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PRE-PANEL OUTREACH MEETING HELD FOR EPA'S RULEMAKING ON METHYLENE CHLORIDE AND NMP

On March 17th, EPA held a pre-panel outreach meeting with representatives selected to serve on a Small Business Advocacy Review Panel (SBAR) for EPA's rulemaking for methylene chloride and n-Methpyrrolidone (NMP) under Section 6 of the Toxic Substances Control Act. Panel members, which included two of HSIA's associate member companies, were asked to provide advice and recommendations to the Panel on options the EPA may consider that would minimize the rule's impact on small businesses. At the meeting, EPA indicated that it is considering restricting the sales of methylene chloride paint strippers in containers smaller than 55 gallon drums, which would effectively eliminate retail sales and create a financial burden for formulators. EPA also indicated that it is considering a 0.25 ppm exposure limit which is surprising in light of the OSHA PEL of 25 ppm which has been in effect since 1997. EPA has extended the comment period for SBAR participants to April 6th and HSIA has liaised with each of the formulators regarding their comments.

EPA RESPONDS TO HSIA'S REQUEST FOR RECONSIDERATION OF ITS DENIAL FOR CORRECTION OF THE TRICHLOROETHYLENE IRIS ASSESSMENT

As reported in an earlier *Solvents News*, EPA turned down HSIA's Request for Correction of the trichloroethylene IRIS assessment based on its reliance on the Johnson *et al.* study. HSIA submitted a Request to Reconsideration, which was denied by EPA on February 26th. HSIA also submitted a Request for Correction of the TSCA Work Plan assessment of trichloroethylene, and EPA has indicated that it will respond by June 16, 2016.

EPA ISSUES A SIGNIFICANT NEW USE RULE (SNUR) FOR NEW CONSUMER USES OF TRICHLOROETHYLENE

On April 6th, EPA issued a Significant New Use Rule (SNUR) requiring that anyone who wants to manufacture, import or process trichloroethylene for consumer uses not identified (those identified include use of TCE in cleaners and solvent degreasers, film cleaners, hoof polishes, lubricants, mirror edge sealants, and pepper spray) must report the new use to EPA at least 90 days before doing so. The SNUR will be effective 60 days after the date of publication in the *Federal Register*. EPA also announced that the sole manufacturer of a fixative product using TCE has voluntarily withdrawn from the market.

STATES QUESTION EPA REGION 9'S USE OF A CONTESTED TRICHLOROETHYLENE RISK LEVEL

On March 9th, Indiana became one of the first states to publicly question the use of a very low risk level for trichloroethylene calling it "not scientifically supportable" and asking for a more flexible approach. HSIA has long disputed the scientific validity of EPA using a flawed and unreproducible study (Johnson *et al.*) to support a Reference Concentration of 2 micrograms per cubic meter.

HSIA FILES COMMENTS ON OEHHA'S DRAFT INHALATION POTENCY FACTOR FOR PERCHLOROETHYLENE

California's OEHHA recently sought comment on a new potency factor for perchloroethylene. OEHHA has historically used a potency factor much higher than EPA's. While the new value is little changed, HSIA commented to ensure that the National Academy of Sciences peer review recommendations, which were accepted by EPA, were not ignored. HSIA's comments can be found at www.hsia.org

