



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC 21 2018

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Robert M. Sussman  
ADAO Counsel  
Sussman & Associates  
3101 Garfield St, NW  
Washington, DC 20008

Re: TSCA Section 21 Petition Concerning Asbestos and the CDR Rule

Dear Mr. Sussman:

The U.S. Environmental Protection Agency (EPA) is responding to the petition that was filed by Asbestos Disease Awareness Organization, American Public Health Association, Center for Environmental Health, Environmental Working Group, Environmental Health Strategy Center, and Safer Chemicals Healthy Families. The petition filed on September 27, 2018, under section 21 of the Toxic Substances Control Act (TSCA) asks that EPA "promptly initiate rulemaking under section 8(a) of TSCA to add asbestos to the CDR rule."

The EPA has reviewed the information submitted in your petition. Based on this review and after careful consideration of your specific requests, the EPA is denying the petition. The agency's reasons for denying your petition will be published in a forthcoming edition of the Federal Register. A pre-publication copy of that Federal Register document is enclosed.

Under TSCA section 21, you have the right to appeal the agency's denial of your petition by commencing a civil action in a U.S. district court to compel the Administrator to initiate a rulemaking proceeding to amend the CDR rule as requested in the petition within 60 days of the date of this letter. If you would like to discuss this matter further, please contact Jeff Morris, Director of the Office of Pollution Prevention and Toxics, at 202-564-6756.

Sincerely,

A handwritten signature in blue ink that reads "Nancy Beck".

Nancy B. Beck, Ph.D., DABT  
Principal Deputy Assistant Administrator

cc: Linda Reinstein, Asbestos Disease Awareness Organization  
Donald Hoppert, American Public Health Association  
Ansje Miller, Center for Environmental Health  
Patrick MacRoy, Environmental Health Strategy Center  
Caroline Leary, Environmental Working Group  
Liz Hitchcock, Safer Chemicals, Healthy Families