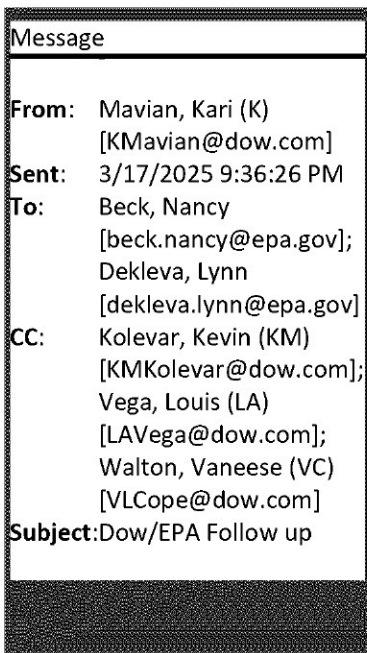




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Dear Nancy and Lynn,

Thank you for your time Thursday preparing for the meeting with our CEO, Jim Fitterling, and Administrator Zeldin. Please let us know when that meeting has been confirmed, as it is not on our calendar yet. We requested time next week while Jim is in town, March 25-27th.

As we discussed, the topics Jim would like to raise with the Administrator include the following:

1. Appreciation for the Administrator's attention to the many untenable regulations proposed or implemented by the Biden Administration.
2. Specific issues:
 - Clarity on EPA's recent announcement that it will reconsider the NESHAPS (specifically the HON). Dow has met with the Office of Air and Radiation regarding an extension of the current compliance deadline, which is impossible to meet, and requesting reconsideration of the portions of the final rule that are not technically feasible.
 - EPA's response to the ACI/ACC Request for Reconsideration of the 1,4-dioxane risk evaluation, which was submitted nearly two years ago, but was ignored by the agency under the Biden administration.
 - A request for EPA to withdraw the TSCA SNUR on pyrolysis oil, which is creating uncertainty in the market.
 - The reliability and viability of the IRIS program, and assessments that have been used for regulatory purposes, and the critical need to return to risk- and science-based assessments done by program offices in line with the statutes they administer.
3. Overall TSCA Policies, including achieving clarity and predictability with new chemical reviews and approvals and revising the risk evaluation framework rule to implement a risk- and best-available-science-based approach to reviewing chemicals, as mandated by TSCA.
4. Overall Advanced Recycling Policies, including a policy to allow equivalency between recycled and bio-based feedstocks to traditional feedstocks on the TSCA inventory; and moving forward with the 2020 proposed rule, Standards of Performance for New Stationary Sources and Emissions Guidelines for Existing Sources: Other Solid Waste Incineration Units Review (8/31/2020), which the Biden Administration

withdrew. These actions would create a regulatory path forward for advanced recycling to be considered as manufacturing, which 25 States have affirmed.

Furthermore, we request additional time with you to provide input and feedback on more specific TSCA policies, including,

- Reconsideration of the Biden administration's 'whole chemical' approach, which is facially inconsistent with TSCA's mandate,
- Recognition of Congress's intent of TSCA's role as a gap-filler, meaning that TSCA was designed to work in concert with other statutes administered either by EPA or other federal agencies and that TSCA does not work in isolation or have supremacy over other statutes,
- Reconsideration of the need for a separate review of all air and water exposures that other EPA offices have already reviewed, or will review, as part of their remit,
- Incorporation of de minimis regulatory threshold levels into rulemakings,
- Consideration of the obligation for compliance with other Federal laws in risk evaluations, including the requirement to wear PPE,
- Consulting with industrial hygiene experts and reviewing global standards when deciding if new workplace exposure levels need to be set,
- Avoiding workplace protection requirements that are duplicative to OSHA Standards and regulations and leave any workplace exposure compliance to OSHA. This is true of other workplace requirements administered by other agencies.
- Removing the 'no distribution' clause in Consent Orders and/or issue SNURs at the same time as Consent Orders to allow for immediate commercialization when a new chemical is approved.

Perhaps we can follow up after Jim's meeting with the Administrator to dive further into these details. We will also give some more thought to the topics we discussed around site visits.

Many thanks for your time Thursday, and please contact me with any questions in advance of the meeting with Jim and the Administrator.

Best regards,
Kari

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General Business