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The Environmental Protection Agency (EPA) held a twelve-hour public hearing on July 17 to hear oral comments on the proposed rule entitled “Strengthening Transparency in Regulatory Science.” The proposed rule would require the EPA to only use scientific studies with publicly available data in developing regulations, unless the EPA administrator exempts these requirements on an individual case-by-case basis for significant regulatory decisions that are based on studies with protected, private data.

More than one hundred preregistered individuals – many representing non-profits, coalitions, governments, businesses, and universities – were allotted up to five minutes to present testimony to a panel of two EPA representatives. Critics of the proposed rule significantly outnumbered supporters at the public hearing. Representatives Paul Tonko (D-NY-20) and Suzanne Bonamici (D-OR-1) testified vehemently against the rule, which they regarded as an “attempt to circumvent the legislative process... [and] to limit research... that supports critical regulatory action.”

While the initial comment period for the April 30 proposed rule was limited to thirty days, which is the minimum number of days required for comments on a proposed rule, the EPA extended the comment period until August 16 after the agency received extensive public feedback indicating that more time was needed for stakeholders to adequately respond to such an impactful rule. On June 28, the EPA’s Science Advisory Board (SAB) sent a letter to then Administrator Scott Pruitt urging the agency to fully consider public comments and to request, receive, and review scientific advice from the SAB before revising or finalizing the proposed rule. By the time of the hearing, over 200,000 comments had been received on the docket (EPA-HQ-OA-2018-0259) with more yet to come.

Sources: Environmental Protection Agency; Federal Register; U.S. House of Representatives.
