

STEVE COHEN  
9TH DISTRICT, TENNESSEE

2404 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515

TELEPHONE: (202) 225-3265  
FAX: (202) 225-5663

CLIFFORD DAVIS/ODELL HORTON  
FEDERAL BUILDING  
167 NORTH MAIN STREET  
SUITE 369  
MEMPHIS, TN 38103

TELEPHONE: (901) 544-4131  
FAX: (901) 544-4329

[www.cohen.house.gov](http://www.cohen.house.gov)

# Congress of the United States

House of Representatives  
Washington, DC 20515-4209

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEES:  
CONSTITUTION AND CIVIL JUSTICE  
- RANKING MEMBER  
COURTS, INTELLECTUAL PROPERTY  
AND THE INTERNET

COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE

SUBCOMMITTEES:  
AVIATION  
HIGHWAYS AND TRANSIT  
RAILROADS, PIPELINES AND HAZARDOUS MATERIALS

COMMITTEE ON ETHICS

COMMISSION ON SECURITY AND  
COOPERATION IN EUROPE  
(U.S. HELSINKI COMMISSION)

May 8, 2019

Mr. Andrew Wheeler  
Acting Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Knoxville, TN 37902

Dear Administrator Wheeler:

I write to express my alarm after learning that the Environmental Protection Agency (EPA) disregarded the advice of its own scientists and lawyers by issuing a rule that restricted but did not ban asbestos.<sup>1</sup>

In a memo written by your own staff in August 2018, they stated, "Rather than allow for (even with restrictions) any new uses for asbestos, EPA should seek to ban all new uses of asbestos because the extreme harm from this chemical substance outweighs any benefit — and because there are adequate alternatives to asbestos."<sup>2</sup>

Yet, on April 17, 2019, the EPA issued a new rule that "strengthens the agency's ability to rigorously review an expansive list of asbestos products that are no longer on the market before they could be sold again in the United States."<sup>3</sup>

I find it incredibly concerning and extremely peculiar that the EPA would cede its own experts' advice on banning asbestos, a known human carcinogen that has killed millions of people over the last several decades.<sup>4</sup>

<sup>1</sup> Friedman, Lisa, *New York Times*, "E.P.A. leaders disregarded agency's experts in issuing asbestos rule, memos show," <https://www.nytimes.com/2019/05/08/climate/epa-asbestos-rule-scientists.html>

<sup>2</sup> <https://int.nyt.com/data/documenthelper/815-e-p-a-memos-on-asbestos/12c87a96be998db10048/optimized/full.pdf>

<sup>3</sup> EPA, "EPA strengthens regulation of asbestos to close loophole and protect consumers,"

<https://www.epa.gov/newsreleases/epa-strengthens-regulation-asbestos-close-loophole-and-protect-consumers>

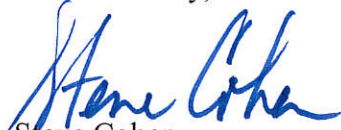
<sup>4</sup> National Cancer Institute, "Asbestos Exposure and Cancer Risk," <https://www.cancer.gov/about-cancer/causes-prevention/risk/substances/asbestos/asbestos-fact-sheet#q1>

As someone who has been closely affected by the loss of a close friend, singer-songwriter Warren Zevon, to mesothelioma, which is most commonly caused by asbestos exposure, I am acutely aware of the effects asbestos has on individuals, their families and friends.

To that end, I respectfully request information regarding why the EPA chose not to ban asbestos since your own agency has acknowledged that there are existing adequate alternatives. I would appreciate your prompt attention to this request, as too many lives have already been taken by this harmful carcinogen and your own agency has the authority to put a stop to these preventable deaths.

Please do not hesitate to contact Alex Schnelle in my office at 202-225-33265 or [alex.schnelle@mail.house.gov](mailto:alex.schnelle@mail.house.gov), if you have any questions related to this request.

Most sincerely,



Steve Cohen  
Member of Congress