

**New York Times**

November 30, 2009

## **Reversal Haunts Federal Health Agency**

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Earlier this month, a federal health agency [backed away from its earlier findings](#) that decades of explosive detonations by the Navy on the Puerto Rican island of Vieques posed no health hazards to residents.

It was the second time this year that the agency, the [Agency for Toxic Substances and Disease Registry](#), changed its mind in a highly publicized case. Last April the agency, charged with analyzing public health risks from environmental contamination, [rescinded its conclusion](#) that contaminated drinking water at Camp Lejeune, N.C., posed no increased risk of cancer to adults.

Now the agency, part of the [Health and Human Services Department](#), is facing tough scrutiny from Congress and the threat of reform legislation, with some lawmakers accusing it of cursory evaluations that often get the science wrong and ignore independent studies and community complaints.

[A report last March](#) by the staff of the House Science and Technology Committee's Subcommittee on Investigations and Oversight found that the agency produced "deeply flawed" scientific reports. The [Government Accountability Office](#), the Congressional investigative arm, is looking into how the agency reviews and validates its public health assessments in an evaluation expected to be completed by next spring.

"It seems to have gotten into their culture to do quick and dirty studies and to be too willing to say there are no public health consequences," said Representative Brad Miller, Democrat of North Carolina and the subcommittee chairman. "People should be able to count on the government to tell them the truth."

Created in 1980 as part of the legislation establishing the [Superfund](#) program, which administers the cleanup of the nation's worst contaminated sites, the

toxic substances agency evaluates the health risks at Superfund sites and carries out consultations in other cases of contamination. Its findings, based on available research and its own investigations, often determine the kind of treatment and compensation victims receive from polluters and the government.

But critics say that the agency, which works with the [Centers for Disease Control and Prevention](#), has never recovered from problems identified in previous G.A.O. investigations in the 1980s and 1990s that found that it was inadequately staffed and that its health assessments were “seriously deficient.”

In a case that particularly shock some members of the House Subcommittee on Investigations and Oversight, the agency ruled in 2007 that trailers housing victims of Hurricanes Katrina and Rita posed no health risks, despite containing high levels of formaldehyde.

The evaluation was conducted at the request of the [Federal Emergency Management Agency](#), which faced litigation from families complaining that fumes from the trailers were making them sick. The toxic substances agency later [revised its findings](#), and [FEMA](#) acknowledged at a news conference that the formaldehyde levels were high enough to endanger trailer occupants’ health.

A spokesman for the toxic substances agency said [Dr. Howard Frumkin](#), the agency’s director since 2005, was traveling out of the country and unavailable for comment. But in written answers to a reporter’s questions, agency officials said the agency had “a strong record of adhering to proven science to advance public health” and a commitment to revising previous findings in light of new technology and scientific discoveries.

Agency officials said they were currently reviewing conclusions in other cases but refused to name them or specify how many cases were being reviewed.

At a Congressional hearing on the agency in March, Dr. Frumkin said he recognized the need for improvement and had opened a national conversation with environmental and public health groups to examine the agency’s approach to chemical exposures.

He said that understaffing was an issue — the agency carries out about 400 health assessments and consultations each year with a staff of about 300 people and an annual budget of \$74 million — but that a bigger challenge was that “definitive answers sometimes do not exist.”

In Vieques, a Superfund site, the toxic substances agency concluded in 2003 that the levels of heavy metals and explosive compounds found in the soil, groundwater, air and fish did not pose a health risk.

But after meeting with residents of Vieques and scientists who had done research on the island, the agency reversed course, saying it had identified gaps in environmental data that could be important in determining health effects and calling for additional monitoring.

In Camp Lejeune, another Superfund site, the toxic substances agency acknowledged that it had failed to account for high levels of benzene, a known carcinogen, in its findings a decade earlier and said it would investigate further. Former residents have filed claims for billions of dollars in damages over cancer, birth defects and other health problems for which they blame years of exposure to a water supply contaminated by an off-base dry cleaning business and other sources.

Some experts faulted the agency as equating the lack of proof with safe conditions.

“The absence of proof doesn’t prove safety, and that’s where I think they are off base,” said John Wargo, a professor of environmental risk analysis at [Yale University](#) who was consulted by the agency regarding Vieques and who recommended rescinding the conclusion of no hazard in that case.

Lawmakers like Mr. Miller also accuse the agency of acting out of political expediency in some cases, like that of the FEMA trailers. Mr. Miller said that one solution would be to require more peer review of the agency’s findings but that he would prefer that Obama administration officials undertook improvements without the need of legislation.

In the meantime, he and other members of Congress have called on Navy Secretary [Ray Mabus](#) to help victims now and have introduced bills to require the [Department of Veterans Affairs](#) to provide health care to them while the studies continue.

In Vieques, where local studies show unusually high rates of cancer, hypertension and other illnesses, most of the nearly 10,000 residents have sued in federal court to [seek compensation and health benefits from the Navy](#).

Robert Rabin, a community activist on the island, welcomed this month's announcement as a potential turning point. Mr. Rabin called the agency "a serious obstacle" to communities' efforts to make the federal government pay for health damages and medical services.

Residents were now "cautiously optimistic" that their health claims might be settled, Mr. Rabin said.