

United States Senate

November 13, 2019

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460

Dear Administrator Wheeler:

I write to express my deep concerns with the Environmental Protection Agency's (EPA) ongoing efforts to undermine the science that keeps our air and water clean, our families healthy, and our outdoor economy thriving. Reportedly, your agency has prepared an update to the misleadingly titled Strengthening Transparency in Regulatory Science draft rule that doubles down on throwing out critical public health studies. Montanans need an EPA that works to hold polluters responsible, not one that lets them off the hook.

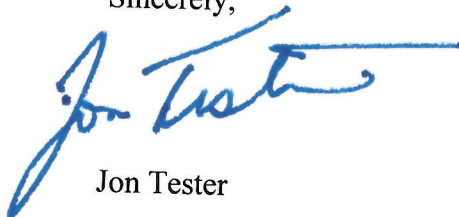
As a regulatory agency, the EPA needs to be using the best available science to make good on its mission to protect human health and the environment. Your proposed update would hamstring the usefulness of public health information gathered under confidentiality agreements, which is an incredibly common practice when dealing with sensitive medical information. That medical data is critical for establishing links between pollution and its impacts, and it's important for determining how to clean up our air and water, and keep it clean. Discounting health studies because researchers aimed to protect participant's personal information would drastically limit the EPA's ability to protect our communities' safety and put our families at risk.

Perhaps most troubling, your proposed update is also retroactive. Widely-accepted, peer-reviewed studies that have long guided agency action could be thrown out because they do not meet new regulatory guidelines. This means the EPA could ignore peer-reviewed studies on the impacts of air pollution, lead paint, mercury, and other known health hazards. Making this proposal retroactive means that the EPA won't just be failing to regulate on new threats to our health, it will be rolling back common-sense regulations based on science that was settled decades ago.

Montana's economy is directly linked to access to clean air and water. We are proud of our thriving outdoor economy that supports 71,000 jobs and \$7.1 billion in consumer spending. Agriculture is the backbone of our state and our farmers and ranchers rely on a healthy environment. If finalized, this rule would be a direct affront to our way of life and the jobs that allow us to provide for our families in Big Sky Country.

I urge you to reconsider not only the reported updates planned for the rule, but also the underlying draft Strengthening Transparency in Regulatory Science rule. The EPA should be actively supporting the best available science to protect human health and our clean air and clean water, not undermining it.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Tester", with a long horizontal flourish extending to the right.

Jon Tester