

Comments in response to U.S. Environmental Protection Agency (EPA) “Petition To Delist Hazardous Air Pollutant (HAP): 2-Butoxyethyl Benzoate (2-BEB)”

Docket EPA-HQ-OAR-2024-0392

Submitted via [Regulations.gov](https://www.regulations.gov) and email [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov) on February 20, 2026

The below-signed organizations and individuals are writing **in strong opposition to EPA’s proposal to grant Dow Chemical’s petition to delist 2-Butoxyethyl Benzoate (2-BEB)** (Chemical Abstracts Service Registry Number (CAS RN) 5451-76-3) **from the glycol ethers category of EPA’s Hazardous Air Pollutant (HAP) list, and limiting public comment in the matter.** Ensuring that 2-BEB remains a HAPs listed chemical is essential for protecting public health and the environment, particularly for workers and environmental justice communities who live on the fenceline of chemical manufacturing and processing facilities are already disproportionately exposed to a cumulative mixture of this and other chemical and non-chemical stressors.

Congress spelled out a list of air pollutants with hazardous properties that required special attention by the EPA for harm that they could pose to the public. Since this time, only one chemical has ever been added to this list, and four have been removed.<sup>1</sup>

Few peer-reviewed independent studies have been conducted to understand the extent of 2-BEB’s toxicity to humans. What we do know, however, is that 2-BEB affects the respiratory system, produces skin and serious eye irritation, it’s quickly toxic when ingested and toxic to the blood.<sup>2</sup> EPA recognizes that as a volatile organic chemical, 2-BEB breaks down into carcinogens such as acetaldehyde and formaldehyde.<sup>3</sup> Notably, Dow Belgium stopped manufacturing and exporting 2-BEB in Europe.<sup>4</sup>

In September of 2019, Dow Chemical Company petitioned the EPA to remove 2-Butoxyethyl benzoate (2-BEB) from the glycol ethers category in the list of hazardous air pollutants (HAP) in Clean Air Act (CAA). After the EPA initially reviewed the company’s materials, the petition was considered incomplete. However, the company provided additional details, satisfying EPA’s

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<sup>1</sup> U.S. Environmental Protection Agency. Amendments to the List of Hazardous Air Pollutants (HAP) of Section 112(b) of the Clean Air Act (CAA). Retrieved February 7, 2026 from <https://www.epa.gov/haps/amendments-list-hazardous-air-pollutants-hap-section-112b-clean-air-act-cao>

<sup>2</sup> European Chemicals Agency (ECHA) Chemicals Database. Inactive REACH Dossier publication for 2-butoxyethyl benzoate, EC # 226-685-8, CAS # 5451-76-3. Retrieved February 7, 2026 from [https://chem.echa.europa.eu/100.024.259/dossier-view/3b9d6377-6996-4f3f-9d30-82e5da45f745/3cf9b390-0-31ab-4be9-9be0-96fd88c7bdf6\\_3cf9b390-31ab-4be9-9be0-96fd88c7bdf6](https://chem.echa.europa.eu/100.024.259/dossier-view/3b9d6377-6996-4f3f-9d30-82e5da45f745/3cf9b390-0-31ab-4be9-9be0-96fd88c7bdf6_3cf9b390-31ab-4be9-9be0-96fd88c7bdf6).

<sup>3</sup> Memorandum to Kelly Rimer, U.S. EPA, from James Hirtz, U.S. EPA regarding Atmospheric Transformation of 2-Butoxyethyl benzoate (2-BEB). Retrieved January 29, 2026 from <https://www.regulations.gov/document/EPA-HQ-OAR-2024-0392-0033>.

<sup>4</sup> European Chemicals Agency (ECHA) Chemicals Database for 2-butoxyethyl benzoate, EC # 226-685-8, CAS # 5451-76-3. Dossiers, REACH registrations. Retrieved February 12, 2026 from <https://chem.echa.europa.eu/100.024.259/overview?searchText=2-Butoxyethyl%20benzoate>.

criteria, including all available health and environmental effects data including comprehensive emissions data, and environmental impacts associated with emissions in the ambient air and environmental impacts associated with “cross-media transport of those emissions.” On August 13, 2021, EPA determined that Dow’s petition was officially complete.

After conducting a streamlined technical review without the benefit of additional public comment and data collection, EPA determined that “there is adequate data on the health and environmental effects of 2-BEB to determine that emissions, ambient concentrations, bioaccumulation, or deposition of 2-BEB may not reasonably be anticipated to cause adverse human health or environmental effects.”

Now, EPA is proposing to grant the petition to remove 2-BEB from the HAPs list, and to implement this new “streamlined” process of HAPs delisting petitions. And Dow is projecting a sales volume of 5 million pounds per year by 2028.

**We oppose delisting 2-BEB from the HAPs list for the following reasons:**

- Facilities are currently following their permits, but people are still getting sick from air pollution. Removing a chemical from the HAPs list will take data away from communities, with real world implications on their health. If it’s not on a HAPs list, it’s not going to be monitored, reported on, or otherwise sufficiently accounted for. More chemicals should be listed, not fewer.
- True solutions do not cause air pollution. EPA shouldn’t be wasting valuable time and sparse resources on Dow’s potential regrettable substitute. Dow should be developing alternatives that are not already deemed hazardous instead of simply attempting to remove them from a list of chemicals already considered hazardous.
- Data provided is insufficient for determining real world cumulative exposures, particularly in light of the Dow’s projected use of “about 5 million pounds a year by 2028.” We can’t afford more regrettable substitutions only to be found dangerous years later when more evidence comes to light. EPA should take a precautionary approach to protecting public health and the environment.
- EPA did not seek public comment or additional data that could have significantly informed their decision-making.<sup>5</sup> This is yet another example of how EPA and other federal agencies are bypassing notice-and-comment in regulatory decisions.<sup>6</sup>
- EPA’s assessment did not consider the real world and cumulative effects of chemical and non-chemical stressors in the areas where HAPs emissions are concentrated. The public does not know where 2-BEB currently is or will be manufactured and emitted. However, the toxicity of the air in areas where existing HAPs manufacturers exist is likely

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<sup>5</sup> See attachment.

<sup>6</sup> Minovi, Darya. (2025, September 9.) Access Denied: How the Trump Administration Is Eliminating Public Input. Union of Concerned Scientists, Center for Science and Democracy. Retrieved February 19, 2026 from <https://www.ucs.org/resources/access-denied>.

where 2-BEB would be made and emitted, and most of those are already above EPA's "acceptable" threshold for cancer risk, which is already far above our acceptable threshold of zero risk. Any additional chemical emissions – fugitive or permitted – only increases the actual health threat in these communities.

- The petition review relies far too heavily on industry authored data.
- Risk assessment studies provided with this petition insufficiently demonstrate a level of safety to human health and the environment that is acceptable.
- EPA accepts without question Dow's projected worst-case estimates that assumes only 0.11 tons per year (tpy) will be emitted into the air. This is difficult to verify considering there are no emissions currently being reported of 2BEB to the Toxic Release Inventory (TRI) or the National Emissions Inventory (NEI). Also, it is unclear to the public which, if any, emissions source categories (National Emissions Standards for Hazardous Air Pollutants, NESHAPs) apply to 2BEB.
- The systems that ensured the Agency's scientific integrity in decision-making processes like these have been dismantled by the Trump administration. This void advantages industry manufactured data over a more systematic and politically-insulated science.
- It's not clear to the general public whether or not "New" or "Novel Approach Methods" (NAMs) is being used in this petition process, but we believe that NAMs should only be used to show harm, not demonstrate safety.

We urge you to:

1. **Deny Dow Chemical's petition** to delist 2-Butoxyethyl Benzoate (2-BEB) from the Hazardous Air Pollutant (HAP) list,
2. **Abandon efforts to "streamline" processes** that advantages industry manufactured data by reducing public input, and
3. **Reinstate the public comment process** that informs the EPA's completeness and technical review processes.

Communities expect EPA to protect us from health-harming chemicals in our environment which is why EPA should be using valuable taxpayer dollars and stretching reduced Agency resources to *increase* the number of chemicals listed on the HAPs list, not removing them. We also **oppose** the amendment to the Code of Federal Register (CFR) that codifies the deletion of 2-BEB from the HAPs list and the Agency's elimination of the public comment process that informs the EPA's completeness and initial technical review of the chemical.

Signed,

Coming Clean

Environmental Justice Health Alliance for Chemical Policy Reform  
Alaska Community Action on Toxics (ACAT)  
Alliance of Nurses for Healthy Environments  
American Sustainable Business Network  
Center for Environmental Health  
Center for Food Safety  
Comunidades Aliadas Tomando Acción  
Darya Minovi, MPH  
Dr. Yolanda Whyte Pediatrics  
Farmworker Association of Florida  
Green Science Policy Institute  
Kristie Ellickson, PhD  
Marta Martin  
Moms for a Nontoxic New York (MNNY)  
National Resource Defense Council  
Pesticide Action and Agroecology Network  
PODER, Austin, TX  
RiSE4EJ, Kansas City MO/KS Midwest  
Ronald H White MST  
Ryan Johnson, Senior Researcher, Habitable  
Sasha Adams  
Sussex Health & Environmental Network  
Texas Environmental Justice Advocacy Services  
Until Justice Data Partners  
Western Broome Environmental Stakeholders Coalition

**Attachment**

EPA's PRE-2026 PROCESS for DELISTING PETITIONS	EPA's NEW "STREAMLINED" DELISTING PROCESS
1) EPA determines if the petition is considered complete	Same
2) Once complete, EPA publishes a notice to the public in the Federal Register (FR) that EPA received a complete petition and that they are <b>seeking public comment and data to inform EPA's technical review</b>	EPA informs the petitioner directly by letter that they have received the complete petition; <b><u>No public comment is sought at this step</u></b> ; Complete petition advances to technical review
3) EPA begins technical review - includes company provided data as well as <b>includes comments and data received during a public comment period</b> for the notice of receipt of completed petition.	EPA completes technical review <b><u>without consideration of public comment and data</u></b> at this step
4) EPA publishes written explanation for basis to grant or deny in FR <b>and</b> proposes language that codifies deletion of the chemical from the HAPs list (if it meets statutory test); EPA holds " <b>opportunity for comment and review of comments</b> " <b>after the technical review is complete</b>	Same
5) Whether granted or denied, EPA publishes their final action in FR and codifies hazardous substance list deletion	Same