

May 07, 2019

The Honorable John Barrasso
Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

The Honorable Thomas Carper
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

The Honorable Frank Pallone Jr.
Chairman
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

The Honorable Greg Walden
Ranking Member
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Barrasso, Ranking Member Carper, Chairman Pallone, and Ranking Member Walden:

We are writing as members of the American Alliance for Innovation (AAI), an alliance of trade associations along the chemistry value chain, to urge you to allow the Environmental Protection Agency to proceed with its risk evaluation of asbestos as required by the 2016 Frank R. Lautenberg Chemical Safety for the 21st Century Act.

Our members represent businesses both large and small in many major sectors of the American economy—including aerospace, agriculture, apparel, automotive, building and construction materials, chemical and raw material production, consumer and industrial goods, distribution, electronics, energy, equipment manufacturers, food and grocery, footwear, healthcare products and medical technology, information technology, mining and metals, paper products, plastics, retail, storage, and travel goods.

We continue to be committed to supporting and complying with the 2016 Lautenberg amendments to the Toxic Substances Control Act (TSCA), which were the result of years of work and negotiations between lawmakers of both parties, as well as extensive engagement by stakeholders from industrial, environmental, public health, animal rights, and labor organizations, including AAI.

Since 2016, EPA has been effectively and efficiently implementing the updated TSCA as Congress envisioned and continues to consistently meet the key deadlines and requirements of the law. One provision was for the agency to select the first 10 chemicals to undergo risk evaluations from the 2014 TSCA Work Plan. Asbestos is one of those chemicals and is currently undergoing a full TSCA risk evaluation. The draft of that evaluation is expected to be released for public comment on time later this year. Additionally, the agency issued a final Significant New Use Rule in April to prohibit discontinued uses of the substance without EPA review.

It is inappropriate for Congress to ban the specific conditions of use of any substance without the benefit of a TSCA risk evaluation and information on appropriate risk management actions. The legislation being considered—H.R. 1603 and S. 717—would undermine the very process that was

the basis for Congress's 2016 amendments to TSCA. We hope your committees, which were instrumental in passage of those amendments, will allow EPA to complete its risk evaluation of asbestos before taking further action.

Thank you for your leadership and your consideration of this important matter. Please let us know if you have any questions.

Sincerely,

American Chemistry Council
American Coatings Association
American Forest and Paper Association
American Fuel and Petrochemical Manufacturers
American Petroleum Institute
Fashion Jewelry & Accessories Trade Association
Industrial Minerals Association – North America
Institute of Makers of Explosives
National Association of Chemical Distributors
National Council of Textile Organizations
Painting and Decorating Contractors of America
Pine Chemicals Association
Plastic Pipe and Fittings Association
Polyurethane Manufacturers Association
Single Ply Roofing Industry
Spray Polyurethane Foam Alliance
Structural Insulated Panel Association
The Aluminum Association
The Chlorine Institute
The Vinyl Institute
U.S. Chamber of Commerce