

Congress of the United States

Washington, DC 20515

June 10, 2025

The Honorable Lee Zeldin
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Zeldin:

Thank you for the work that you are doing at the agency to unleash economic opportunities and restore pragmatism to the rulemaking process while continuing to fulfill the EPA's core mission of protecting human health and the environment.

Under the previous administration numerous rules and regulations were finalized that made the American economy less competitive and increased the prices of everyday goods. One of these rules is the 2024 Risk Evaluation Framework Rule (89 Fed. Reg. 37028) which codified policies that moved away from a risk-based system based on sound science and resulted in confusion, uncertainty, and unnecessary regulation of critical chemistries needed for America's national and economic security.

We are heartened by the Agency's March 10 announcement that EPA will reexamine multiple aspects of the Biden-era 2024 Risk Evaluation Framework Rule. We urge you to revise this rule to ensure that the agency properly evaluates risk moving forward.

As you noted earlier this year in your "Powering the Great American Comeback" initiative, the American manufacturing sector is essential to our economic competitiveness and national security.

Chemical manufacturing is at the backbone of all of this, with essential products that are at the beginning of virtually every supply chain, from autos to building and construction, to advanced electronics and next-gen military platforms.

A science-based, predictable, and reasonable policy environment is fundamental to driving American innovation and strengthening our economy. Unfortunately, in recent years, EPA's implementation of the 2016 amendments to the Toxic Substances Control Act (TSCA) has not been in line with the approach envisioned by Congress, including balancing regulatory action with Congressional direction to protect and support innovation. EPA has not always relied on the best available science and has made inaccurate assumptions about exposures to chemicals that

are inconsistent with findings from other advanced countries, which has led to improper regulations that hurt U.S. manufacturers and downstream users.

We appreciate the steps you have already taken to adjust the EPA's approach and ensure regulations are risk-based and backed by the best science. Revising the 2024 Risk Evaluation Framework Rule for consistency with the law and Administration policy is crucial to ensuring the agency uses the best available science when evaluating the risks posed by chemicals. The 2024 Framework Rule codified the policy decisions made by the Biden EPA that moved away from a risk-based approach and led to unnecessary overregulation not based on scientific evidence or grounded in real-world risks.

The announcement stated that the EPA would specifically revisit how to incorporate the use of personal protective equipment (PPE) and industrial controls in risk evaluations, as well as the Biden Administration's decision to issue a single risk determination for a chemical. These are both important issues to address. We urge you to also consider:

- ***Improved definitions for: “Best available science,” “Conditions of Use,” “Potentially Exposed or Susceptible Subpopulation,” and “Weight of scientific evidence:”*** Providing additional clarity on these key statutory terms would help risk evaluations stay in line with what Congress envisioned.
- ***Increased interagency collaboration during the risk evaluation process:*** EPA should consider existing workplace protection regulations and practices set by other agencies such as the Occupational Safety and Health Administration (OSHA) while evaluating chemicals. More interagency collaboration would also ensure EPA better understands the critical uses of chemicals they are regulating that impact the missions of other agencies, including the Department of Defense (DOD) and the National Aeronautics and Space Administration (NASA).
- ***Refining the scoping process to focus on current uses with the highest potential for risk and de-prioritize uses with negligible exposures:*** An overly broad scope that reviews every conceivable use of a chemical is not an efficient use of EPA resources, takes focus away from intended, known, or reasonably foreseen uses of the substance, and diverts resources away from addressing actual risks to those that are highly speculative or implausible.
- ***Improvements to the evaluation requirements including identifying problem formulation, use of tiered approaches to risk assessment, and use of the best available science and weight of the scientific evidence for determining the likely mode of action at relevant exposure levels:*** Congress included scientific guardrails when it passed the Lautenberg Act in 2016, but EPA has relied on overly conservative values from the Integrated Risk Information System (IRIS). This has led to regulatory outcomes that unnecessarily ban or severely restrict the production and use of critical chemicals.
- ***Ensuring appropriate expertise and process for peer review of risk evaluations:*** EPA's external scientific reviews of risk evaluations have been inconsistent and, in some cases, poorly managed, which has generated extraneous information that is not useful to the Agency. A transparent process conducted by balanced panels with appropriate expertise and clear direction from the Agency would help avoid these problems in the future.

Thank you for your attention to this important issue. We look forward to working with you as this proposal moves through the regulatory process.

Sincerely,



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