



PEERreview

CELEBRATING 30 YEARS OF PEER

Artificial Turf – A Plague on the Earth

Like a nasty rash, artificial turf has spread beyond sports fields to urban lawns, schoolyards, and parks. It is an impervious surface that blocks the ability of soil to support insects or breathe. It has been shown to significantly increase ground surface temperatures and consequently ambient air temperatures near the ground, thus aggravating climate change impacts. The resulting heat islands are so intense that they can melt tennis shoes.

Studies show that the amount of water needed to cool artificial turf on a hot day can exceed the water requirements of some natural grasses in the same environment. And even then, the cooling effect only lasts 20 minutes.

In addition, artificial turf releases plastic fibers into the environment, making it a significant source of plastic pollution. One recent study found that more than 15% of the mesoplastics and macroplastics content in adjoining lake, stream, and ocean waters were artificial turf fibers.

To make matters worse, there are per- and polyfluoroalkyl substances (PFAS) in artificial turf. In 2019, PEER and The Ecology Center discovered PFAS in the blades and backing of artificial turf. Since then, artificial turf manufacturers have conceded that PFAS are added to the machines to aid the extrusion of the hot plastic and as “a slip agent that is intentionally added to the molten hydrocarbons to make the plastic grass blades free of defects.”

PFAS are a large family of chemicals that provide heat, stain, and water resistance. Yet, due to the strong carbon-fluorine bonds that occur in these chemicals, PFAS do not easily break down in the environment and are thus called “forever chemicals.”

PFAS are associated with cancer and linked to growth, learning, and behavioral problems in infants and children; fertility and pregnancy problems, including pre-eclampsia; interference with natural human hormones; and immune system problems. The negative immune system effects of PFAS are extremely concerning given the ongoing COVID-19 pandemic. A compilation of toxicity studies shows that virtually every PFAS examined is correlated with these adverse health outcomes.

The U.S. Environmental Protection Agency (EPA) has issued proposed regulatory limits for six PFAS (PFOA, PFOS, GenX, PFHxS,



PHOTO: ADOBESTOCK_KNELSON20

Bad Grass. Every sample of dozens of artificial turf samples, regardless of the manufacturer, shows PFAS in the grass blades, the backing, and sometimes the shock pad and the infill.

PFNA, and PFBS); they concluded that there is no safe dose of PFOA and PFOS in drinking water.

Their presence in artificial turf poses a plethora of problems. Routes of PFAS exposure include ingestion, inhalation, and dermal absorption, and athletes and children playing on artificial turf are subject to all three exposure pathways. PFAS also leach off the fields into surrounding waters, potentially impacting drinking water supplies.

PEER is at the center of a national campaign to ban artificial turf to protect both public health and the environment. We are working with a growing network of scientists, school officials, and concerned parents.



PEER DC Headquarters

962 Wayne Avenue, Suite 610
Silver Spring, Maryland, 20910
tel: 202-265-PEER (7337)
fax: 202-265-4192
email: info@peer.org
website: <http://www.peer.org>

PEER Staff

Tim Whitehouse • *Executive Director*
Kyla Bennett, PhD • *Northeast & Mid-Atlantic PEER, Science Policy Director*
Paula Dinerstein • *General Counsel*
Elizabeth Duan • *Communications & Office Associate*
Peter Jenkins • *Senior Counsel*
Helen Pent Jenkins • *Director of Development & Communications*
Monica Mercola • *Staff Counsel*
Barry Sulkin • *Technical Consultant*
Chandra Rosenthal • *Rocky Mountain PEER*
Jeff Ruch • *Pacific PEER*
Colleen Teubner • *Litigation and Policy Attorney*
Claire Turner • *Development Manager*
Mer Mietzfeld • *Institutional Giving Manager*

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FROM THE EXECUTIVE DIRECTOR

Thirty Years of Scientific Integrity



Dear Friend,

Over the past 30 years, PEER has formed a great body of work in the field of scientific integrity.

This is one of the most important governance issues of our time. To succeed in addressing climate change, loss of biodiversity, and toxic pollution, government agencies must make policies based on science that have not been corrupted by industry and government officials.

That's why I hope you will take a moment to read about PEER's work leading a coalition of organizations urging the Biden administration to strengthen its model scientific integrity policy (see page 8, Gagging Scientific Integrity).

To help protect science, agencies have policies that lay out procedures and best practices related to scientific integrity. In theory, these policies are designed to protect against scientific misconduct by agency employees and have mechanisms for scientists to report misconduct and violations of the policy within the agency.

When I first came to PEER, PEER had long been a fierce critic of federal agencies' scientific integrity policies, but I had no personal experience or opinions about the effectiveness of these policies. It didn't take long for me to learn why these criticisms were right on point.

In my work, I have seen firsthand how scientists are often targeted for retaliation when they make scientific integrity complaints and how existing processes usually fail to address the underlying scientific issues. As the only environmental group that represents government scientists who file scientific integrity complaints, we have a unique and real-world perspective on this issue.

Given the growing political and environmental instability around us, protecting government scientists and scientific integrity will be of growing importance as extremists in Congress and government seek to weaponize science for their own political and economic gain.

As we move into our next 30 years, protecting scientists and government science will continue to be at the forefront of PEER's work. Our ability to function as a society depends on it. Visit <https://peer.org/areas-of-work/scientific-integrity/> to learn more about our work in this area.

— **Tim Whitehouse, Executive Director**

About Us

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.

WILDLIFE

Alaskan Bear Slaughter Prompts Backlash

PEER has revealed that a recent aerial gunning operation was the largest lethal removal of predators in Alaskan history. In a three-week period in May, Alaska Department of Fish & Game employees killed 94 brown bears (including cubs), five black bears, and five wolves by shooting them from helicopters.

This mass removal came over the objections of state biologists that predators are not a major cause of the decline of the Mulchatna caribou herd (the nominal purpose of the operation), nor is their removal the likely solution to that decline.

This latest episode has sparked a renewed effort to end federal subsidies for state predator removals. A coalition of conservation organizations and scientists has formed to demand that the Department of the Interior end financial support for the excessive removal of wolves and bears to increase populations of “game” and trophy species. In September 2021, PEER filed a rulemaking petition to that end but has yet to hear from the Secretary of the Interior.

Meanwhile, the Endangered Species Act status of both brown bears, known as grizzlies, and gray wolves in the Lower 48 means that federal agencies spend money to safeguard sustainable



PHOTO: ADF&G

Do Bears Get Shot in the Woods? As they emerged from their dens this spring, nearly every brown bear within thousands of acres was killed.

populations while state game agencies in Western states, such as Montana and Idaho, use federal dollars to destabilize these same populations.

Feds Withhold Minnesota Grant Due to Overlogging

The Minnesota Department of Natural Resources (DNR) has admitted to violating federal law in conducting timber operations in sensitive fisheries and wildlife areas, confirming charges leveled by PEER. As a result, the U.S. Fish & Wildlife Service (FWS) withheld \$22 million in conservation aid until the state could demonstrate compliance with federal environmental laws.



Conservation, Minnesota Style. DNR's reliance on timber cordage goals has drawn loud objections from its own wildlife and ecology specialists.

The dispute revolved around DNR clearcutting to meet “timber cord quotas” in designated Wildlife Management and Aquatic Management Areas at the same time it is accepting federal money to restore these very areas.

“State agencies should not be using habitat restoration funds to degrade the very habitats they were supposed to enhance,” declared PEER Executive Director Tim Whitehouse. We will be monitoring future DNR activities to make sure they comply with all laws.

Chemical Safety Piggy Bank

The former head of the U.S. Chemical Safety & Hazard Investigation Board (CSB) used its budget like a personal piggy bank. PEER is leading an effort to make her pay back nearly \$100,000 in improper expenses diverted from funds for the investigation of industrial fires, explosions, and other chemical accidents.

A report by the Office of Inspector General for the U.S. Environmental Protection Agency (which has jurisdiction over the CSB) confirmed PEER allegations that Katherine Lemos, the lone Trump CSB appointee, ran up big unauthorized tabs for airfare, hotels, and office furniture during her two-year tenure.

U.S. Sen. Charles Grassley (R-IA) has joined PEER's call for legal action by the new CSB leadership to recover improper payments from Lemos, as it has done previously to recoup misspending by lower-level employees.



BUREAU OF LAND MANAGEMENT

Lawsuit Slams BLM Livestock Program

PEER has filed a federal lawsuit faulting the U.S. Bureau of Land Management (BLM) for its “widespread delinquency” in assessing environmental conditions and ameliorating resource damage caused by overgrazing across vast stretches of the American West. With co-plaintiff, Western Watersheds Project, our suit seeks a court order that BLM complete long overdue environmental analyses evaluating conditions on thousands of commercial livestock grazing permits within three years.

This legal indictment charges that BLM has abdicated its responsibilities by failing to conduct required National Environmental Policy Act (NEPA) reviews on nearly two-thirds of its 35,000 grazing permits. The absence of any NEPA analysis was even higher on sensitive allotments overlapping National Monuments or critical habitat for wildlife covered by the Endangered Species Act. Most likely this is due to the additional consultation requirements and more time-consuming assessments necessary to consider the special resources.

In many cases, BLM has renewed ten-year grazing permits for allotments failing Land Health Standards twice without conducting any NEPA analysis, meaning that the allotments have not been assessed for 20 years or more.

“Across much of the West, BLM is a Bureau of Land Mismanagement,” stated

Rocky Mountain PEER Director Chandra Rosenthal, noting that more than half of all BLM acres assessed (an area bigger than Kansas) fail Land Health Standards with livestock listed as a significant cause. “We expected much better from the Biden administration, but BLM remains cowed into inaction by the livestock industry no matter how bad conditions have become.”



PHOTO: EPA

On Destructive Autopilot: BLM determined that more than half of allotments were failing minimum landscape health standards due to livestock grazing, yet we have yet to see evidence of steps to improve conditions.

BLM Refuses Enforcement on Illegal Grazing

BLM is aware that environmentally sensitive lands at the headwaters of the Rio Grande River in south-central Colorado are being degraded by years of illegal grazing. However, the agency refuses to pursue any enforcement action. It also proposed to discipline a senior range specialist for “discourteous conduct” for having the temerity to protest this inaction.

For 30 years, Melissa Shawcroft has been a Range Management Specialist in Colorado’s San Luis Valley. She administers 70 grazing allotments with the goal of protecting the Rio Grande Natural Area from overgrazing. In 2012, she won BLM’s

Outstanding Rangeland Management Specialist Award.

She has recorded scores of grazing trespass incidents in the San Luis Valley, including 36 incidents in just the past year, but her superiors will not impound illegal cattle or pursue other enforcement options. As a result, protected habitat for migratory birds, some of which are threatened or endangered species, no longer meets minimal landscape health standards for water quality, vegetation, or wildlife suitability.

In July, she was served with a proposed 14-day suspension without pay for four

emails dating back to December 2022 in which she expressed consternation at BLM’s hands-off grazing trespass posture, including one suggesting the agency lacked “gumption” when it came “to the task of taking care of our resources.”

“These charges are ridiculous and say more about the quality of BLM management than they do about Melissa,” stated Pacific PEER Director Jeff Ruch, who is leading her defense. “Public servants are supposed to be able to alert their superiors to problems without facing reprisal.”

ENVIRONMENTAL PROTECTION AGENCY

Tattered Safety Screen for New Chemicals

The Lautenberg Act was passed in 2016 to protect American consumers and workers from damaging exposure to chemicals introduced into the stream of commerce. Unfortunately, the Environmental Protection Agency (EPA)'s implementation of this law – beginning under Trump and continuing without change under Biden – has been woefully inadequate.

Complaints from EPA scientists to PEER have been confirmed in a new audit from EPA's Office of Inspector General (IG) that found the New Chemicals Division has still not finalized guidance for many key functions, such as conducting exposure and hazard assessments. The IG concluded, "EPA does not have reasonable assurance that the new chemicals review process is properly considering and addressing risks to public health and the environment."

PEER represents several EPA scientists who have made a series of disclosures to the IG and Congress about how risk assessments for chemicals have been improperly altered to eliminate or minimize risk calculations, thus endangering both workers and the public. The IG will also be releasing reports on these chemical-specific disclosures from our clients in the coming months.



PHOTO: ADOBESTOCK_TOTOJANG1977

Failure to Launch. Between June 2016, and November 2022, EPA completed 3,830 new chemical reviews. Of these, EPA records indicated only 13 have not been allowed commercialization pending new information or have been prohibited from commercialization.

"This report shows that the public health threat posed by the unending stream of new chemicals entering the marketplace remains largely unabated," stated PEER Science Policy Director Kyla Bennett, a scientist and attorney formerly with EPA. "The record-keeping problems, lack of transparency and resources flagged by the IG allows senior staff and managers in New Chemicals to stealthily skew decisions in favor of industry."

Pollution Enforcement Sputters Back to Life



PHOTO: EPA_OCEFT

Faint Stirrings. For the first time in decades, EPA investigators are referring more pollution offenses for prosecution, and more criminal cases are being filed.

A new PEER analysis shows that criminal prosecution of polluters has been on the rise in recent months after a more than two-decade slide. During the first seven months of the current fiscal year 2023, EPA criminal referrals are on target to rise by more than 43% from the previous year after hitting a 36-year low. Criminal pollution prosecutions are on target to rise at a rate 79% above the previous year when such filings reached a 34-year low.

"Accomplishing the Biden agendas for conservation, climate change, and environmental justice will all require a much more robust anti-pollution effort by EPA," stated PEER Executive Director Tim Whitehouse, a former senior EPA enforcement attorney. "These latest figures are a hopeful sign that sustained improvements are possible in EPA's criminal enforcement program."

Canary Shafts the Mine

PolyMet Mining is pushing to carve a huge open pit copper-sulfide mine in northern Minnesota that would destroy thousands of acres of peatlands in the headwaters of the St. Louis River, the largest U.S. tributary to Lake Superior.

In January 2020, a former EPA employee and PEER client testified in court that state regulators pressured his office to downplay concerns about the mine's potential pollution. The superior court judge found the state permitting agency had illegally hidden and destroyed crucial information and thus invalidated the permit.

That court order was reversed on appeal, but the Minnesota Supreme Court has now decided that the trial court's ruling was correct and again rescinded the permit. In its ruling, the high court cited a PEER amicus brief on the importance of whistleblower disclosures to ensure the accountability of state agencies.



CLIMATE

The Toxic Climate Connection

In early October, the U.S. Environmental Protection Agency (EPA) announced a final regulation to phase out by up to 85 percent the use of hydrofluorocarbons (HFCs), which are potent greenhouse gases. The regulations align with the Kigali Amendment to the Montreal Protocol and should avert as much as half a degree Celsius of warming by the end of the century.

HFCs however, have another big problem apart from global warming that EPA's new regulations do not address.

Almost all HFCs contain or are per- and polyfluoroalkyl substances or PFAS. Human exposure to PFAS is associated with cancer, birth defects, developmental damage to infants, and impaired functioning of the liver, kidneys, and immune system.

While these regulations are a positive step forward, they do not go far enough because they will continue to allow PFAS to be used in the remaining HFCs. That is why we are urging EPA to follow Europe's lead in laying out a plan to eliminate all PFAS in HFCs as soon as possible.

Eliminating PFAS in refrigerants would provide tremendous public health and climate benefits and accelerate a shift to natural refrigerants, which have little or no global warming potential. Currently, however, EPA is buckling to industry pressures to provide a loophole in the definition of PFAS to allow industry to continue using these toxic chemicals in refrigerants.



PHOTO: FDA

Switching to natural refrigerants will yield tremendous health and climate benefits.

As we brace ourselves for the pivotal years ahead, this issue will remain at the forefront of PEER's climate efforts. The U.S. should follow Europe's lead and not yield to industry pressures to allow them to use toxic refrigerants that accelerate climate change.

Putting Industry Over Conservation

The Bureau of Land Management (BLM)'s climate program continues to focus heavily on pushing energy projects, both renewable and fossil fuel, on public lands. "Protecting intact ecosystems from energy development will slow extinction rates and help leverage natural solutions to combat climate change," notes PEER Executive Director Tim Whitehouse. Energy development should not come at the expense of conserving America's lands and waters. See page 4 for more updates on our BLM work. PEER has revealed that BLM

has quietly abandoned its three-year effort to develop a new "Grazing Rule." Tracy Stone-Manning, BLM's Director, had wanted the new rule to provide flexibility to allow BLM to alter grazing permit activities to address real-time impacts to rangelands associated with global warming. This would help federal rangelands become more resilient to a warming climate and the drought gripping the West. This retreat means that for the foreseeable future changes in livestock management practices will take place through administrative



PHOTO: BLM

guidance and policy, that is behind closed doors and with no public involvement.

CLIMATE

A Costly Distraction

Studies show that offsets do little to speed up the transition to clean energy sources, reduce overall energy consumption, or sequester additional carbon.

Getting the Facts on Offsets

This summer's global heat records are the latest sign that we need to speed up our efforts to address global warming.

PEER has long argued that carbon offsets should not be part of this effort. A growing body of literature points to the failure of offsets to deliver the greenhouse gas reductions they promise.

This spring, PEER submitted comments to the Federal Trade Commission (FTC) urging them to provide clear language in their Green Guides stipulating that, while offsets can provide environmental benefits, purchasers cannot use them to claim actual greenhouse gas reductions or to make "net zero" energy claims.

The latest research to support our criticisms is a new study issued in September by Corporate Accountability and *The Guardian* on the effectiveness of offsets. The study details how the majority of the top 50 carbon offset projects are issuing credits that are likely junk.

Among the key findings are:

- A total of 39 of the top 50 emission offset projects, or 78% of them, were categorized as likely junk or worthless due to one or more fundamental failings that undermine promised emission cuts.
- Eight others (16%) look problematic, with evidence suggesting they may have at least one fundamental failing and are potentially junk, according to the classification system applied.
- The projects were issued by seven different carbon registries,



PHOTO: ADOBESTOCK_SPIRITOFAMERICA

Companies burning trash, garbage and plastics call themselves clean and green but refuse to report all of their toxic emissions.

- including Verra, Gold Standard Registry, American Carbon Registry, and the Carbon Development Mechanism.
- More than a third of the top 50 projects had some evidence of three or more fundamental failings.
- Overall, \$1.16bn of carbon credits have been traded so far from the projects classified by the investigation as likely junk or worthless; a further \$400m of credits bought and sold were potentially junk.

As the federal government and many states move toward the use of offsets to help meet climate goals, PEER will continue to oppose the use of offsets as a viable regulatory tool to fight climate change.

Victory in Maryland on Renewable Energy

The Maryland Public Utility Commission has granted a request by a PEER-led coalition of groups asking for more transparency in Maryland's renewable energy program. PEER and other Maryland groups are concerned that the state is not disclosing enough information on the subsidies that are given to dirty energy sources, such as burning trash and wood, under the state's renewable energy program. PEER is also concerned about the number of subsidies going to out-of-state

companies that do not provide electricity to Maryland. Maryland's commitment to more transparency will give reform-minded legislators, academics, and residents tools to fight the state's reliance on dirty energy sources to fulfill its renewable electricity goals and reform the state's renewable energy program.

In 2021, PEER published a report, *Maryland Renewable Energy Program's Dirty Rip-Off: MD Ratepayers Subsidize Polluting Energy*

at Premium Prices, which found that about 25 percent of Maryland's "clean energy" under the state's Renewable Portfolio Standard came from dirty sources, such as municipal solid waste burned to produce electricity and woody biomass, or debris burned in power plants and paper mills.

We believe that when the public sees how their money is being spent, they will demand reforms that deliver more clean energy to the state.



SCIENTIFIC INTEGRITY

Free Speech vs. Public Service

PEER represented a city employee who was disciplined for off-duty comments made on an online news site. He is charged with bringing “discredit” to the city since his remarks, while accurate, were not complimentary.

Rod Simmons is a well-regarded biologist and botanist as well as the Natural Resource Manager for the City of Alexandria, where he has worked for nearly 27 years. He has been a vocal critic of local development and “stream restoration” schemes that inflict environmental damage.

We sought to overturn his reprimand initially through the city grievance process; however, our efforts to have the reprimand dismissed on the merits presented were of no avail. Now, we are invoking a whistleblower defense based on retaliation from some senior city officials embarrassed by Rod’s past statement. But lurking in the background is a potential free speech claim as his off-duty remarks carry First Amendment protection.



PHOTO: ROD SIMMONS

Speaking Truth to Power. Rod Simmons is highly respected in the community and often the lone advocate for Alexandria’s natural resources.

Gagging Scientific Integrity

To Trump-proof government science, President Biden has ordered that all agency scientific integrity policies be strengthened. To guide that effort, the White House issued a “Model Scientific Integrity Policy” which contains a very disturbing restriction.

The Model Policy would forbid any federal scientist from “making or publishing any statements that could be construed as being judgments of, or recommendations on,” any federal policy without permission. Ironically, this prohibition is contained in the part of the Model Policy on promoting transparency and the “free flow of scientific information.”

This provision is based upon a similar restriction within the U.S. Department of Agriculture (USDA)’s scientific integrity policy. USDA has used it to assuage agrichemical companies by blocking the publication of research on topics such as monoculture’s adverse effects and harm

to pollinators from powerful insecticides used to treat genetically modified crops.

Unfortunately, early indications are that other agencies will incorporate this gag order in their scientific integrity policies, as the Department of Health & Human Services (HHS) has proposed to do this summer. With a \$1.7 trillion dollar budget, HHS conducts and funds a huge amount of scientific research itself and through agencies such as the Centers for Disease Control & Prevention (CDC), Food & Drug Administration, and the National Institutes of Health.

There is good reason to fear that this new policy will create a broad chilling effect on scientific work involving hot-button topics, such as birth control, climate change, and fetal tissue research. For example, a far more limited Congressional ban on the use of research funds “to advocate or promote gun control” caused the CDC to cease all gun violence research for

more than 20 years until that language, called the Dickey Amendment, was finally narrowed in 2019.

Applying this broad prohibition relating to perceived policy comments across HHS would be tantamount to inflating the Dickey Amendment. Nor does it take much imagination to envision how this Biden-sponsored language could be weaponized by a President DeSantis or any similarly minded president to purge any trace of “wokeness” from all federal research.

Further, applying this restraint to unofficial speech and publications by scientists would be unconstitutional. Regardless, the motive appears to be maintaining bureaucratic control over information released by agency specialists.

It is a major PEER priority to ensure that this ban on discussing the implications of research does not spread under the guise of scientific integrity.

CALIFORNIA

San Francisco Bay Needs a Pollution Diet

San Francisco Bay has suffered through a second straight year of toxic red algae blooms. Despite rising nutrient levels that are fueling these fish-killing events, San Francisco's sewage agency is building a new biosolids facility that will significantly increase nutrient loading in the Bay.

The San Francisco Public Utilities Commission (PUC) is mid-way through a \$3 billion modernization process that would, according to the agency, "produce higher quality biosolids" but would produce much higher levels of ammonia (a potent nutrient) than other treatment methods. Further, PUC has acknowledged this concern but admits that it will not be effectively addressed this decade.

The precarious health of San Francisco Bay flows from weak water quality regulations that do not require reductions in nutrients discharged. Instead, the current Regional Permit only requires the Bay Area's sewage agencies to monitor and report on the nutrient load they are discharging.

In addition to being the biggest polluter of the Bay, the PUC has fiercely resisted efforts – often by litigation – by both the state and the U.S. Environmental Protection Agency to tighten pollution controls. Most recently, it took a federal appellate



PHOTO: CITY OF OAKLAND

Smells Worse Than It Looks. Algal blooms coated most of San Francisco Bay with dead fish.

court ruling to force the PUC to update its Long-Term Sewage Overflow Control Plan promulgated back in 1991.

Working with a network of current and former city workers, Pacific PEER Director Jeff Ruch is trying to spur greater state and federal oversight so that San Francisco Bay is ultimately put on an enforceable pollution diet.

Sitting Here in Limbo

Seven years after Congress ordered an end to placing federal employees on extended paid administrative or investigative leave, the abusive management practice continues unabated. PEER is now taking legal action to press the Office of Personnel Management (OPM) into finalizing regulations to curb excessive involuntary paid suspensions - or face a lawsuit.

In 2016, Congress passed the Administrative Leave Act to end routine reliance on involuntary leaves that "exceeded reasonable use," citing cases where employees were paid to stay home for months and, in some cases, years. In 2017, OPM proposed draft regulations to guide federal agencies in implementing

this law, but never finalized them. PEER and others commented in 2017 urging OPM to add many improvements to its draft. Since then –

- Agencies continue to impose large amounts of involuntary paid leave. The National Park Service, for example, racked up some 530,000 hours of paid leave from FY 2018 through 2020 (more than 260 person-years) costing taxpayers more than \$10 million; and
- Many employees are still left dangling on paid suspension for months, and in several cases years. For example, an agency managing director represented by PEER was left on paid administrative leave for more than three years before his agency acted on his case.

"These paid suspensions are not vacations but are measures to punish and isolate whistleblowers or employees whose mere presence is deemed inconvenient," stated PEER Senior Counsel Peter Jenkins, noting that employees have no means to appeal abusive leave orders. "Congress acted to rein in these abuses, but the bureaucracy simply ignored it."

PEER is asking OPM to not only finalize implementing regulations but also to make these restrictions enforceable, prescribe penalties for management violators, and require annual agency reports on the amount of leave they impose. The petition puts OPM on notice that further delays will trigger a lawsuit.



PEER PERSPECTIVES

Military Applause

“We must not confuse dissent with disloyalty”

— Edward R Murrow, broadcast journalist



Montana Governor Greg Gianforte

Last year, Gianforte signed a law that state agencies could not consider climate change in issuing permits for fossil fuel projects. State lawyers used this law as their main defense against a precedent-setting lawsuit by 16 kids and young adults seeking to hold Montana accountable for its role in promoting climate change. Gianforte’s strategy backfired as Judge Kathy Seeley ruled that state officials flouted Montana’s constitutional right to a “clean and healthful environment” when they passed this law. While Gianforte is vowing an appeal to the Montana Supreme Court, the episode illustrates that the posture of governing with one’s head in the sand leaves you open to a swift kick in the rear.



Brazil President Luiz Lula da Silva

President da Silva (known as Lula) is leading a drive to stop ruinous Amazon deforestation and prevent it “from reaching a point of no return.” He organized an eight-nation summit of Amazon nations. While the summit did not reach an enforceable agreement, there has already been a 42% drop in deforestation during his first seven months in office. He is also trying to raise international financial support for forest protection. “Nature is in need of money,” Lula said. Meanwhile on the home front, Lula announced that the government will provide financial support to municipalities that have reduced deforestation rates the most.



NOAA Corps Rear Admiral Nancy Hann

Rear Adm. Hann is only the second woman to serve as director of the National Oceanic and Atmospheric Association (NOAA)’s Commissioned Officer Corps, one of eight uniformed services, and its Office of Marine and Aviation Operations, with its fleet of research and survey ships and aircraft. Like our military, sexual harassment has been a historic problem within the NOAA Corps. But, in her tenure, she has terminated 23 people for misconduct, many of them senior mariners. She also hired a former FBI agent to be on site within 48 hours of a reported allegation, even if that means sending ships back to port. During this period, sexual harassment complaints declined by 92%. She pledges that the next generation of women should “feel comfortable physically, emotionally, and mentally in the workplace.” Her actions show that cultural change can be achieved but requires vigorous and repeated application.



Major Amanda Feindt

U.S. Army Major Amanda Feindt, her husband, and two young children moved to Hawaii in late 2021 to be stationed at Joint Base Pearl Harbor-Hickam. Shortly thereafter, 20,000 gallons of fuel spewed from the now infamous Red Hill facility pipeline. She and other families reported a fuel smell in their drinking water and started to feel health effects. In the ensuing months, she has testified before Congress, filed one of the first legal claims against the federal government by a military member, and helped establish a foundation to aid afflicted families. Now, she is agitating to block the confirmation of Pacific Fleet Commander Admiral Samuel Paparo to Chief of Naval Operations until he agrees to be deposed in the damages suit. The Major is displaying a form of valor for which our military has no medals.



NIH Senior Advisor David Morens

Morens replaced Dr. Anthony Fauci at the National Institutes of Health and tells his staff that he conducts government business on his private email account and routinely deletes messages. “As you know, I try to always communicate on Gmail because my NIH email is FOIA’d constantly. Stuff sent to my Gmail gets to my phone but not my NIH computer.” He explained “Don’t worry, just send to any of my addresses, and I will delete anything I don’t want to see in *The New York Times*.” Morens also communicated that email from his Gmail account bears this footer: “IMPORTANT: For US-government related email please also reply to my [office] address.” Morens may have replaced Dr. Fauci, but he is certainly no Anthony Fauci.



U.S. Senator Rand Paul

Sen. Rand Paul (R-KY) singlehandedly blocked renewal of Chemical Facility Anti-Terrorism Standards after its sunset extension passed the House 409-1. As a result, 3,300 high-risk facilities no longer need to maintain security measures. Despite strong industry support and a study showing chemical facilities had tightened their security by about 60 percent to comply, Paul said “My guess is if the program didn’t exist, they would still all have fences and barbed wire and protections against terrorism because they want to protect their investment.” As a compromise he unsuccessfully offered a nebulous rule that all proposals be evaluated on whether “duplicate” programs exist. Opening the gates to possible attacks on chemical facilities is not the smartest thing the Senator has done. It is no surprise that many of Paul’s Senate colleagues have just had it with him.



FLORIDA

DeSantis' Failing Environmental Grade

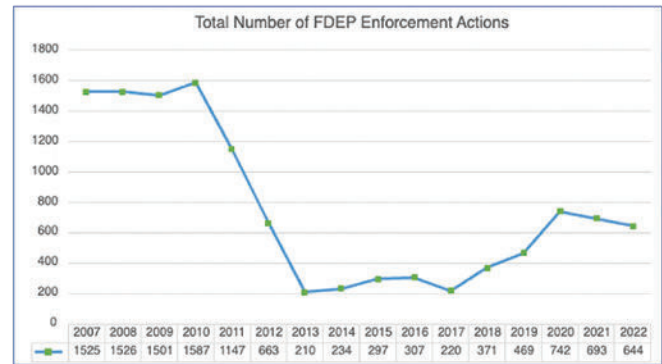
After a promising first two years, anti-pollution enforcement under Florida Governor Ron DeSantis has sharply declined, according to a new PEER analysis. This fall-off has occurred amid the proliferation of toxic algae blooms, more sewage overflows, and mass die-offs of manatees in Florida waters.

In the last two years of the DeSantis administration, environmental enforcement actions have dipped well below historical averages. In 2022, the total number of enforcement actions taken by Florida's Department of Environmental Protection was 59 percent below what they were in 2010 and has fallen in each of the last two years.

These enforcement drops manifest in both Florida's waters and lands, especially wetlands. It should come as no surprise that Florida ranks first in the nation for the highest total acres of lakes too polluted for swimming or healthy aquatic life; and

"By all measures, the pollution burden placed on Florida's lands and waters continues to grow," stated PEER Executive Director

Tim Whitehouse, a former senior enforcement attorney with the U.S. Environmental Protection Agency. PEER has issued similar annual reports on Florida's environmental enforcement profile every year since 2004.



Going Downhill. Since 2010, Florida's population has grown by approximately 20% while enforcement levels have dropped by more than half.

A Summer Success



Helen Pent Jenkins,
Director of Development

I'm extremely grateful and excited to report that our annual summer fundraising campaign, Double Trouble was an enormous success! Thanks to individual donors and Foundation partners, PEER reached the \$30,000 initial goal in the first two weeks of the campaign and surpassed an additional match of \$60,000 set up by a Foundation partner. With dozens of first-time donors, and many donors setting up recurring gifts to help sustain our work, we are humbled by your passion and your generosity. Thank you!

We Thank You!

Thank you to the following Foundations for their support:

- Bay & Paul Foundations
- Change Happens Foundation
- Cornell Douglas Foundation
- Denver Foundation
- FJC – A Foundation of Philanthropic Funds
- George & Miriam Martin Foundation
- Klunness Family Foundation
- Lisa & Douglas Goldman Fund
- Park Foundation

Empower 30 More Years of PEER

This Fall marks the remaining months of PEER's 30th anniversary celebration. Throughout the year, we have shared stories from supporters across the country. If you'd like to share your story, it's not too late. *Scan the QR code (right).*

As we look to the year ahead and the next 30 years of PEER, I'm inspired and optimistic that we can tackle the serious challenges of our time. Thank you for being a part of this community and thank you for doing your part to *Empower 30* more years of PEER!



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ARTIFICIAL TURF – A PLAGUE ON THE EARTH — Continued from page 1 ►

The Green Lie

Despite manufacturer claims to the contrary, artificial turf cannot currently be recycled. There are currently no artificial turf recycling facilities in the U.S., and old fields are unceremoniously, and often illegally, dumped all over the country or burned in incinerators.

Legislative Relief

A PEER-supported bill has overwhelmingly passed both houses of the California Legislature. This measure would prohibit the manufacture, distribution, or sale of any covered surface that contains PFAS. It also requires that all covered surfaces use the least toxic alternative when replacing PFAS. It takes effect on January 1, 2026.

Long Battle

PEER has been working to restrict the use of artificial turf for nearly 15 years and to require truth in advertising rules. Our past efforts have induced federal agencies such as EPA and the Consumer Product Safety Commission to withdraw their safety endorsements for the product. Our research has been used to fuel a growing wave of false advertising and nuisance suits against manufacturers. Our uncovering of the presence of PFAS in turf is also sparking growing calls to remove turf by everyone from organic farmers to parent groups. Even the National Football League Players Association is calling for a return to grass fields, citing the PFAS health risk to the players and their families as an added concern on top of the rising number of leg injuries that are crippling players. This growing opposition signals that we are entering a pivotal period in this long fight.



Kyla Bennett PhD, JD is PEER's Northeast and Mid-Atlantic Director and Director of Science Policy. She is a leader in exposing the dangers of PFAS.