

**Congress of the United States**  
**Washington, DC 20510**

August 11, 2020

The Honorable Andrew Wheeler  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004

Dear Administrator Wheeler:

We are writing to express our grave concern over the apparent failure of the Environmental Protection Agency (EPA) to communicate the health risks of ethylene oxide to Delaware residents, despite a report from the Office of the Inspector General (IG) directing the agency to do so. The public, especially the at-risk communities living closest to the Croda facility in New Castle, have a right to know when they may risk exposure to any contaminants that pose significant health risks, including an increased risk of cancer.

An updated National Air Toxics Assessment, released in 2018, revealed 25 facilities emitting ethylene oxide at rates that exceeded the agency's own "acceptable" threshold of 100 per 1 million cancer diagnosis. Following that release, the IG issued a report<sup>1</sup> in March, 2020 recommending EPA prioritize reaching out to the communities surrounding those 25 high-priority facilities, including 22 ethylene oxide-emitting facilities, to inform them of the increased risk. The Croda facility was identified as one of these high priority facilities.

As of the date of this letter EPA has yet to inform 16 of the 25 communities of the serious health risk the exposures pose, including the New Castle community. According to the IG's report, outreach to the New Castle community was tentatively scheduled for the first half of calendar year 2020, but as of August 2020, no such meeting or communication to New Castle residents on this topic has occurred as best we can tell.

As you know well, the mission of EPA is to protect public health and the environment. By neglecting to inform citizens of the risks associated with ethylene oxide, the agency

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<sup>1</sup> Environmental Protection Agency, Office of Inspector General, *Report: Management Alert – Prompt Action Needed to Inform Residents Living Near Ethylene Oxide – Emitting Facilities About Health Concern and Actions to Address Those Concerns*. March 31, 2020. Accessed August 11, 2020.  
[https://www.epa.gov/sites/production/files/2020-03/documents/epaig\\_20200331-20-n-0128\\_0.pdf](https://www.epa.gov/sites/production/files/2020-03/documents/epaig_20200331-20-n-0128_0.pdf)

appears to have knowingly risked the health of citizens residing in communities with high-priority facilities.

As a result, we request written answers to the following questions to ascertain whether the agency is taking the necessary steps to communicate the risks of ethylene oxide to the residents of communities living closest to the New Castle plant.

- Has EPA held a public meeting or meetings with residents living near the Croda plant to communicate the health risks associated with ethylene oxide? If so, please provide the date, time and location for each meeting. If not, why not?
- Are there future plans for EPA to hold public meetings with residents living near the Croda plant to communicate the health risks associated with ethylene oxide? If so, when is EPA planning to hold these public meetings, and if there are no such plans, why not?
- Has EPA conducted direct outreach efforts to inform residents living near the Croda plant of the health risks associated with ethylene oxide? If so, how did EPA conduct this outreach? If no such outreach took place, why not?
- Are there future plans for EPA to conduct direct outreach efforts to inform residents living near the Croda plant of the health risks associated with ethylene oxide? If not, why not?

While Croda has initiated steps<sup>2</sup> that may reduce their ethylene oxide emissions since the 2014 NATA data was released, EPA must still meet with at-risk communities located near the facility as the IG report recommended. Given this severe lapse in EPA's duty to the residents of Delaware, the residents affected by the increased risks associated with ethylene oxide exposure deserve to hear directly from the agency. Therefore, we are requesting that a meeting between senior officials at the EPA and the community residents be held within the next 30 days, virtually or in person.

Please provide answers to these questions by September 7, 2020 and respond to the request to schedule a meeting by August 26, 2020.

Thank you for your prompt attention to this matter. If you have any question, please feel free to have your staff reach out to Sara Jordan ([Sara.Jordan@mail.house.gov](mailto:Sara.Jordan@mail.house.gov)) and Michal Freedhoff ([Michal\\_Freedhoff@epw.senate.gov](mailto:Michal_Freedhoff@epw.senate.gov)). Thank you.

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<sup>2</sup> Delaware Department of Natural Resources and Environmental Control, Division of Air Quality. *Federally Enforceable 7 DE Admin. Code 1102 Applications: Croda Inc.* February 23, 2020. Accessed August 11, 2020. <https://dnrec.alpha.delaware.gov/2020/02/23/federally-enforceable-7-de-admin-code-1102-applications-croda-inc/>

Sincerely,

A handwritten signature in blue ink that reads "Lisa Blunt Rochester". The signature is fluid and cursive, with the first name "Lisa" being the most prominent.

Lisa Blunt Rochester  
Member of Congress

A handwritten signature in blue ink that reads "Tom Carper". The signature is fluid and cursive, with the first name "Tom" being the most prominent.

Thomas R. Carper  
United States Senator