



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 25 2015

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms. Miyoko Sakashita
Oceans Director
Center for Biological Diversity
1212 Broadway, Suite 800
Oakland, CA 94612

Dr. Donn J. Viviani
4907 Yorktown Blvd
Arlington, VA 22207

Dear Ms. Sakashita and Dr. Viviani:

The U.S. Environmental Protection Agency is responding to the petition that was filed by the Center for Biological Diversity and Donn J. Viviani, Ph.D. on June 30, 2015, under section 21 of the Toxic Substances Control Act (TSCA). The petition asks the EPA to promulgate regulations pursuant to TSCA section 6 to protect “public health and the environment from the serious harms associated with anthropogenic emissions of carbon dioxide, including ocean acidification.” The petition alternately requests that the EPA “adopt a rule under section 4 of [TSCA] requiring manufacturers and processors responsible for the generation of carbon dioxide to undertake testing to determine toxicity, persistence, and other characteristics which affect health and the environment and are necessary to determine if there is an unreasonable risk of injury to health and the environment.”

The EPA has reviewed the information submitted as part of the petition. Based on this review and careful consideration of your specific request, the EPA is denying the petition. The reasons for the EPA's denial are set out in the enclosed, pre-publication copy of a notice that will be published in the Federal Register in a few days announcing the EPA's decision.

You have the right to appeal this denial by commencing a civil action in a U.S. district court to compel initiation of the requested rulemaking proceeding within 60 days of the date of this denial letter. If you would like to discuss this matter further, please contact Wendy Cleland-Hamnett, Director of the Office of Pollution Prevention and Toxics, at 202-564-3810.

Sincerely,

A handwritten signature in blue ink, appearing to read "James J. Jones".

James J. Jones
Assistant Administrator

Enclosure