

SOUTHERN ENVIRONMENTAL LAW CENTER

Telephone 202-828-8382

112 C STREET NW, SUITE 390
WASHINGTON, DC 20001

Facsimile 202-347-6041

May 4, 2018

VIA E-MAIL AND U.S. MAIL

E. Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

**RE: Comment Period Extension Request for Proposed Rulemaking –
Strengthening Transparency in Regulatory Science, Docket ID No. EPA-HQ-
OA-2018-0259**

Dear Administrator Pruitt:

The Southern Environmental Law Center (“SELC”), Clean Air Carolina (“CAC”), Medical Advocates for Healthy Air (“MAHA”), the North Carolina Conservation Network (“NCCN”), Cape Fear River Watch, the Haw Riverkeeper Assembly (“HRA”), Sustain Charlotte, Carolina Wetlands Association, MountainTrue, Alabama Rivers Alliance, Altamaha Riverkeeper, Chattahoochee Riverkeeper (“CRK”), the Coosa River Basin Initiative (“CRBI”), the Virginia Conservation Network (“VCN”), Gasp, the James River Association (“JRA”), the Cahaba River Society, Student Action with Farmworkers (“SAF”), the Ogeechee Riverkeeper, Sound Rivers, and the Potomac Riverkeeper Network respectfully requests that the Environmental Protection Agency (“EPA”) extend the comment period for the above-referenced proposed rule for a minimum of sixty days beyond the currently scheduled public comment deadline. We would also encourage you to schedule at least three public hearings in various locations across the country, including a hearing in the Southeast, in order to gather additional input from the public. This proposed rule’s potential impact on science-based health and environmental safeguards is large and far-reaching, and the currently scheduled public comment period will not allow those potential impacts to be adequately addressed.

SELC is a nonprofit public interest law firm dedicated to the protection of natural resources, communities, and special places in a six-state region of the Southeast. SELC works in all three branches of government to help create, implement, and enforce the laws and policies that govern how our environment is protected. SELC advocates for clean energy and air, clean water, mountains and forests, land and community, coast and wetlands, and wildlife and special places. SELC has offices in Charlottesville, VA, Chapel Hill, NC, Asheville, NC, Atlanta, GA, Birmingham, AL, Charleston, SC, Nashville, TN, Richmond, VA, and Washington, DC and works with over 200 partner groups in the southeast.

CAC champions a statewide initiative to raise North Carolina's air quality to exceed that of scientific recommendations. Energized by the research-proven fact that even the smallest air pollutants are toxic to people's health, and by the urgency of pollution-induced climate change, CAC is a team driven to advance its mission to ensure cleaner air quality for all North Carolinians through education and advocacy and by working with its partners to reduce sources of pollution.

MAHA is a statewide network of medical and health professionals leading the call for cleaner air. MAHA members learn about the health impacts of air quality so that they can help their patients and advocate for strong, clean air policies.

NCCN is a statewide network of nearly 100 environmental, community, and environmental justice organizations focused on protecting North Carolina's environment and public health. NCCN supports, trains, and coordinates diverse groups throughout the state and directly advocates to achieve equitable and sustainable solutions for the environment.

Since 1993, Cape Fear River Watch has been working to protect and improve the water quality of the Lower Cape Fear River Basin through education, advocacy, and action. Cape Fear River Watch engages residents of its watershed through programs to preserve and safeguard the river. The Cape Fear Riverkeeper is a member of the Waterkeeper Alliance, an international clean water advocacy organization.

The Haw River Assembly is a nonprofit environmental organization promoting environmental education, conservation and pollution prevention. It is a member of Waterkeeper Alliance. HRA depends on its scientific partners to provide information on the quality of surface waters in order to protect the ecosystems and communities that depend on them.

Sustain Charlotte is a community-based nonprofit organization dedicated to educating, engaging and uniting citizens to solve Charlotte's sustainability challenges. Sustain Charlotte inspires choices that lead to a healthy, equitable and vibrant community for generations to come.

Carolina Wetlands Association, a nonprofit, is a nonpartisan, science-based organization advocating for wetlands. The Carolina Wetlands Association promotes the understanding, protection, restoration, and enjoyment of North and South Carolina's wetlands and associated ecosystems through science-based programs, education, and advocacy.

MountainTrue is committed to keeping its mountain region a beautiful place to live, work and play. Its members protect their forests, clean up their rivers, plan vibrant and livable communities, and advocate for a sound and sustainable future for all residents of WNC.

Alabama Rivers Alliance is a statewide network of groups working to protect and restore all of Alabama's water resources through building partnerships, empowering citizens and advocating for sound water policy and its enforcement.

The Altamaha Riverkeeper is dedicated to the protection, defense and restoration of Georgia's Altamaha River and its tributaries, the Ocmulgee, the Oconee and the Ohoopie, and

three major lakes, Sinclair, Oconee and Jackson, within the Altamaha Watershed. The Riverkeeper works to fulfill the Clean Water Act's goal of fishable, swimmable, and drinkable waters for the communities and recreational users within this important ecological region. Altamaha Riverkeeper has more than 1,500 members, from Atlanta and Athens to the Golden Isles, and several thousand followers who support its work.

CRK is a nonprofit environmental advocacy organization dedicated to the protection and stewardship of the Chattahoochee River, its tributaries, lakes and watershed. CRK represents more than 8,600 members who use and enjoy the river system and depend on the Chattahoochee River and its lakes as a source of drinking water, recreation and economic prosperity.

CRBI is a nonprofit environmental advocacy organization headquartered in Rome, northwest Georgia with over 3,500 members in Georgia. Since 1992, CRBI has been working to protect, preserve, and restore the biologically diverse Coosa River Basin, including the Coosa River and its tributaries. To accomplish this, CRBI engages in educational efforts, research, advocacy, and legal action where necessary.

VCN began as a roundtable of major conservation groups and has grown to include over 120 Network Partners across the Commonwealth. VCN is committed to building a powerful, diverse, and highly-coordinated conservation movement focused on protecting the Commonwealth's natural resources today and for tomorrow.

Gasp is a health advocacy organization working to reduce air pollution in Alabama through education and advocacy.

JRA is a member-supported nonprofit organization founded in 1976 to serve as a guardian and voice for the James River. Throughout the James' 10,000-square mile watershed, JRA works towards its vision of a fully healthy river supporting thriving communities. With offices in Lynchburg, Richmond and Williamsburg, JRA is committed to protecting the James and connecting people to it.

The Cahaba River Society is a citizen advocacy group formed in 1989 to restore and protect the Cahaba River watershed and its rich diversity of life. The diverse lives depending on the Cahaba include the 600,000 people and numerous businesses in the Birmingham Water Board service area relying on the River as a major source of drinking water as well as its internationally significant diversity of freshwater wildlife.

SAF works with farmworkers, students, and advocates in the Southeast and nationwide to create a more just agricultural system. Since 1992, SAF has engaged thousands of students, farmworker youth, and community members in the farmworker movement.

The Ogeechee Riverkeeper's mission is to protect, preserve, and improve the water quality of the Ogeechee River watershed by building bridges between people and their local waterways. A proud Member of the Waterkeeper Alliance, the Ogeechee Riverkeeper works with over 300 organizations around the world to ensure that its waters are fishable, swimmable, and drinkable now and for future generations.

Sound Rivers is a private nonprofit organization that guards the health and natural beauty of the Neuse and Tar-Pamlico River Basins. It partners with concerned citizens to monitor, protect, restore and preserve the watersheds covering 23% of North Carolina's land mass. Sound Rivers' goal is to provide clean water to its communities for consumption, recreation, nature preservation and agricultural use.

Potomac Riverkeeper Network is a nonprofit organization with three regional Waterkeeper branches: Potomac Riverkeeper, Upper Potomac Riverkeeper, and Shenandoah Riverkeeper. Its mission is to protect the public's right to clean water in its rivers and streams. Potomac Riverkeeper Network stops pollution to promote safe drinking water, protect healthy habitats, and enhance public use and enjoyment.

EPA published a notice in the Federal Register of the proposed rule, titled "Transparency in Regulatory Decisionmaking" on April 30, 2018. 83 Fed. Reg. at 18,733 (proposed 30 C.F.R. § 30.3). By providing that, "when EPA develops regulations... with regard to those scientific studies that are pivotal to the action being taken, EPA should ensure that the data underlying those are publicly available in a manner sufficient for independent validation," 83 Fed. Reg. at 18,768, the proposed rule would dramatically alter how EPA uses science in its regulatory decisionmaking process. This change would affect all significant EPA decisions; it requires careful, considered, and in-depth analysis by a broad range of stakeholders. Additionally, since EPA did not provide any of its own analysis of the potential effects of its proposed rule on environmental regulation or the scientific studies underlying previously enacted rules, the public must undertake that task themselves. Thirty days is clearly insufficient to meaningfully assess the potential impact of the proposed rule.

Given the unmistakable complexity of the proposed rule and its potential to have a significant effect on EPA's ability to fully protect the public from environmental and public health hazards such as air pollution and unsafe chemicals, we urge EPA to extend the comment period by a minimum of sixty days and to schedule at least three public hearings.

Thank you for your consideration of this request. We would appreciate acknowledgement of this letter and look forward to your reply.

Sincerely,



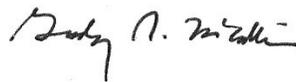
Nat Mund
Director of Federal Affairs
Southern Environmental Law Center



June Blotnick
Executive Director
Clean Air Carolina



Rachel McIntosh-Kastrinsky
Manager
Medical Advocates for Healthy Air



Grady McCallie
Policy Director
North Carolina Conservation Network



Kemp Burdette
Riverkeeper
Cape Fear River Watch



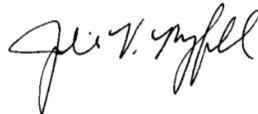
Emily Sutton
Riverkeeper
Haw River Assembly



Shannon Binns
Executive Director
Sustain Charlotte



Rick Savage
President
Carolina Wetlands Association

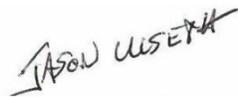


Julie Mayfield
Co-Director
MountainTrue

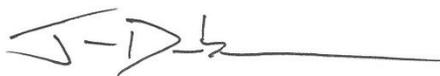


Cindy Lowry
Executive Director
Alabama Rivers Alliance

/s/ Jen Hilburn
Jen Hilburn
Riverkeeper
Altamaha Riverkeeper



Jason Ulseth
Riverkeeper
Chattahoochee Riverkeepr



Jesse Demonbruen-Chapman
Executive Director
Coosa River Basin Initiative



Mary Rafferty
Executive Director
Virginia Conservation Network



Michael Hansen
Executive Director
Gasp



Shawn Ralston
Program Director
James River Association



Beth K. Stewart
Executive Director
Cahaba River Society



Bianca Olivares
Grassroots Organizer
Student Action with Farmworkers



Simona Perry
Executive Director
Ogeechee Riverkeeper

/s/ Matthew Starr
Matthew Starr
Upper Neuse Riverkeeper
Sound Rivers

/s/ Katy Langley
Katy Langley
Lower Neuse Riverkeeper
Sound Rivers

/s/ Forrest English
Forrest English
Pamlico-Tar Riverkeeper
Sound Rivers

Phillip Musegaas

Phillip Musegaas
Vice President of Programs and Litigation
Potomac Riverkeeper Network