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Dioxin Assessment Lawsuit Withdrawn

By Neil Franz in Washington

An opponent of EPA's draft health risk reassessment of dioxin has withdrawn a lawsuit that was filed in 2000 in the U.S. District Court in Washington to block the agency from finalizing the draft. The reassessment, which ACC opposes, lists dioxin as a human carcinogen and estimates that the chance of it causing cancer, one in 1,000, is 10 times higher than EPA's 1994 assessment. A panel of EPA scientific advisors approved the draft last year, and urged regulators to "proceed expeditiously" to finalize it (CW, June 13, 2001, p. 36).

The suit, which was withdrawn to avoid escalating court costs, was filed by Jim Tozzi, an executive at the Center for Regulatory Effectiveness (Washington), a private consulting group for chemical and other businesses. Additional plaintiffs were medical device maker Brevet Industries (Irvine, CA) and insecticide maker Diatect International Corp. (Heber City, UT). Tozzi had argued that EPA violated the Administrative Procedures Act by not allowing enough public comment on the draft, charges that EPA and environmental groups dispute.