

November 28, 2017

The Honorable Michael Regan
Secretary
Department of Environmental Quality
217 West Jones Street
Raleigh, NC

Dear Secretary Regan:

It is with regret that I must retire from my position with the Division of Air Quality after more than 23 years of service. My career has been both intellectually challenging and personally fulfilling.

Before coming to State government service, I had pursued research in combustion and energy development. Both areas naturally drew me into the environmental field. The research was exhilarating but I felt that I needed to do more: to implement the knowledge I had gained in pursuit of protecting the environment. My work at the Department provided me with that opportunity.

Over the many years I interacted with countless scientists, engineers, and, inevitably, attorneys. Even though I had a doctorate in engineering, I ultimately attended law school at night so that I could better serve the State. Throughout my career, I published both scientific and legal work in professional journals. The publication of research articles is fundamental to the deeper understanding of complex issues through intellectual discourse. The countless articles I authored and co-authored over my tenure at DEQ have served that purpose. On some occasions my work was adopted by the department and in other cases it was not. At no time, however, was I ever informed that DEQ had any concern with articles which I authored in my professional field nor was I discouraged from publishing such articles.

So after publishing some thirty articles following the same procedures, including providing a disclaimer on the manuscript, this administration is moving to stifle my contributions to scientific and legal discourse in professional journals. This is deeply troubling.

In addition, despite having served on another national committee in the past, my selection to a scientific board is also cited by DEQ as indicative of conduct which I should have known is at odds with DEQ with no prior communication or warning. I do not think that any reasonable person would have expected that reaction and I firmly believe that my involvement with the EPA's scientific advisory board, whose objective is to provide the EPA Administrator with independent scientific advice, is positive for North Carolina and DEQ.

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Finally, as has been pointed out by various news outlets, I was the first Secretary of the Department that was both a scientist, and a career state employee. I left my job as Section Chief in the Division of Air Quality when asked by Governor McCrory with the expectation that, as provided by law, I would return to a Section Chief position when I was no longer Secretary. I cannot tell you how many of my colleagues told me how inspired they were to see this path was, indeed, possible. The State has traditionally found it difficult to recruit young people without the added specter of politicization of science and law. Sadly, that specter is now clearly visible.

Nevertheless, I will cherish my time with the Department and will miss all my colleagues who share my passion for protecting the environment.

Sincerely,

A handwritten signature in black ink, reading "Donald R. van der Vaart". The signature is written in a cursive style with a large, looping initial "D".

Donald R. van der Vaart, Ph.D., P.E., J.D.