The Honorable E. Scott Pruitt  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  

Re: Extending the comment period for proposed rulemaking – titled “Strengthening Transparency in Regulatory Science” – Docket ID No. EPA-HQ-OA-2018-0259  

Dear Administrator Pruitt,  

The Climate Science Legal Defense Fund (CSLDF) is a non-profit group whose mission is to protect the scientific endeavor. CSLDF respectfully requests that the Environmental Protection Agency (EPA) extend the comment period for the above-referenced proposed rule from 30 days to at least 90 days.  

This proposed rule would place substantial restrictions on what science EPA can consider in its decision-making without meaningfully improving transparency in science. It would particularly inhibit decision-makers at EPA from considering important studies examining the human health impacts of everything from air pollution to toxic chemicals to climate change. The potential for the proposed rule to do serious damage not only to EPA’s ability to carry out its core mission, but to scientific research in the United States as a whole is difficult to overstate. CSLDF is deeply concerned about the implications of this proposed rule, and we urge EPA to allow more time for a crucial public discussion of its potential impact.  

EPA has explicitly solicited comment on a wide variety of complex issues relating to this rulemaking. For example, it has requested input on whether and how the proposed rule should apply to various specific aspects of EPA’s rulemaking process, as well as to its enforcement activities and permitting activities. Of particular relevance to CSLDF and its supporters, EPA has also requested input on multiple technical and scientific questions, including how to define various technical terms, how to achieve stronger data and model access requirements, and how the proposed rule should affect certain data and models developed prior to its implementation. These are difficult questions, some of which have been the subject of debate within the scientific community for some time. They will require far more than 30 days for appropriate stakeholders to adequately address.  

The proposed rule claims to be aimed at increasing “transparency,” and it is indeed critically important that EPA allow sufficient time for a full and transparent discussion of its implications. So far, though, the proposed rule has been pushed through the review process so quickly that the
Office of Management and Budget’s Review – typically taking up to 90 days – was completed in less than a week and had to be retroactively backdated in order to avoid the appearance that the Administrator had signed the proposed rule before OMB had completed its review.¹

This rushed approach is extremely alarming given the complexity of the issues EPA has solicited comment on and the significance of the potential consequences of this rule in terms of EPA’s ability to use the best available science to adequately protect public health in the United States from the impacts of pollution and hazardous chemicals. We urge EPA to slow down, as it has done with other rules,² and extend the comment period to at least 90 days. We further urge EPA to schedule public hearings in multiple locations across the country in order to obtain additional public input.

Thank you for carefully considering this request. We would appreciate an acknowledgment of this letter and look forward to your reply.

Sincerely,

Lauren Kurtz, Esq.
Executive Director
Climate Science Legal Defense Fund

¹ https://www.eenews.net/stories/1060080331.