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## EPA's Inspector General Recommends Review of Ethylene Oxide and Chloroprene Standards to Address Health Risks, Environmental Justice Concerns

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On May 6, 2021, the U.S. Environmental Protection Agency's ("EPA") Office of Inspector General ("OIG") published the results of an audit examining EPA's response to updated cancer risk values for two chemicals: ethylene oxide ("EtO" or "EO") and chloroprene.

OIG is an independently-funded office within the EPA that performs investigations to prevent "waste, fraud, and abuse" in EPA programs. Its report found that, despite EPA's identifying purportedly elevated cancer risks from chloroprene and EtO emissions in 2010 and 2016, respectively, EPA has not yet incorporated the new risk values into residual risk and technology reviews ("RTR") of the sources of these pollutants per statutory requirements. As such, EPA cannot reasonably ensure that its EtO and chloroprene source-specific emission standards (i.e., "NESHAPs") are sufficiently protective of human health.

According to the OIG, without new RTRs or emission standards, EPA may not be able to achieve its environmental justice goals for protection of overburdened minority and low-income communities. Consequently, the OIG recommends that EPA exercise its discretionary authority to conduct new RTRs for existing EtO and chloroprene NESHAPs as well as currently unregulated source categories. If the results of these reviews indicate exposure to unacceptable risk levels, EPA should revise each NESHAP accordingly. Additionally, OIG more broadly recommends that EPA develop and implement an internal control process to determine when new RTRs of existing NESHAPs and uncontrolled emission sources are needed in response to new risk information.



EtO emission sources potentially impacted by the OIG report include EtO sterilizers, hospitals, organic chemical manufacturers, polyether polyols producers, organic liquid distributors, and smaller chemical plants. Potentially impacted chloroprene sources include synthetic organic chemical manufacturers and certain polymer and resin manufacturers.

EPA's Office of Air and Radiation has 60 days to respond to the report and attempt to resolve the open recommendations. The report is available on EPA's website: [https://www.epa.gov/sites/production/files/2021-05/documents/epa\\_oig\\_20210506-21-p-0129.pdf](https://www.epa.gov/sites/production/files/2021-05/documents/epa_oig_20210506-21-p-0129.pdf).

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