

United States Senate

WASHINGTON, DC 20510

May 21, 2026

The Honorable Lee M. Zeldin
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20004

Dear Administrator Zeldin,

On April 1, 2026, the Environmental Protection Agency (EPA) took a positive first step to begin the process of considering the addition of microplastics to its sixth Contaminant Candidate List (CCL). We are encouraged by this action and urge EPA to robustly evaluate microplastics in its consideration of any new regulations under the Safe Drinking Water Act (SDWA). However, in order to best address the human health concerns of microplastics, we encourage EPA to use its existing authorities to address the full lifecycle of plastic pollution. With compounding health concerns around microplastics in our environment, now is the time for your agency to make meaningful changes to protect American citizens.

The Make America Healthy Again (MAHA) Commission's May 2025 report included an article highlighting the concentration of microplastics found in Americans' brain tissue increased by 50% between 2016-2024 in addition to other studies that found exposure to chemicals in plastics, including endocrine-disruptors, may be causing a series of health issues for the American public.^{1,2} As you develop the EPA's MAHA strategy, we strongly encourage you to consider further actions within EPA's statutory authorities to reduce human exposure to microplastics and nanoplastics (MNPs). EPA has been tasked with protecting human and environmental health, and has the authority to take the below actions:

- Add micro- and nanoplastics (MNPs) to the Unregulated Contaminant Monitoring Rule (UCMR) to require public water systems to collect data on microplastics, as called for by seven governors to date.³
- Require an independent scientific body within EPA to understand and establish a baseline of the unique public health and environmental impacts of environmental contaminants, including MNPs;
- Review permits for existing or proposed expansions of petrochemical facilities for harmful emissions or discharges from the production of plastics under relevant regulatory

¹ Nihart, A. J., Garcia, M. A., El Hayek, E., Liu, R., Olewine, M., Kingston, J. D., et al. (2025). Bioaccumulation of microplastics in decedent human brains. *Nature Medicine*, 31(4), 1114–1119. <https://doi.org/10.1038/s41591-024-03453-1>.

² The White House. (2025). *The Make America Healthy Again Report*. <https://www.whitehouse.gov/wp-content/uploads/2025/05/MAHA-Report-The-White-House.pdf> pg. 43

³ States of New Jersey, Delaware, Illinois, Maryland, Michigan, Wisconsin, and Connecticut. (2025). *Request of the Governors of New Jersey, Delaware, Illinois, Maryland, Michigan, Wisconsin, and Connecticut under 42 U.S.C. § 300j-4(a)(2)(B)(ii) that EPA Include Microplastics in the Forthcoming Unregulated Contaminant Monitoring Rule 6 List*. https://d31hzhk6di2h5.cloudfront.net/20251126/24/85/ad/24/77a93608fa1b601e94b31756/Microplastics_Petition.pdf

frameworks including the Clean Air Act and Clean Water Act. We further encourage EPA to increase its enforcement actions for petrochemical facilities that are not currently complying with the law;

- Prioritize reducing the public health harms of MNPs by prioritizing harmful additives or ingredients in plastic materials for review under the Toxic Substances Control Act;
- To the extent existing waste management grant programs are funded, EPA should support the robust implementation of programs authorized under the bipartisan Save Our Seas 2.0 Act and Infrastructure Investment and Jobs Act to local governments and public water systems to support post-consumer waste management by removing plastic waste from drinking water, wastewater, surface water, and land. In addition to mechanical recycling as a solution for post-consumer waste management EPA should prioritize grant awards and program implementation that emphasizes the waste hierarchy, including by prioritizing solutions that reduce plastic like reuse or refill;
- Uphold and enforce responsibilities under the Clean Water Act to prevent plastic discharge into our nation's waterways, including nurdles and expand the use of Clean Water Act authorities to establish conditions related to plastics for the National Pollutant Discharge Elimination System permits, require states to perform plastic assessments to understand where listings make the most sense for water impacted by plastic, develop Total Maximum Daily Load levels for plastics, develop water quality criteria to inform surface water quality standards for plastic materials, establish drinking water standards for MNPs, establish effluent limitation guidelines for MNPs, establish pretreatment standards for wastewater, and publish guidance on the inclusion of plastic in state nonpoint source management plans;
- Utilize authorities under the Resource Conservation and Recovery Act to support development, demonstration and deployment of technologies that mechanically capture plastic waste or prevent micro/nanoplastics from entering our environment and subsequently, human bodies;
- Establish guidelines, test methods, and standards for the detection of additives and contaminants used to make plastic products such as phthalates, in our drinking water, wastewater, and surface water to ensure protection of human health;
- Continue working to increase public understanding of the impacts of plastic pollution on human health to identify locally appropriate solutions in coordination with interagency partners including the Department of Health and Human Services;
- Develop consistent and accessible maps of existing and proposed plastic production facilities and data on what hazardous air pollutants frontline communities may be exposed to;
- Build upon existing escaped trash risk maps to develop a Plastic Pollution Mapping Tool that utilizes existing modeling data, such as those that are collected under the National Emission Standards for Hazardous Air Pollutants, in a format that is easily accessible and digestible for community transparency;
- Withdraw the proposed rulemaking that would exempt pyrolysis combustion units from the federal waste incineration standards under Clean Air Act Section 129, which would only increase hazardous air pollution in communities nationwide and result in more plastic pollution;
- Work with interagency partners, including but not limited to the National Oceanic and Atmospheric Administration, to develop metrics and indicators to measure progress in

reducing plastic, and therefore MNPs, in waterways and the ocean using a standardized approach for data comparison;

- Coordinate with interagency partners to support research, development, and implementation of technologies addressing important pathways through which MNPs are released into the environment, such as microfiber filtration on washing machines or technologies to filter MNPs out of our water systems; and
- Encourage voluntary commitments from the private sector to explore alternatives to single-use packaging.

We ask for a detailed statement from your office on the steps that your agency is taking on each of the above points, including an update on EPA's progression on developing a health-based definition of microplastics and whether the agency has finalized an analytical methodology to measure microplastics, by no later than June 3, 2026.

Sincerely,



Jeffrey A. Merkley
Ranking Member
Senate Environment and
Public Works Subcommittee
on Chemical Safety, Waste
Management, Environmental
Justice, and Regulatory
Oversight



Kirsten Gillibrand
United States Senator



Alex Padilla
United States Senator



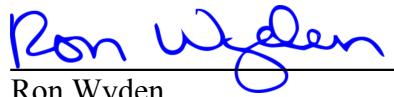
Peter Welch
United States Senator



Sheldon Whitehouse
United States Senator
Ranking Member
Committee on Environment
and Public Works



Richard Blumenthal
United States Senator



Ron Wyden
United States Senator



Cory A. Booker
United States Senator