

March 9, 2026

Chair Shelley Moore Capito  
Senate Committee on Environment and Public  
Works  
Dirksen Senate Office Building  
Washington, D.C. 20510

Ranking Member Sheldon Whitehouse  
Senate Committee on Environment and Public  
Works  
Dirksen Senate Office Building  
Washington, D.C. 20510

Senators Capito and Whitehouse:

The undersigned 156 organizations write to strongly oppose the [draft bill](#) released last week by Senate Environment and Public Works Republican leadership that would dismantle key health protections of the 2016 bipartisan reforms to the Toxic Substances Control Act (TSCA), our nation’s bedrock chemical safety law.

Since 2016, TSCA has protected workers, consumers, and the public from known human carcinogens like asbestos and trichloroethylene whose harmful health impacts even at low levels of exposure have been recognized by scientists and authoritative bodies for decades. Dismantling TSCA – as this bill does – would be a historic step backward on chemical safety, a goal overwhelmingly supported by the public.

The draft bill would roll back much of the progress our nation has made over the last decade by making it much harder – and in many instances impossible – for the EPA to take action on dangerous chemicals that threaten the health of millions of Americans. It would also hamper the ability of states to protect their own residents from harmful chemicals like PFAS. As a result, the public, especially children, workers and fenceline communities, would suffer from more cancer, infertility, cardiovascular disease, Parkinson's disease, birth defects, and other harms.

The following are some of the most significant rollbacks in the Discussion Draft:

**Weakens EPA’s ability to regulate new chemicals:**

- Allows dangerous chemicals to come to market without EPA review or approval. The bill would roll back one of the most important requirements of the 2016 TSCA amendments: that EPA make an affirmative safety determination for all new chemicals and impose restrictions to eliminate unreasonable risk before a chemical can be produced. The bill would allow default approvals of new chemicals in multiple circumstances.
- Opens the door to “comparative risk assessments.” In practice, this means if EPA finds significant risk with a chemical, a chemical that is even marginally less harmful than one on the market – say, 5% less toxic, but still incredibly dangerous for people to be exposed to – could sail through approvals. This would impede the development of truly safe substitutes to toxic chemicals, exposing the public to serious health threats without removing the riskier chemical from the market.
- Reduces transparency and scientific integrity of new-chemical reviews. The bill would exponentially increase the number of new chemicals exempt from review. Under those exemptions, the public would receive no notice, EPA’s review would be truncated, and the

manufacturer would not have to report ongoing production volumes, locations, and other information currently required by EPA's TSCA regulations, leaving the public with little to no information about toxic chemicals in their air, water, and homes.

- TSCA currently requires EPA to protect the public from new chemicals that may present unreasonable risk. The bill would eliminate that requirement and prevent EPA from acting unless it found that such risk was "more likely than not," an impossibly high bar to prove given the limited information available about many new chemicals.
- Expedites the review of unsafe chemicals. The bill would create a new "tiering" system that determines the length of EPA's new-chemical reviews. This can expedite reviews of chemicals that present serious health risks or that have known data gaps.

**Fails to protect particularly vulnerable groups, including workers, children, and fenceline communities:**

- Prevents EPA from protecting against widely known chemical hazards when regulating new and existing chemicals. The bill would redefine "unreasonable risk" to exclude any consideration of irritation, corrosion, flammability, and other hazards. This would leave workers, consumers, and the public exposed to chemicals that are known to burn the skin, inflame airways, and overload the lungs' clearance mechanisms.
- Limits EPA's ability to address "reasonably foreseen" exposures and risks. Under the current law, EPA must protect against chemicals' known, intended, and reasonably foreseen conditions of use. The bill proposes a highly restrictive definition of "reasonably foreseen" that would prevent EPA from considering foreseeable spills and releases; companies' demonstrated non-compliance with workplace exposure standards; and, in many instances, any uses other than those identified by the chemical manufacturer.

**Endangers public health by allowing chemicals onto the market without adequate review:**

- Ties the hands of EPA scientists. The bill would direct the Trump administration to issue guidance, without any public input or scientific guardrails, defining the information required for new-chemical reviews. The bill would also limit the ability of EPA scientists to demand or consider information that goes beyond the administration's guidance.
- Eliminates the public's ability to petition for the regulation of existing chemicals. In recent years, members of the public have used TSCA to compel EPA action on PFAS and other dangerous chemicals. The bill would take away this tool and make it much harder for the public to challenge EPA's denials of other types of petitions.

**Gives industry a seat at the table in the decision-making process:**

- Puts chemical manufacturers and consultants in charge of their own new-chemical reviews. TSCA currently requires EPA to conduct a careful, independent assessment of all new chemicals' risks. The bill would allow chemical companies to conduct their own risk assessments, which would be reviewed not by EPA but by a third-party paid by the chemical manufacturer. If EPA takes no further action within a prescribed period, the new chemical could come to market without any restrictions, regardless of its risks.

**Establishes a loophole for “chemical recycling” or the burning of plastic waste:**

- Allows so-called “advanced” or “chemical recycling” to sail through approvals despite the significant toxicity of the products and the inefficiency of the process through the comparative risk assessment provision.
- Allows harmful products produced through this process to be considered “equivalent” to chemicals already on the market without undergoing a safety review. Despite the fact that the products are contaminated with plastic’s toxic additives and harmful byproducts such as dioxins, these false equivalents would be rubberstamped as safe.

These drastic changes to TSCA would not promote innovation in safer chemistry or improve the efficiency of chemical reviews, as industry claims. They come at a time when key decisions in the chemicals office at EPA are being made by former chemical industry lobbyists. The Administration has already taken action to recklessly rush reviews of many chemicals, including PFAS. EPA has also effectively eliminated the workforce of the Office of Research and Development (ORD), severely limiting invaluable research on PFAS contamination, chemical exposures due to natural disasters, and so much more. Legislative weakening of TSCA, in conjunction with Administrative actions to rush scientific reviews and weaken existing chemical safety protections, will result in policies that place the profit of corporations over the safety, well-being and health of Americans.

We urge Congress to reject this bill.

Sincerely,

350 Bay Area Action	Bayou City Waterkeeper	Cape Fear River Watch
5 Gyres	Between the Waters	CASE Citizens Alliance for a Sustainable Englewood
A Community Voice	Beyond Plastics	Center for Coalfield Justice
AFGE Local 704	Beyond Plastics Louisville	Center for Environmental Health
Alliance for Mission-Based Recycling	Beyond Toxics	Center for Public Environmental Oversight
Alliance of Nurses for Healthy Environments	Breathe Free Detroit	Cherokee Concerned Citizens
Alphabet Alliance of Color	BYO - US Reduces	CHIPS Communities United
American Sustainable Business Network	California Nurses for Environmental Health and Justice	Clean Air Council
	CAPE	

Clean Air for All Now!	Earthjustice Action	Greenpeace USA
Clean Cape Fear	Earthworks	Habitat Recovery Project
Clean Water Action	Eco-Cycle	Heirs To Our Ocean
Clean+Healthy	Ecology Center	Inclusive Louisiana
CleanEarth4Kids.org	EDF Action	Indiana Conservation Voters
Climate Communications Coalition	Endangered Species Coalition	Indivisible HoCoMD
Climate Conversation Brazoria County	Energy Alabama	Inland Ocean Coalition
Climate Reality Project Chicago Metro Chapter	Environmental Working Group	Institute for Policy Studies Climate Policy Program
Climate Reality Project Greater New Orleans Chapter	Ethical And Respectable Treatment of Humans	Jewish Climate Action - MA
Coalition on the Environment and Jewish Life	Eureka Recycling	Just Zero
Coastal Alliance to Protect our Environment (CAPE)	Family Farm Defenders	League of Conservation Voters
Coastal Bend Audubon Society	FoCo Trash Mob, a Beyond Plastics Affiliate	Learning Disabilities Association of America
Coastal Watch Association	FracTracker Alliance	Locust Point Community Garden
Community Earth Alliance	Global Alliance for Incinerator Alternatives (GAIA)	Louisiana League of Conscious Voters
Concerned Citizens of St. John	Greater Edwards Aquifer Alliance	Maine Rivers
Conservation Law Foundation	Greater New Orleans Interfaith Climate Coalition	Maryland Pesticide Education Network
CSWAB.org	Greater Newburgh Parks Conservancy	Massachusetts Breast Cancer Coalition
Detroit Green Skills Alliance	Green Science Policy Institute	Merrimack Citizens for Clean Water
Earth Ethics, Inc.	GreenLatinos	Micah Six Eight Mission
EARTHDAY.ORG		Michigan Clinicians for Climate Action

Mid-Ohio Valley Climate Action	Oregon Environmental Council	Rise St. James
Milwaukee Riverkeeper	Oregon Just Transition Alliance	Royal River Alliance
Moms Clean Air Force	Outdoor Promise	Safe Skies Maryland
Montana Environmental Information Center	Pacific Environment	San Antonio Bay Waterkeeper
Move Past Plastic (MPP)	Partnership for Policy Integrity	San Diego Pediatricians for Clean Air
N.A.O	Peak Plastic Foundation	Save Our Water S.O.H2O
Nantucket PFAS Action Group	People Over Petro Coalition	Save Our wild Salmon Coalition
National Center for Healthy Housing	Pesticide Action and Agroecology Network	Science and Environmental Health Network
National PFAS Contamination Coalition	PfoaProject NY	Seaside Sustainability
National Recycling Coalition	Physicians for Social Responsibility - Los Angeles (PSR-LA)	Self & Soul
Natural Resources Defense Council	Physicians for Social Responsibility Pennsylvania	Sierra Club
Nature for All	Pittsburghers Against single Use Plastic (PASUP)	Slingshot
New York River Watch	Plastic Pollution Coalition	Society of Latinx Nurses
Newburgh Clean Water Project	PODER	South Bay Open Space Task Force
North Carolina Conservation Network	Port Arthur Community Action Network(PACAN)	Southern Environmental Law Center
Northeast Metro Climate Action	Public Citizen	Stop Waste Tucson
Nuclear Information and Resource Service	Pursue PFAS Free	Sunflower Alliance
Ohio Valley Allies	Quassaick Creek Watershed Alliance	Testing for Pease
	Rail Watch	Texas Environmental Justice Advocacy Services
		The Descendants Project
		The Last Plastic Straw

The Xerces Society

Toxic Free North Carolina

Toxic-Free Future

Tucson Environmental  
Justice Task Force

Vermont Natural Resources  
Council

Vessel Project of Louisiana

Waterkeeper Alliance

Waterspirit

Weaving Voices for Health &  
Justice

Whale Scout

Women for a Healthy  
Environment

Young, Gifted & Green

Zero Waste Ithaca

Zero Waste USA