

May 3, 2018

The Honorable E. Scott Pruitt  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

***Re: Comment period extension request for proposed rulemaking – Strengthening  
Transparency in Regulatory Science (Docket No. EPA-HQ-OA-2018-0259)***

Dear Administrator Pruitt:

The 43 undersigned organizations, representing millions of people across the country, **respectfully request that the Environmental Protection Agency (EPA) extend the comment period for the above-referenced proposed rule for a minimum of sixty (60) days beyond the currently scheduled public comment deadline.** We also encourage you to schedule at least three public hearings in various locations across the country to encourage additional public input. The current timeframe and opportunities for engagement are inadequate and will not allow for thorough public input on this proposed rule and its impact on science-based health and environmental safeguards.

On April 30, 2018, EPA published notice in the Federal Register of a proposal to radically change how science can be used in EPA regulatory decision-making. In its proposed rule, the agency solicits comments on a wide variety of complex legal, scientific, and administrative issues related to the proposed limitations on scientific research, and each requires careful and in-depth analysis by many public stakeholders. These issues include:

- The stated statutory authority for the proposed rule under at least eight different statutes (Clean Air Act; Clean Water Act; Safe Drinking Water Act; Resource Conservation and Recovery Act; Comprehensive Environmental Response, Compensation, and Liability Act; Emergency Planning and Community Right to Know Act; Federal Insecticide, Fungicide, and Rodenticide Act; and Toxic Substances Control Act), as well as any possible statutory limitations these statutes place on EPA's authority to promulgate this rule. In addition, because EPA implements other statutes as well, the full analysis must examine additional laws, such as the Food Quality Protection Act.
- The appropriate regulatory vehicle for EPA's proposed limitation on the science the agency will consider in its rule-making activities.
- The effect of this rule on specific EPA programs and criteria for possible exemptions, which will affect the impact and consistency of application.
- The possible application of this proposal to proposed rules, guidances, a subset of final rules, adjudications, enforcement actions, and/or permitting decisions.

- The definitions and language of the specific text of the proposed rule.
- The mechanics of the proposed rule, including cooperative agreements, technology platforms, and methods and technologies to protect confidential data – including identifiable and sensitive data such as individual health data – and other interests.
- Implementation issues such as effective date, retroactive applicability, impact on previous rule-making records and studies.
- The possibility that application of the rule could introduce bias regarding the timeliness and quality of the scientific information available.

In addition, although comments were not requested on these subjects, it will be necessary to examine a number of additional issues including what impact the proposed restriction on use of science will have on states, other federal agencies, Native American tribes, and environmental justice communities. Because, in the proposal itself, EPA provided no analysis of the potential impacts of its proposal on any of these issues, the public will need to have additional time to consider what kinds of research could be excluded from the rulemaking process and what consequences this would have for public health and environmental protection.

Given the complexity of the proposed rule, which could have significant consequences for the ability of EPA to adequately protect the public from the adverse effects of exposure to air pollution, pesticides and other chemicals, and other public health and environmental hazards, we urge EPA to extend the comment period by a minimum of sixty (60) days and to schedule at least three public hearings in various locations across the country.

Thank you for your consideration of this request. We would appreciate acknowledgement of this letter and look forward to your reply. Please contact Peter Lehner, Senior Attorney, Earthjustice at (212) 845-7376 or plehner@earthjustice.org with any questions.

Sincerely,

Alaska Community Action on Toxics  
 Alliance of Nurses for Healthy Environments  
 American Meteorological Society  
 American Public Health Association  
 American Public Health Association, Environment Section  
 American Public Health Association, Occupational Health and Safety Section  
 Breast Cancer Action  
 Breast Cancer Prevention Partners  
 Buffalo River Watershed Alliance  
 CATA - The Farmworker Support Committee  
 Center for Biological Diversity  
 Center for Food Safety

Central Maryland Beekeepers Association  
Coming Clean  
CRLA Foundation  
Earthjustice  
Environmental Integrity Project  
Environmental Protection Network  
Environmental Working Group  
Fair World Project  
Farmworker Association of Florida  
Farmworker Justice  
Food & Water Watch  
Food Animal Concerns Trust  
Food Chain Workers Alliance  
Friends of the Earth  
Government Accountability Project (GAP)  
The Humane Society of the United States  
Institute for Agriculture and Trade Policy  
Johns Hopkins Center for a Livable Future  
National Center for Health Research  
National Family Farm Coalition  
National Hispanic Medical Association  
National LGBTQ Task Force  
Physicians for Social Responsibility  
Pollinate Minnesota  
Public Citizen  
United Farm Workers  
Waterkeeper Alliance  
Wayne Action for Racial Equality  
WE ACT for Environmental Justice  
Worker Justice Center of NY