

FOR RELEASE SEPTEMBER 4, 1986

EPA PROFESSIONALS' UNION FILES AMICUS BRIEF IN FLUORIDE LAWSUIT

The union representing scientists, engineers, lawyers and other professionals at Environmental Protection Agency headquarters has filed a "friend-of-the-court" brief in a lawsuit by an environmental lobby against EPA. The precedent setting amicus brief by National Federation of Federal Employees Local 2050 was filed today in the suit brought last December by the Natural Resources Defense Council to overturn EPA's new standards for fluoride in drinking water supplies.

The union contends that the technical support documentation for the new regulations does not meet the high professional standard that should characterize EPA work, having been contracted out and done by people lacking expertise in the subject. The union president, Dr. Robert J. Carton, said the risk assessment "is so bad that we can't see how the decision to raise the fluoride standards could possibly have been made based on it." "We civil service health protection professionals have our reputations tarnished by this kind of sloppy work because the public doesn't distinguish between work done inside, by EPA professionals, and work done by contractor 'hired guns'," Carton said. "EPA is EPA to the public," he noted, "and when something bad like this comes out, we get the blame. So we are filing this brief to make clear whose work is at issue--not ours--and to help the court judge the merits of the new fluoride standards and the documentation behind them."

Carton went on to explain how the union has been trying since mid 1985 to make agency management aware of how faulty the fluoride document is. "We tried to get the outside authors to come in and do a seminar on their work, to defend it like an academic thesis, but EPA management wanted none of that," Carton said. He noted that many literature references to adverse health effects had been missed in the assessment, that other references were misinterpreted, whole topics on fluoride's physical and biochemical properties were missing from the document and that data in the assessment on the amounts of water consumed by Americans was simply wrong.

"As a last resort, we recently went to Administrator Thomas to have EPA's Science Advisory Board--which only this summer was given oversight responsibility for Drinking Water Office technical documents--review and comment on the fluoride assessment," Carton noted, "but Thomas turned us down again."

"Our union has tried its best to clear up this problem quietly, 'in the family'", Carton lamented, "but our responsibility to defend EPA professionals' reputations and to protect public health in this situation requires us to put

loyalty to the public interest and to moral principle above loyalty to persons or to Government department. The Code of Ethics for Government Employees demands this of us," Carton concluded.

For more information contact NFFE Local 2050:

Dr. Robert J. Carton, President 202-382-2325  
Dr. J. William Hirzy, Vice-President for Public Information  
202-382-2327