



# Duckworth, Carper, Durbin Statement on EPA's Final Miscellaneous Organic Chemical Manufacturing EtO Rule

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WASHINGTON, DC – U.S. Senators Tammy Duckworth (D-IL), co-founder of the Senate's first-ever Environmental Justice Caucus and member of the U.S. Senate Committee on Environment and Public Works (EPW), EPW Ranking Member Tom Carper (D-DE) and Dick Durbin (D-IL) today issued the following statement in response to the U.S. Environmental Protection Agency (EPA) finalizing its rulemaking on Hazardous Air Pollutants, which includes ethylene oxide, from the manufacturing sector.

“We are relieved that EPA has finally recognized that some emissions from chemical manufacturing sources pose serious health risks to communities nationwide. However, EPA's final rule still fails to protect public health and will still leave too many communities, especially communities of color, vulnerable to air pollution that creates intolerably high cancer risk and other health harms. In some areas, this risk is two times higher than EPA's own ‘acceptable risk’ benchmark, and far higher than what public health experts recommend, especially for children.

“Every American—no matter their zip code—has a right to clean air. That is why we urged EPA to include fence-line monitoring—the only way to ensure that the control technology is reducing pollution as required under the Clean Air Act—in this rule and was disappointed that they failed to include it.”

EPA's Miscellaneous Organic Chemical Manufacturing: National Emission Standards for Hazardous Air Pollutants (MON NESHAP) rule regulates a large number of chemical manufacturing facilities across the nation and is critically important to environmental justice communities that EPA identifies as being disproportionately impacted by the pollution covered in this final rule. Duckworth, Carper and Durbin [wrote](#) to EPA raising concerns about this rule when it was proposed in March of this year. The

Senators also [wrote](#) to EPA in April of this year asking EPA to improve communication of public health risks of EtO emissions.

In response to the March letter from the Senators, as well as dozens of other comments received, EPA took additional measures to reduce hazardous ethylene oxide (EtO) emissions through the rulemaking process, including strengthening equipment regulations and eliminating a general exemption for emissions during startups, shutdowns, and malfunctions. However, the agency failed to fully address other concerns raised by the Senators over the Maximum Individual Cancer Risk for individuals posed by EtO facilities, which remains significantly higher than the agency's own benchmark for what is considered acceptable risk. Failure by the agency to address these concerns through the final MON NESHAP rule leaves environmental justice communities exposed to unacceptable levels of toxic air pollution at a time when the country is battling the widespread impacts of the respiratory disease COVID-19.

Duckworth [co-founded](#) the Environmental Justice Caucus, of which Durbin and Carper are members, in April of last year to raise awareness of the many environmental and pollution issues that have created public health challenges, which disproportionately impact low income communities and communities of color. The caucus seeks to help those communities advocate for themselves with the federal government by providing expertise and assistance, generating legislation and organizing hearings and events. Duckworth [brought](#) Illinois-based environmental justice advocate Celeste Flores as her guest to this year's State of the Union. She also [chaired](#) a Climate Crisis Committee Hearing earlier this month on understanding and addressing the national security risks of climate change.