

United States Senate
WASHINGTON, DC 20510-0805

August 17, 2020

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, DC 20004

Dear Administrator Wheeler:

I am joining my colleagues Senator Carper and Congresswoman Blunt Rochester in expressing my concerns about the Environmental Protection Agency's (EPA) reluctance to share information about ethylene oxide and apparent failure to communicate the health risks of ethylene oxide to Delaware residents. Delawareans, both those living in communities adjacent to the Croda facility in New Castle and those who work in that same facility, have a right to know about the health risks associated with ethylene oxide.

The EPA's Office of the Inspector General (IG) issued a report in March of this year recommending that EPA prioritize outreach to communities surrounding 25 ethylene oxide-emitting facilities to inform them of the risks associated with the substance. The Croda facility was identified as one of these facilities, due to a surfactant manufacturing process that uses ethylene oxide. Outreach from EPA is particularly important because of a November 25th, 2018 release of 2,688 lbs of ethylene oxide, which impacted employees, neighbors, and thousands of community members. This industrial accident could have been much worse, but it understandably resulted in more Delawareans wanting information about how EPA is monitoring and regulating ethylene oxide in their community.

As of the date of this letter, EPA has yet to inform most of the communities identified by the IG about the health risks posed by both short and long term exposure, including the New Castle community. According to the IG's report, outreach to the New Castle community was tentatively scheduled for the first half of calendar year 2020, but as of August 2020, I am not aware of any such meeting or communication to New Castle residents on this topic.

Additionally, the EPA has been asked a number of times to share information with Congress and the public about the agency's work to regulate ethylene oxide and protect public health, yet instead of sharing this information and instilling a sense of trust in the process, the EPA appears to be ignoring direct requests from Congress. I join Senator Carper and Congresswoman Blunt Rochester in requesting written answers to the following questions to ascertain whether the agency is taking the necessary steps to communicate the risks of ethylene oxide to the residents of communities living closest to the New Castle plant.

- Has EPA held a public meeting or meetings with residents living near the Croda plant to communicate the health risks associated with ethylene oxide? If so, please provide the date, time and location for each meeting. If not, why not?

- Are there future plans for EPA to hold public meetings—virtually or in person—with residents living near the Croda plant to communicate the health risks associated with ethylene oxide? If so, when is EPA planning to hold these public meetings, and if there are no such plans, why not?
- Are there future plans for EPA to conduct direct outreach efforts to inform residents living near the Croda plant of the health risks associated with ethylene oxide? If not, why not?

I understand from the Delaware Department of Natural Resources and Environmental Control that Croda has made efforts to reduce ethylene oxide emissions, agreed to additional public and regulatory scrutiny, and worked with local regulators, their local union membership, and their local Community Advisory Council to increase their ability to warn surrounding neighborhoods should there be another significant release, improve interactions with their neighbors, and improve plant safety. But I have not seen similar efforts made by EPA to meet with the New Castle community and discuss their evaluation of safety risks posed by ethylene oxide, their monitoring of ongoing production activities, and how they are protecting the health of Delawareans.

Croda has been a global leader in investing in technology to use bio-based chemical feedstocks from plants grown by American farmers, rather than relying on petroleum. They have a strong record of using union labor for most of their plant operations and new capital projects. And they have been a leader in reducing their carbon footprint by using landfill gas to power their site, installing a solar farm on their site, and optimizing the energy efficiency of their processes.

I think we should make every effort to have union members producing bio-based chemicals here in the United States rather than production moving offshore to a country with weak labor and environmental standards. But EPA's silence and lack of outreach to Delawareans to improve the public's understanding of ethylene oxide is eroding both public and Congressional trust. The United States cannot be a leader in new sustainable chemistry innovations without a strong regulator, and right now public faith in EPA makes that very difficult. Delawareans should not have to worry that the agency that is supposed to keep them safe might not be doing its statutorily mandated job.

Thank you for your prompt attention to this matter. If you have any questions, please have your staff reach out to Andrew Dinsmore (Andrew_Dinsmore@coons.senate.gov) in my office. Thank you.

Sincerely,



Christopher A. Coons
United States Senator