



THE ADMINISTRATOR
WASHINGTON, D.C. 20460

September 3, 2025

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Dear Dr. Kim and Mr. Simon,

This letter is to follow up on EPA's recent response to your Request for Reconsideration (RFR), received by the U.S. Environmental Protection Agency ("EPA" or "Agency") on July 16, 2024, which was assigned RFR #23002A for tracking purposes. Your RFR requested that the Agency reconsider its denial of your Request for Correction (RFC) #23002, in which you requested that EPA reexamine its conclusion regarding the carcinogenicity of 1,4-dioxane based on a systematic review (SR) of literature published between issuance of EPA's 2020 *Final Risk Evaluation for 1,4-Dioxane CASRN 123-91-1* in December 2020 and the 2023 *Draft Supplement to the Risk Evaluation for 1,4-Dioxane CASRN 123-91-1* in July 2023. In addition to RFR #23002A and RFC #23002, EPA is facing multiple judicial challenges relating to the risk evaluation for 1,4-dioxane under the Toxic Substances Control Act (TSCA).

EPA wishes to clarify the circumstances involving two documents that were signed contemporaneously under separate processes and assure you and the public that EPA is committed to an objective, transparent process that considers best available science and provides robust opportunity for public and stakeholder input prior to finalizing actions under section 6 of TSCA.

- *RFC/RFR process.* Part of the Agency's efforts to implement its Information Quality Guidelines is through the RFC and RFR process which is meant to ensure and maximize the quality, objectivity, utility, and integrity of information prior to dissemination. EPA initially denied ACI/ACC's December 2023 request for correction of information (RFC) under the Information Quality Act in April 2024 noting, "[EPA] has concluded that the issues raised in this RFC were appropriately addressed in the TSCA Existing Chemical

Evaluation public comment process used in developing and finalizing the 2020 Risk Evaluation for 1,4-Dioxane. EPA has also determined that the TSCA Existing Chemical Evaluation public process was a more appropriate mechanism for you to provide comments and receive a response from the EPA, rather than through a separate response mechanism under the RFC process of the EPA IQG” (RFC #23002). In July 2024, the American Chemistry Council (ACC) and the American Cleaning Institute (ACI) submitted a request for reconsideration (RFR) of this denial and specifically requested reconsideration of Agency conclusions regarding the carcinogenicity of 1,4-dioxane in the EPA’s 2020 *Final Risk Evaluation for 1,4-Dioxane CASRN 123-91-1* and the 2023 *Draft Supplement to the Risk Evaluation for 1,4-Dioxane CASRN 123-91-1*. Consistent with EPA’s Information Quality Act Guidelines, a three-member executive panel met in September 2024 to review the ACI/ACC request. The executive panel was comprised of the Science Advisor/Assistant Administrator (AA) for the Office of Research and Development (ORD), Chief Information Officer/AA for Office of Mission Support (OMS), and the Economics Advisor/AA for the Office of Policy (OP). Though the panel met in September 2024 and concluded that EPA’s denial of the RFC #23002 was based on sound reasoning (in particular, being duplicative of comments addressed in the risk evaluation process), the letter from the Office of Mission Support conveying that decision was not issued until May 28, 2025. The Agency considers the Information Quality Act process for RFC #23002 and RFR #23002A concluded.

- *Litigation process.* In 2021, the Environmental Defense Fund and others filed a lawsuit challenging the original 2020 1,4-dioxane risk evaluation under TSCA section 6, including EPA’s no unreasonable risk determinations (Environmental Defense Fund v. EPA, No. 21-70162 (9th Cir.)). That case has been in abeyance for some time. More recently, on December 4, 2024, Union Carbide Corporation filed a lawsuit relating to the TSCA risk evaluation for 1,4-dioxane (Union Carbide Corp. v. EPA, No. 24-60615 (5th Cir.)). The lawsuit challenges various EPA actions in the risk evaluation, including the decision to withdraw the previous no unreasonable risk determination for certain conditions of use of 1,4-dioxane and the issuance of the supplemental risk evaluation determining that those conditions of use contributed to the unreasonable risk. That case has been in abeyance since January 29, 2025. On May 28, 2025, EPA filed a motion to extend the abeyance in the Fifth Circuit, containing a signed Declaration from Principal Deputy Assistant Administrator Nancy Beck. The declaration notified the Court and the parties that EPA’s Office of Chemical Safety and Pollution Prevention (OCSPP) intends to reconsider the 1,4-dioxane risk evaluation and supplement, including but not limited to determining whether the cancer risk analysis in the hazard assessment was completed using the best available science (Union Carbide Corp. v. EPA, No. 24-60615 (5th Cir.), Document No. 59). This case remains in abeyance until December 29, 2025 (*Id.*, Document No. 77). While the case is in abeyance, OSCPP continues its reconsideration of the 1,4-dioxane risk evaluation.

In sum, EPA is fully committed to ensuring use of best available science and supporting studies conducted in accordance with sound and objective scientific practices, including, when available, peer-reviewed science and supporting studies; and data collected by accepted methods or best available methods.¹ The Agency is also committed to incorporating a transparent public process during its risk evaluation and risk management activities under TSCA section 6. As such, EPA intends to seek public comment and conduct peer review activities, as appropriate, on any new analyses or proposed reconsideration in support of any proposed revised risk evaluation or risk management rule, at which time ACC, ACI, and others would have the opportunity to comment on any proposed agency actions under TSCA related to 1,4-dioxane.

EPA remains committed to the Information Quality Guidelines maximizing the quality, integrity, objectivity, and reproducibility of information we disseminate to the public.

Thank you for your interest in EPA's information quality.

Sincerely,

Carter Farmer
Chief Information Officer
Office of the Administrator

¹ See Section 6.4 of the EPA IQG (addressing influential scientific information). https://www.epa.gov/sites/default/files/2020-02/documents/epa-info-quality-guidelines_pdf_version.pdf.