

Congress of the United States
Washington, DC 20515

March 22, 2018

The Honorable E. Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

Dear Administrator Pruitt:

As you may know, in August of last year Drew Wynne, an entrepreneur in Charleston, South Carolina, tragically and unexpectedly passed away while using an off-the-shelf paint stripper purchased at a local retail store that contained the chemical methylene chloride. Drew took numerous precautions including ventilating the space in which he was working and also wearing a respirator and gloves; however, none of it was sufficient to avoid the extreme toxicity of methylene chloride. Unfortunately, these detrimental outcomes are not limited to South Carolina. Over the last 35 years alone, more than 50 deaths have occurred due to acute exposure to methylene chloride.

We are deeply concerned by the obvious health risks related to consumer uses of methylene chloride, a chemical used in certain paint and coating removal products. In January 2017, the Environmental Protection Agency (EPA) proposed a rule (EPA-HQ-OPPT-2016-0231) to “prohibit the manufacture (including import), processing, and distribution in commerce of methylene chloride for consumer and most types of commercial paint and coating removal under section 6 of the Toxic Substances Control Act (TSCA).” Given the apparent danger of this chemical, we urge the Secretary to immediately and fully address the already identified risks of methylene chloride consistent with TSCA section 6 and prevent any further harm from coming to the American public.

For chemicals with risk assessments completed prior to the date of the Frank R. Lautenberg Chemical Safety for the 21st Century Act being signed into law, section 26(I)(4) allows EPA to publish proposed and final rules consistent with the scope of those risk assessments. In 2014, methylene chloride’s risk assessment was published and the chemical was listed in the TSCA Work Plan. EPA’s 2017 proposed rule on methylene chloride stated:

For methylene chloride, the health impacts of its use in paint and coating removal include death (due to asphyxiation), liver toxicity, kidney toxicity, reproductive toxicity, specific cognitive impacts, and cancers such as brain cancer, liver cancer, certain lung cancers, non-Hodgkin's lymphoma, and multiple myeloma . . . Some of these effects result from a very short, acute exposure; others follow years of occupational exposure.

The threat posed by this chemical is clear and undeniable, as determined by EPA just last year. EPA has a duty to protect the American public from hazards such as this, and by finding that the proposed rule is compliant with TSCA section 6 requirements, it can prevent future deaths and injuries. No family, nor person should ever have to endure the loss suffered by the Wynne family and the Charleston community. We urge you to swiftly determine the rule's compliance with TSCA Section 6 and ensure the protection of our nation's consumers. We look forward to hearing back from you on this most urgent matter.

Sincerely,



Lindsey O. Graham
United States Senator



Tim Scott
United States Senator



Mark Sanford
Member of Congress