



Mr. Kellan McLemore, Staff Attorney  
Ms. Sarah Geers, Staff Attorney  
Ms. Kimberlee Wright Executive Director  
Midwest Environmental Advocates  
612 W. Main Street  
Madison, WI 53703

FEBRUARY 14, 2016

DEAR MR. MCLEMORE, MS. GEERS AND MS WRIGHT:

Careful review of your February 9, 2016 communication, *Technical Support Letter to IWHI Concerning the Health Impact Assessment of Industrial Sand Mining in Western Wisconsin*, reveals a number of statements concerning our report that are factually inaccurate and threaten to damage our professional relationships with local and tribal partners. We are aware of at least one instance where you have already circulated this letter to a partner organization. As detailed below, your active questioning of our organizational integrity in writing is of serious concern to the Institute, and we ask you to address our concerns with utmost urgency. We will review your response with a view to protecting the valuable working relationships we have developed with partners over the course of the Institute's existence.

This initial response will be followed by a comprehensive response to the technical concerns you noted around the air quality chapter of the report.

*A. Regarding "stakeholders"*

1. In your letter you conflate stakeholders with *partners*. The difference between the two is made explicitly clear in the report on pages 15-22.
2. Your assertions that our stakeholder group was "composed entirely of individuals representing local health departments," and that "(the) Stakeholder group did not include any environmental science experts or the large, well-informed community of individuals and families who have been dealing with the impacts of this industry for several years," are demonstrably false. A wide variety of individuals, including representatives from groups referenced in your letter, were contacted as part of our stakeholder engagement and report review process.
3. This HIA meets the minimum elements and practice standards for health impact assessment that have been adopted by the Society of Practitioners of Health Impact Assessment. ([www.hiasociety.org](http://www.hiasociety.org)) We strongly encourage you to retract statements to the contrary made to third parties and to refrain from use of such statements in the future.

*B. Reference to the precautionary principle*

1. In stating that we did not adhere to the precautionary principle, it appears that you fundamentally misunderstand the process and purpose of Health Impact Assessment. The process and goals of HIA are distinct and to produce this report, we worked with some of the foremost HIA organizations and specialists in North America. We caution you from repeating

this line of attack, chiefly because *nothing in our report, or any HIA for that matter, precludes decision-makers from adhering to the precautionary principle*. HIA calls on those using the process to inform on potential health effects (both positive and negative) based on available qualitative and quantitative data. Communities may of course use whatever principles for decision-making they choose. And an HIA is just one decision-making tool that can be used by communities.

2. In performing an HIA, the assessing organization is not required to adhere to the precautionary principle. We are therefore particularly troubled by your baseless and potentially damaging assertion that our organization is somehow irresponsible in not adhering to that principle.

#### C. Dr. Crispin Pierce's Research

1. It is misleading, and a demonstration of your misunderstanding of the science of air monitoring, to state that the study authored in part by Dr. Crispin Pierce is the first and only published peer-reviewed study of PM2.5 concentrations around industrial sand mine operations in Wisconsin. PM2.5 is a particle size range that is included in the published, peer-reviewed studies by Richards & Brozell cited in the report. Your comments fail to acknowledge (and thereby greatly mislead the reader and promote a misunderstanding of the science) the PM2.5 data collected by the Minnesota Pollution Control Agency that is referenced in the report. These data are publically available for scrutiny and should not be dismissed.

2. Again, the language you use on page seven of your review is concerning to us. "Discredited" is particularly misleading in this context. Dr. Pierce's research was of interest to our team and technical advisors, and was thoroughly reviewed as part of the process. We strongly encourage you to retract these terms from any third party communication.

#### D. Language in Final Paragraph

In the final paragraph of your review (page 8) you state: "But it is disingenuous for the HIA to fail to acknowledge that we do not have enough information at this time to conclude that PM2.5 emissions from industrial sand operations do not pose a health threat. The report leads the public to believe that industrial sand facilities do not cause air quality problems. This is irresponsible and calls into question the reliability of the entire assessment."

1. Please refer to our report's explanation of effect characterization (pg. 20). We determined the *likelihood* of community-level health impacts to be unlikely, not impossible. We stand by our assessment given available data at this time.

2. We take issue with the tone and implications of this paragraph, particularly the words "disingenuous" and "irresponsible." Again, we realize that you disagree with some findings of our report, but attempting to try our organization in the court of public opinion with statements like this is both professionally and ethically dubious. This type of attack has no place in the discourse around such an important issue and we strongly encourage you to retract this statement from any third-party communication and refrain from its continued use.

We believe that there is room for serious and substantive conversation around this issue. We also believe that this conversation can occur without impugning the work of a fellow organization committed to protecting the public's health.

We hope you will take the appropriate action to immediately remedy our concerns and we look forward to continued discussion of this important issue.

Again, we will be following this initial response with one that directly addresses the more technical elements related to air quality.

Respectfully,

A handwritten signature in black ink, appearing to read "Nancy Young", with a stylized flourish at the end.

Nancy Young, Executive Director