November 7, 2025

Lee Zeldin, Administrator
U.S. Environmental Protection Agency
William J. Clinton Building
1200 Pennsylvania Ave, NW
Washington DC 20460

Docket: EPA-HQ-OPPT-2025-0260; 90 Fed. Reg. 45690 (September 23, 2025)

RE: Comments on Procedures for Chemical Risk Evaluation Under the Toxic Substances Control Act (TSCA)

On behalf of the signed national health and medical organizations, we oppose the proposed changes to procedures for chemical risk evaluations. We urge the Environmental Protection Agency (EPA) to withdraw this proposal, which we are concerned would weaken protections from deadly chemicals.

Exposure to harmful industrial and commercial chemicals poses significant risks to human health. These substances — such as volatile organic compounds (VOCs), flame retardants and plasticizers — can affect nearly every organ system. They are linked to respiratory diseases like asthma and chronic obstructive pulmonary disorder (COPD), cardiovascular problems, developmental disorders in children and increased cancer risk. Both acute and chronic exposure can impair immune and endocrine function, exacerbate existing health conditions and contribute to premature death.

The Toxic Substances Control Act (TSCA) is essential to safeguarding public health from harmful chemicals. Protecting human health requires comprehensive exposure prevention. This is only possible by fully implementing TSCA – but this proposal effectively weakens EPA's implementation instead. Specifically, we strongly oppose EPA's efforts to weaken the procedures governing chemical risk evaluation under TSCA.

Several substances identified for forthcoming TSCA review – such as 1,3-butadiene, vinyl chloride and benzene – are well-documented human carcinogens that are routinely released into the atmosphere in considerable volumes.[1] This exacerbates cumulative cancer risks and other health burdens in communities located near industrial facilities. EPA's proposed revisions to the rule would substantially and systematically underestimate the risks that chemicals such as these pose to human health. This would likely result in less protective regulatory standards and reduced safeguards for public health.

Below are several examples of how this proposal would weaken the scientific framework underpinning regulation of toxic chemicals.

EPA's proposed regulation excludes major sources of exposure

TSCA requires EPA to evaluate chemicals holistically, considering all the ways in which people and the environment can be exposed— such as through industrial manufacturing, commercial and product use and environmental releases. Every day, people encounter chemicals from multiple sources. For instance, a single solvent might expose someone in several ways: through inhalation at work during production, through skin contact when using cleaning products and through living in a community with contaminated air or water. However, under the current proposal, EPA seeks to grant itself broad authority to disregard certain exposure routes, such as inhalation, as well as specific exposure pathways and conditions of use when conducting chemical risk evaluations.

As one illustration, the proposal articulates EPA's intent to remove from TSCA risk evaluations certain exposure pathways on the basis that they could, in principle, be regulated under other environmental statutes administered by the agency, including the Clean Air Act, Safe Drinking Water Act, and Clean Water Act. Should EPA finalize this framework, the agency could ignore air releases of chemicals from industrial facilities because such exposures *might* someday be addressed under the Clean Air Act. EPA's Scientific Advisory Committee on Chemicals (SACC) harshly criticized this approach when EPA, under Administrators Pruitt and Wheeler, initially applied it in risk evaluations in 2018-2020,[2] pointing to lack of clear evidence that other statutes are being used to fully address such exposures to these chemicals.[3]

---

[1] U.S. Envtl. Prot. Agency, Toxics Release Inventory Explorer — Release by Chemical (United States – Calendar Year 2024), https://enviro.epa.gov/triexplorer/release_chem?p_view=USCH&trilib=TRIQ1&sort=_VIEW_&sort_fmt=1&state=All+states&county=All+counties&chemical=All+chemicals&industry=ALL&year=2024&tab_rpt=1&fld=RELLBY&fld=TSFDSP (showing that in 2024 alone, more than 1 million pounds of 1,3-butadiene, over 305,000 pounds of vinyl chloride, and nearly 3 million pounds of benzene were released into the air based on EPA Toxics Release Inventory data).

[2] U.S. Envtl. Prot. Agency, Science Advisory Committee on Chemicals Meetings: Meeting Materials, Public Comment (see entries on page 2), https://www.epa.gov/tsca-peer-review/science-advisory-committee-chemicals-meetings (last updated Sept. 17, 2025).

[3] E.g., see SACC report on 2019 draft risk evaluation on 1,4-dioxane: https://www.regulations.gov/document/EPA-HQ-OPPT-2019-0238-0063 "The decision by the EPA to defer

Notably, TSCA has a stringent and purely health-based standard, unlike other statutes, similar to the requirements under the National Ambient Air Quality Standards under the Clean Air Act, where considering technological feasibility is prohibited when deciding whether and how to regulate. In response to the narrowing of its chemical assessments in 2018, EPA under Administrator Regan revised the agency's framework Risk Evaluation regulations[4] and policies[5] to address air and water exposures to fenceline communities – reflecting more robust scientific assessments in line with the statutory requirements.

What's more, as the agency now moves to roll back and weaken protective regulations under the Clean Air Act, the situation has become even more concerning. For example, over 50 petrochemical facilities nationwide have been granted presidential exemptions to critical air toxics regulations under the Clean Air Act—including the Hazardous Organic NESHAP (HON) rule, which was designed to address major toxic air pollutants, including 1,3-butadiene, vinyl chloride, and benzene.[6] If this current proposal on TSCA is finalized, release of these toxic chemicals into the air are likely to continue to go unchecked under both TSCA and the Clean Air Act, allowing ongoing contamination of the air we breathe.

EPA proposes to make determinations only on narrow chemical uses

Under TSCA, EPA must evaluate and determine whether a chemical substance as a whole presents an unreasonable risk to health or the environment, taking into account all hazards and exposures associated with the substance's conditions of use.[7] Under the current proposal, however, EPA plans to revert to a fragmented approach that evaluates chemical uses and exposures in isolation, issuing separate risk determinations for individual uses of the chemical rather than for the substance as a whole. Fragmenting risk determinations in this manner would systematically underestimate the total burden of exposure – particularly for workers and vulnerable communities experiencing multiple overlapping exposures to the same substance – and would result in understated risk estimates and premature designation of certain uses as "safe" without a comprehensive evaluation. This represents a significant step backward from the agency's existing framework and regulations, which align with TSCA's statutory mandate to assess and regulate risks based on the totality of a chemical's uses.

EPA proposes to make unwarranted assumptions that workers are protected from exposure

---

concerns of consumer exposure, or exposure of the general public, through ambient water or air because "other environmental statutes administered by EPA adequately assess and effectively manage these exposures" was not deemed acceptable by many of the Committee members. It was not clear that other statutes are being used to evaluate the health risks of 1,4-Dioxane exposure in the general public."; also see SACC report on 2019 draft risk evaluation on methylene chloride: "While EPA asserts that the Clean Air Act (CAA) can be used to control these emissions, Committee members thought the CAA would address only a fraction of total emissions, i.e. only from Major Sources as defined by the 1990 CAA Amendments."

[4] U.S. Envtl. Prot. Agency, EPA Finalizes Stronger Chemical Risk Evaluation Process to Protect Workers and Communities, Apr. 23 2024, https://www.epa.gov/newsreleases/epa-finalizes-stronger-chemical-risk-evaluation-process-protect-workers-and

[5] *Id.*

[6] U.S. Pres., Regulatory Relief for Certain Stationary Sources to Promote American Chemical Manufacturing Security, Proclamation of July 17, 2025, available at https://www.whitehouse.gov/presidential-actions/2025/07/regulatory-relief-for-certain-stationary-sources-to-promote-american-chemical-manufacturing-security/

[7] 15 U.S.C. § 2605(i)(1)–(2)

TSCA requires consideration of vulnerable populations, including pregnant women, children and workers. Workers handling toxic chemicals in their jobs are at increased risk of health harms associated with these substances. While some workers wear personal protective equipment (PPE), such as respirators and gloves, many do not, including workers who are unable to for a variety of reasons. For example, individuals with certain medical conditions, such as impaired lung function, may be unable to wear respirators, and those with facial hair may experience compromised fit and seal integrity, diminishing the effectiveness of respiratory protection.[8,9] Moreover, many workers are not provided with appropriate PPE or the authorization to use it. To protect these vulnerable workers, EPA currently assesses their risk without regard to use of PPE, enabling the agency's risk managers to identify the best options to mitigate unreasonable risk.

In its current proposal, EPA seeks to reverse its existing policy and allow for consideration of occupational exposure control measures – such as the use of PPE – when determining whether a chemical presents an unreasonable risk under TSCA. This proposed change is a major shift from the agency's prior approach, which recognized that assumptions about universal and proper PPE use are unrealistic and inconsistent with real-world workplace conditions. In practice, assuming that all workers consistently and correctly use PPE will lead to a substantial underestimation of actual exposures and, consequently, the true health risks faced by workers. Such an approach is inconsistent with TSCA's statutory framework, which requires EPA to first determine whether a substance poses an unreasonable risk to health or the environment under the uses of the chemical – without assuming that all workers are protected. Only after making that risk determination may the agency consider the implementation or enforcement of protective measures, as part of its risk management process. By conflating risk assessment with risk management, EPA's proposed policy would undermine the integrity of the risk evaluation process and the protections that Congress intended to ensure for workers.

TSCA chemical risk evaluations are required to be grounded in the best available science to inform the most health-protective safeguards on the chemicals in our lives every day. As such, the undersigned organizations strongly oppose EPA's proposed revisions to weaken TSCA risk evaluations.

Sincerely,

Alliance of Nurses for Healthy Environments
American Academy of Pediatrics
American Lung Association
American Medical Association
American Public Health Association
Children's Environmental Health Network
Medical Society Consortium on Climate and Health

---

[8] OSHA, "Comment submitted by David Michaels, PhD, Occupational Safety and Health Administration (OSHA)," October 2016, https://www.regulations.gov/document?D=EPA-HQ-OPPT-2014-0650-0041
[9] EPA, "Methylene Chloride; Regulation Under the Toxic Substances Control Act (TSCA)," 88 Fed. Reg. 28318, May 5, 2023, https://www.regulations.gov/docket/EPA-HQ-OPPT-2020-0465
141 EPA, "Methylene Chloride; Regulation Under the Toxic Substances Control Act (TSCA)," 88 Fed. Reg. 28304-28305, May 5, 2023, https://www.regulations.gov/docket/EPA-HQ-OPPT-2020-0465

National Environmental Health Association
Physicians for Social Responsibility