SUMMARY
Testimony of Penny Fenner-Crisp on the Toxic Substances HBCD and 1,4-Dioxane
for the Public Meeting of the Science Advisory Committee on Chemicals on Behalf of EPN
July 29 and 31, 2019

EPA held a **5-day in-person meeting** of the Science Advisory Committee on Chemicals (SACC) from July 29 to August 2, 2019, to review and consider the draft risk evaluations for the chemicals Cyclic Aliphatic Bromide Cluster (HBCD) and 1,4-Dioxane conducted by EPA under the Toxic Substances Control Act (TSCA). The Environmental Protection Network (EPN) plans to submit more detailed comments before the comment period closes on August 30. EPN, however, finds it disingenuous that a SACC meeting to discuss the risk evaluations was scheduled prior to the comment deadline. This is a reversal of the way EPA normally does things, is an approach that seems to value an arbitrary deadline over solid decision-making, and is potentially a mechanism to discourage public comment.

Penny Fenner-Crisp, a former EPA career employee who served in senior management at the Office of Pollution Prevention and Toxics (OPPT) and the Office of Pesticide Programs (OPP), presented testimony on the draft risk evaluations of both chemicals on behalf of EPN, a nonprofit organization of 450+ EPA alumni who volunteer their time and expertise to preserve the nation's bipartisan progress toward clean air, water, land and climate protection.

EPN's testimony and **initial comments** highlight issues with:
- **Use of the flawed TSCA systematic review process.** The current systematic review process has never been externally peer-reviewed. EPN recommends that EPA stop using the TSCA systematic review process until it has been formally peer reviewed and revised to follow accepted scientific principles.
- **The failure to evaluate the risks of consumer products containing 1,4-Dioxane.** While EPA plans to prevent 1,4-Dioxane impurities in consumer products one day, that does not eliminate the need to account for exposure from consumer products now in considering cumulative exposure of the general population and workers.
- **The analysis and inclusion of threshold cancer risk model for 1,4-Dioxane previously found unsupportable.** EPN is puzzled by the considerable time and resources spent to carry out an evaluation of this alternative cancer risk model, which the EPA Office of Research and Development found insufficient evidence to support in 2013.
- **Exclusion of pathways of exposure that could be regulated by other environmental statutes.** The 1,4-Dioxane problem formulation should not exclude pathways of exposure that could be regulated under other environmental statutes, such as the Clean Air Act or the Clean Water Act. Standards and non-regulatory guidance established under these programs may be years out of date, technology-based rather than risk-based, and may not be complied with at all times or in all locations.
- **The focus on worker risks primarily under central tendency or "average" conditions**. EPA is proposing that it will likely find unreasonable risks for workers only if exposures under both central tendency (average) and high-end conditions exceed acceptable benchmarks. This is despite the fact that the agency is underestimating risks under both scenarios by refusing to factor in worker exposure to regulated pathways.
- **The assumption that equipment to prevent health or safety risks will eliminate all worker risks even when there are no requirements for such protection.** The agency assumes that workers will use equipment, such as respirators and gloves, that will protect them against health or safety risks during all work activity throughout their careers, even when such equipment is not required, provided or used.

EPN objects to the process followed and basis on which EPA conducted these risk evaluations and, as in previous comments on the **application of systematic review** and the use of this review process for **PV29,** urges EPA to discontinue the use of the flawed TSCA systematic review to prevent endangering public health and the environment.