



**Environmental Defense Fund**  
**Request for Public Disclosure of Relevant Analysis to Docket**  
**and an Extension of the Comment Period on**  
**TSCA Alternative Testing Methods Strategic Plan**  
**EPA-HQ-OPPT-2017-0559**  
**Submitted April 18, 2018**

Charlotte Bertrand  
Acting Principal Deputy Assistant Administrator  
Office of Chemical Safety and Pollution Prevention  
Via <http://www.regulations.gov> and electronic mail ([Bertrand.charlotte@Epa.gov](mailto:Bertrand.charlotte@Epa.gov))

Dear Ms. Bertrand:

EPA is currently accepting comments on its draft Strategic Plan to Promote the Development and Implementation of Alternative Test Methods. 83 Fed. Reg. 10,717 (March 12, 2018). EPA has stated that any comments on the draft Strategic Plan must be received by April 26, 2018. *Id.* I attended EPA’s public meeting about the draft Strategic Plan on April 10, 2018. At that meeting, Dr. Nancy Beck prominently highlighted an analysis that EPA had received from a stakeholder that she described as robust and extensive, and her description of the analysis suggested that it has or could significantly influence EPA’s consideration of the issues raised by the draft Strategic Plan. When asked if EPA would make this analysis available to the public, an EPA official stated that it would be made available. But the analysis has not yet been published to the docket.

On behalf of our members, supporters, and organization, EDF respectfully requests:

- 1) EPA publish a copy of the relevant analysis to the docket for the draft Strategic Plan.
- 2) EPA extend the public comment period by 30 days after it publishes the relevant analysis in the docket, given the apparently extensive nature of the analysis that will take substantial time to review and comment upon.

When providing an opportunity for notice-and-comment, agencies generally should provide an opportunity for the public to evaluate the technical studies and data upon which the agency relies. *See Am. Radio Relay League, Inc. v. FCC*, 524 F.3d 227, 236 (D.C. Cir. 2008). The requirement that agencies reveal key technical bases and data used to inform their decisions allows for “meaningful commentary” and a “genuine interchange.” *Id.* at 236-237. EDF recognizes that EPA is not pursuing a rulemaking here, but given the importance that EPA itself

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publicly attributed to the analysis it received from a stakeholder, EPA should provide the public with sufficient opportunity to review and comment on that analysis.

We appreciate your consideration of these requests, and we urge you to grant them to ensure the public has a full and fair opportunity to comment on these important issues.

Given the compressed time frame, we request a ruling on this extension request within three business days.

Respectfully submitted,



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