

Congress of the United States
Washington, DC 20515

April 6, 2022

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460

Dear Administrator Regan:

We are writing to you today to request the timely review of two Pre-Manufacturing Notice (PMN) applications (case numbers P-21-0216 and P-21-0217) submitted to the EPA under section 5 of the Toxic Substances Control Act (TSCA). These PMN applications are critical to addressing supply chain issues and impact our country's efforts to reduce our carbon footprint and increase job opportunities.

As you may be aware, General Motors and LG Energy Solution, one of the leading manufacturers of EV batteries, created a joint venture, Ultium Cells LLC, to manufacture battery cells for electric vehicles at three new facilities in the United States, including in Lansing, Michigan. The joint venture is expected to invest \$2.6 billion and create approximately 1,700 jobs in Michigan alone.

The new EV battery cells that the Ultium facilities will manufacture use a material called carbon nanotubes (CNT), which is produced and supplied by LG Chem. Quality CNTs dramatically improve the batteries' performance, capacity, life span, and charging speed, all of which are central to making EVs a more attractive option for consumers. However, before the CNTs can be used for EV battery production, the EPA must review and approve the Pre-Manufacture Notice (PMN) that LG Chem submitted in September of 2021.

We understand that EPA has a significant backlog of more than 300 TSCA section 5 applications awaiting review and that the agency has taken a "first-in, first-out" approach to review these applications. As it now stands, the PMN applications have been pending for more than five months, although the TSCA statute mandates a 90-day review. Our concern is that if EPA does not complete its review of the PMNs by May then the launch of the three EV battery plants will be delayed.

Given the importance of this project to Michigan and to our country's EV supply chain, we ask EPA to complete the reviews of the PMNs so that these important EV battery projects are not delayed.

Please feel free to reach out to us if you have any questions. In the meantime, we look forward to your response and finding a way we can work together to move this very critical project forward.

Sincerely,



Elissa Slotkin
United States Representative



Debbie Stabenow
United States Senator



Gary Peters
United States Senator



Tim Walberg
United States Representative