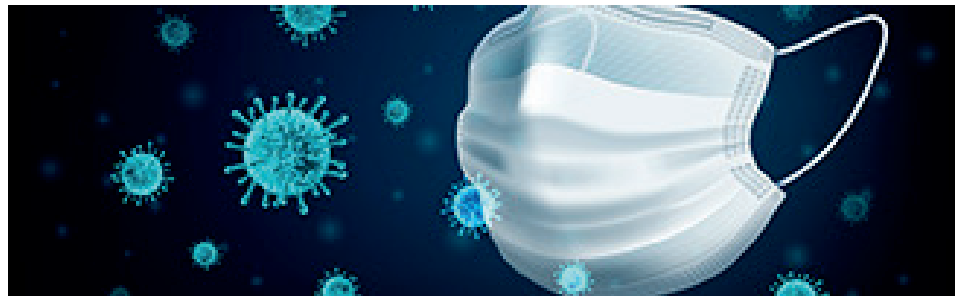


PHOTO: EPA

Sadly, EPA's few efforts to safeguard public health have been dwarfed by its array of actions to benefit specific regulated industries and support the propaganda behind Trump's reelection bid.

The damage done to EPA during this

Administration has been unfathomable. Remaking EPA as an effective force for public health and environmental protection will be essential in a new Administration. PEER and its supporters will be active participants in this effort.

Have you seen our statement, *Why We Must Address Racism and Economic Injustice*? If not, you can read it at <https://www.peer.org/we-must-all-address-racism-and-economic-injustice/>