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SOLVENTS NEWS YOU CAN USE

FIRST QUARTER 2017

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EPA REQUESTS COMMENTS ON THE FIRST TEN CHEMICALS UNDER TSCA REVIEW

On December 19, 2016, EPA published a list of the first ten chemicals it will evaluate for potential risks under the newly passed Frank R. Lautenberg Chemical Safety Act for the 21st Century Act. Under the new law, EPA must release a scoping document within six months for each chemical including hazards, exposures, conditions of use, potentially exposed populations and the Agency's plans for evaluation. Further, EPA must complete the risk evaluations within three years and plans to mitigate the identified risks must be identified within two years after that. All three of HSIA's mission chemicals – perchloroethylene, trichloroethylene, and methylene chloride – are on the list. HSIA met with EPA staff in January 2017 to discuss the range of conditions of use of chlorinated solvents and subsequently attended a February 14th stakeholder session held by EPA. EPA requested comments on the circumstances in which the ten chemicals were being used, intended to be used, or foreseen to be manufactured, distributed or disposed of in commerce. HSIA filed comments on perchloroethylene, trichloroethylene, methylene chloride and carbon tetrachloride on March 15th. Our comments can be viewed at www.hsia.org

HSIA FILES COMMENTS ON EPA'S TSCA SECTION 6 PROPOSED BAN OF TRICHLOROETHYLENE

On March 16th, HSIA filed comments on EPA's proposed rule to prohibit the use of trichloroethylene in aerosol degreasers and in spot cleaning by dry cleaners. The Dry Cleaning and Laundry Institute and the National Cleaners Association filed supporting comments pointing out that EPA did not conduct a small business review of the proposed rule despite the fact that almost all dry cleaning establishments are small businesses, and therefore did not adequately assess the economic impact of the proposed rule. EPA representatives and HSIA's counsel at Squire Patton Boggs spoke at a recent Small Business Administration Roundtable on the proposed rule.

COMMENTS ARE DUE BY APRIL 19TH ON TWO OTHER PROPOSED TSCA SECTION 6 PROPOSED RULEMAKINGS

Comments are due to EPA on the proposed rule restricting the use of trichloroethylene in vapor degreasing and the proposed rule to restrict the use of methylene chloride in paint stripping applications. HSIA has requested extensions of the comments deadlines to August 17, but will be filing comments by the due date of April 19th if the extensions are not granted. We encourage you to also submit comments for the record through www.regulations.gov. The docket for TCE in vapor degreasing is EPA-HQ-OPPT-2016-0387 and the docket for methylene chloride is EPA-HQ-OPPT-2016-0231. EPA is planning a workshop in the spring to hear from furniture refinishers about their concerns with restrictions on the use of methylene chloride, as they have been unable to find an acceptable substitute.

DTSC MOVING FORWARD WITH PLANS TO LIST METHYLENE CHLORIDE AS A PRIORITY PRODUCT

HSIA spoke with California's Department of Toxic Substances Control recently and learned they are moving forward with their plans to list methylene chloride paint strippers as a priority product under the Safer Consumer Products Law. They told HSIA they expect to propose to list the product in late summer or early fall, with a 45 day comment period. The process of evaluating the comments and adopting a final rule is expected to take at least nine months. HSIA is prepared to move forward with an alternatives assessment, as required by the law, at the appropriate time.

