

## Walters: Cover-up casts doubt on California Air Resources Board policy

By Dan Walters

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A year ago, high officials of the California Air Resources Board learned that the author of a statistical study on diesel soot effects had falsified his academic credentials.

The researcher, Hien Tran, acknowledged the deception and agreed to be demoted, but after his data were given another peer review, they remained the basis of highly controversial regulations that will cost owners of trucks, buses and other diesel-powered machinery millions of dollars to upgrade their engines.

The Tran study concluded that diesel "particulate matter" was responsible for about 1,000 additional deaths each year.

Only recently, with the rules on the verge of final promulgation, did board officials formally acknowledge Tran's falsification, largely because one board member, cardiologist John Telles, did his own investigation and complained about an apparent cover-up.

Telles, in sharp letters to board officials and during last month's CARB meeting, said the chain of events casts a pall over the legitimacy of the vote to proceed with the new rules.

"Failure to reveal this information to the board prior to the vote not only casts doubt on the legitimacy of the truck rule, but also upon the legitimacy of CARB itself," Telles said, adding, however, that he doesn't question the validity of the science.

Industry critics have jumped on the revelation that Tran falsely claimed he received a doctorate from the University of California-Davis, but the board's staff rejects the complaints.

"What Tran did was bad," James Goldstene, CARB's executive officer, said Tuesday, "but the science was sound."

"Nobody was kept in the dark," Goldstene said in response to Telles. "I don't think his point is valid."

However, Mary Nichols, CARB's chairwoman, told Telles in a Nov. 10 e-mail that the "staff response was a matter of poor judgment, but not deceptive or irresponsible," and she added her personal apologies "for failing to convey information you were entitled to have."

In July 2008, Dr. S. Stanley Young, an official of the National Institute of Statistical Sciences, wrote to Gov. Arnold Schwarzenegger, complaining that, "none of the authors (of the report) are professional statisticians."

Four months later, California Environmental Protection Agency Secretary Linda Adams told Young — in a letter drafted by Tran — that the study team was qualified, citing Tran's UC-Davis doctorate.

Shortly thereafter, just one day before CARB was to act on the truck rules, board officials learned of the false doctorate after a University of California professor who's critical of the rules told them that Tran lacked the degree, but only a few board members were informed.

Although reports of Tran's deception circulated for months, including a couple of brief media mentions, it wasn't until recently that CARB officials publicly acknowledged it.

As Telles says, the apparent cover-up casts a pall over the legitimacy of a very important, and very costly, state policy.

Dan Walters is a Sacramento Bee columnist.