



# HSIA

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# SOLVENTS NEWS YOU CAN USE

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### **HSIA MEETS WITH OMB ON EPA'S ROPOSED RULES ON TRICHLOROETHYLENE AND METHYLENE CLORIDE**

In August, EPA sent for OMB clearance a proposed rule to restrict use of TCE by dry cleaners as a spotting agent and in consumer aerosol spray degreasers. HSIA and the National Cleaners Association (NCA) were granted an EO 12866 meeting (twice, as OMB failed the first time to notify EPA and the Small Business Administration (SBA)) to present our concerns. Among other points, NCA presented data showing a significant economic impact on a substantial number of small entities, meaning that EPA should not have been able to make the required certification under the Regulatory Flexibility Act. However, after clearing OMB on December 6th, EPA signed the proposed rule – the first such rulemaking in 25 years. The proposal was published on December 16, and the comment deadline is February 14, 2017.

In September, EPA sent for OMB clearance a proposal to regulate the use of TCE in vapor degreasers. As part of a Small Business Advocacy Review in June, several of HSIA's associate members questioned EPA's pursuit of this rule faulting the Agency's risk assessment, its lack of understanding of the current uses and exposures, and its infringement on areas that are the jurisdiction of OSHA. HSIA requested and was granted an EO 12866 meeting to discuss the proposal. HSIA Associate Member Dave Crandell of Parts Cleaning Technologies joined us at the meeting. It is expected that this proposal will also clear OMB by the end of the year.

In October, as anticipated, EPA sent for OMB clearance a proposal to regulate the use of methylene chloride in paint strippers. HSIA requested and was granted an EO 12866 meeting with OMB to discuss the proposal. Mark Monique, CEO of Savogran, a formulator of such products, joined HSIA at the meeting to express the strong opposition of small businesses to the proposed restrictions. This proposal is also likely to clear OMB before the change in Administration.

All three of HSIA's presentations to OMB can be found at [www.hsia.org](http://www.hsia.org)

### **EPA NAMES THE FIRST TEN CHEMICALS FOR REVIEW UNDER THE NEW TSCA LEGISLATION**

On December 19th, EPA published a list of the first ten chemicals it will evaluate for potential risks under the newly passed Frank 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 are on the list – perchloroethylene, trichloroethylene, and methylene chloride - as well as carbon tetrachloride and n-propyl bromide. EPA recently contacted HSIA with a request to meet in January 2017 to discuss the range of chlorinated solvents and the conditions of their use.

### **VAPOR INTRUSION ADDED TO THE SUPERFUND HAZARD RANKING CRITERIA**

An EPA rule to add vapor intrusion as a contaminant pathway to the Superfund Hazard Ranking System was sent to and cleared by OMB and EPA is expected to issue the rule by January 2017. While EPA stated that it did not expect the rule to result in an increase in sites being added to the National Priority List, Massachusetts has already announced it will be taking another look at 200 TCE sites to determine if they need to be reopened. States such as California, New Jersey and Ohio have all issued final vapor intrusion guidance to date.

### **HSIA FILES COMMENTS ON NEW YORK'S STATE PROPOSAL TO BAN PERCHLOROETHYLENE IN DRY CLEANING**

HSIA appeared at a public meeting and met with staff members of the New York Department of Environmental Conservation in Albany, New York on October 27th regarding their proposed changes to regulations governing perc dry cleaning facilities. The National Cleaners Association and HSIA expressed strong opposition to the proposal and filed written comments on December 7th. A copy of the HSIA comments can be found at [www.hsia.org](http://www.hsia.org)

