

Sept 9, 2024

The Honorable John Kennedy
U.S. Senator
437 Russell Senate Office Building
Washington, DC 20510

The Honorable Glenn Grothman
Member of Congress
1511 Longworth House Office Building
Washington, DC 20515

Dear Senator Kennedy and Congressman Grothman:

We applaud you for introducing the “No Industrial Restrictions In Secret (NO IRIS) Act of 2024” (S. 3724/H.R. 7284). Increasingly, the Environmental Protection Agency’s (EPA) Integrated Risk Information System program (IRIS) is being used to justify overly burdensome regulations on critical chemistries essential for products we use every day. The NO IRIS Act would protect American manufacturing and ensure regulations are based on sound science.

Despite Congress never having authorized IRIS, EPA is poised to rely on IRIS assessments for several critical building block chemicals used in sectors ranging from automotive manufacturing to semiconductor production to agriculture. These actions could result in bans, unachievable standards, enforcement actions, and litigation.

Some recent examples of agencies using IRIS include:

- **Formaldehyde Risk Evaluation:** EPA is on a path to issue unscientific and legally unsound regulatory actions based on a flawed IRIS assessment under the Toxic Substances Control Act (TSCA) and other laws later this year. The TSCA risk evaluation for formaldehyde relies on a faulty IRIS value to propose an unreasonably low workplace standard below background levels. EPA has received fundamental criticism from multiple peer review bodies and public comments provided by hundreds of experts, stakeholders, and other agencies. Members of the EPA’s own Science Advisory Committee on Chemicals (SACC) have raised serious concerns over EPA’s reliance on IRIS.
- **EPA Air Rules on Ethylene Oxide:** These rules affect critical industries like electric vehicles, semiconductor manufacturing, and health care. The rules rely on a deeply flawed IRIS value for ethylene oxide that is 23,000 times lower than naturally occurring levels in the human body.
- **Biden Administration DOJ Action:** An IRIS value was used to justify emergency action seeking to shut down a manufacturing facility under Section 303 of the Clean Air Act.
- **Draft IRIS Review of Inorganic Arsenic:** Finds unsubstantiated risk 54 times lower than the current dose response level. If finalized as drafted, the risk values could be used to drive new regulatory levels for inorganic arsenic that are significantly lower than the background levels of arsenic in soil and water in many states with impacts to soil remediation programs, drinking water standards, crops and other food supplies.

- **Final IRIS Review of Hexavalent Chromium:** EPA contends hexavalent chromium operates via a mutagenic mode of action – contrary to the weight of evidence – and used a cancer slope factor that has the potential to lead to an extremely low drinking water standard. EPA’s approach could lead to a new drinking water standard far lower than the average background levels of naturally occurring hexavalent chromium in groundwater and impose massive costs to water systems nationwide with little to no public health benefit.

It is essential that regulations be based on the best available science. However, IRIS has often fallen short of that standard and been out of step with global health agencies and regulators. IRIS fails to adequately incorporate high quality and relevant science and does not consistently utilize a “weight of the scientific evidence” approach. Also, the process IRIS uses to prioritize and select chemicals for assessment lacks transparency. IRIS is unfit for use in any science-based regulatory process.

We thank you for your attention to this important issue and look forward to working with you to build support for the NO IRIS Act.

Sincerely,

American Chemistry Council
Adhesive and Sealant Council
Agricultural Retailers Association
Alliance for Chemical Distribution
American Coatings Association
American Feed Industry Association
American Forest and Paper Association
American Foundry Society
American Fuel and Petrochemical Manufacturers
American Home Furnishings Alliance
AmericanHort
American Petroleum Institute
American Wood Council
Arsenic Science Task Force
Asphalt Roofing Manufacturers Association
California Farm Bureau
Catfish Farmers of America
Communications Cable and Connectivity Association
Composite Panel Association
Council of Producers and Distributors of Agrotechnology
Decorative Hardwoods Association
Essential Minerals Association
Florida Tropical Fish Farms Association

Hawaii Aquaculture and Aquaponics Association
Independent Lubricant Manufacturers Association
International Wood Products Association
Institute of Makers of Explosives
Kitchen Cabinet Manufacturers Association
Louisiana Chemical Association
National Association of Manufacturers
National Aquaculture Association
National Cotton Council
National Funeral Directors Association
National Mining Association
National Wood Flooring Association
Non-Ferrous Founders' Society
North American Metals Council
Northwest Aquaculture Alliance
Ohio Chemistry Technology Council
Organic Arsenical Products Task Force
Plumbing Manufacturers International
Polyisocyanurate Insulation Manufacturers Association
PRINTING United Alliance
Society of Chemical Manufacturers & Affiliates
Steel Founders' Society of America
Technical Association of the Pulp & Paper Industry Inc.
The Fertilizer Institute
The Hardwood Federation
The Lawn & Horticultural Products Work Group
USA Rice
U.S. Chamber of Commerce
Washington State Dairy Federation
West Virginia Forestry Association