

BRETT GUTHRIE, KENTUCKY
CHAIRMAN

FRANK PALLONE, JR., NEW JERSEY
RANKING MEMBER

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

Majority (202) 225-3641

Minority (202) 225-2927

February 12, 2025

Dr. Maria Doa
Senior Director, Chemical Policy
Environmental Defense Fund
1875 Connecticut Avenue, NW
Suite 600
Washington, DC 20009

Dear Dr. Doa:

Thank you for appearing before the Subcommittee on Environment on Wednesday, January 22, 2025, to testify at the hearing entitled “A Decade Later: Assessing the Legacy and Impact of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.”

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Thursday, February 27, 2025. Your responses should be mailed to Calvin Huggins, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed to Calvin.Huggins1@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Morgan Griffith". The signature is fluid and cursive, with the first name "H." being small and the last name "Griffith" being larger and more prominent.

H. Morgan Griffith
Chairman
Subcommittee on Environment

cc: Paul Tonko, Ranking Member, Subcommittee on Environment

Attachment

Additional Questions for the Record

The Honorable Frank Pallone Jr.

1. TSCA requires EPA to review new chemicals' potential risks to human health and the environment and enact safeguards to eliminate unreasonable risk. Several times throughout the hearing, we heard assertions that EPA's new chemical determinations are hazard-based and, therefore, frequently lead to 'undue restrictions' on new chemicals. Does EPA make new chemical decisions based on hazard or based on risk?
2. Exposure estimates help EPA determine the risks of a chemical to the consumers, the environment, and vulnerable subpopulations, like workers and children. Appropriately quantifying exposure estimates is key to evaluating risks and adequately protecting public health. Industry has argued that EPA overestimates risk and therefore overregulates chemicals.
 - a. Do you agree that EPA is overestimating risk? Why or why not?
 - b. What would be the impact of adopting some of the suggestions by industry stakeholders to mitigate this perceived overestimation?
3. Witnesses during the hearing testified about delays in new chemical reviews and claimed that EPA provides status updates and/or requests additional information from applicants on day 89 of a 90-day review period.
 - a. In your experience, is this an accurate depiction of the review process?
 - b. What factors contribute to delays in the review process?
4. At the hearing, some claimed that EPA has departed from statutory requirements and imposes restrictions on any new chemical that presents more than a "low hazard". They further claim that "safe" chemicals – such as vinegar – would be overregulated if EPA reviewed it under the new chemicals process as implemented by the Biden Administration.
 - a. Is this an accurate assessment of the new chemicals program?
 - b. Is vinegar a reasonable example to use?
 - c. Why is it important for public health, the environment, and consumer confidence for EPA to adequately regulate new chemicals to eliminate unreasonable risk?
5. In December 2024, EPA finalized amendments concerning the new chemicals review process. The amendments clarified the level of detail needed in submissions and amended

EPA's procedures for notices that are incomplete, amongst other updates. How will these changes improve the efficiency of chemical reviews?

6. In 2023, EPA proposed Significant New Use Rules (SNURs) under TSCA for 18 chemicals made from plastic waste-derived feedstocks, which are used in "advanced" or "chemical recycling". Industry stakeholders have expressed concern with EPA's approach to plastic waste-derived feedstocks.
 - a. Why is it necessary for EPA to review these chemicals before they can be used to produce transportation fuels?
 - b. Can you speak to the environmental justice concerns of advanced recycling?
 - c. Industry claims that the chemicals in the proposed SNURs are 'chemically identical' to chemicals already on the TSCA inventory, obviating the need for notice and review. Is that a safe assumption?
 - d. Similar concerns have been raised regarding EPA's approach to substances categorized as renewable fuels. Should these chemicals circumvent the new chemicals process?

The Honorable Paul D. Tonko

1. I am very proud of the bipartisan work that this Committee has done in recent years to support Americans suffering from neurological disorders, such as Alzheimer's and Parkinson's. There is mounting scientific evidence that exposure to certain chemicals, like TCE, can be an environmental trigger for Parkinson's, and it is critical that EPA properly assesses all the quantifiable harms a chemical can pose to people.
 - a. Historically, has the TSCA program sought to quantify a chemical's risk primarily by how often that chemical is linked to causing cancer?
 - b. Do you believe TSCA chemical reviews are adequately considering and quantifying non-cancer risks, such as correlations to neurological disorders? And if not, what else can EPA be doing to better quantify these potential harms?

The Honorable Robert Menendez

1. On his first day in office, President Trump signed a swath of executive orders, undoing the important work carried out by the Biden Administration. Among these includes the reinstatement of Schedule F, which could result in potentially tens of thousands of career federal employees – many of whom are experts in their specialized fields – to be reclassified and laid off.

Schedule F could seriously harm the important work carried out at federal agencies, including at the Environmental Protection Agency. I have concerns about how this policy could impact this important program.

- a. How would the reinstatement of Schedule F impact EPA's ability to conduct risk assessments and management rules under TSCA?
- b. How could the reinstatement of Schedule F impact the scientific integrity of TSCA?