HSIA
halogenated
solvents
industry
alliance, inc.

March 15, 2017

U.S. Environmental Protection Agency
Docket Center
WJC West Building, Room 3334
1301 Constitution Avenue, N.W.
Washington, DC 20004

Re: Docket No. EPA-HQ-OPPT-2016-0733

Dear Sirs:

The Halogenated Solvents Industry Alliance, Inc. (HSIA) represents producers, distributors, and users of carbon tetrachloride. We offer these comments in response to EPA's Risk Evaluation Scoping Efforts under TSCA and specifically as they relate to the circumstances in which carbon tetrachloride is intended to be used, known to be used, or foreseen to be manufactured, distributed or disposed of in commerce.

Overview

Carbon tetrachloride does not occur naturally and its use is restricted to non-dispersive industrial applications. The use of carbon tetrachloride in consumer products has been banned for many years by the Consumer Product Safety Commission (CPSC) under the Federal Hazardous Substances Act (16 CFR 1500.17). The Occupational Safety and Health Administration (OHSA) has set a limit of 10 parts per million for carbon tetrachloride in workplace air as an 8-hour time-weighted average. Prior to implementation of the Montreal Protocol on Substances That Deplete the Ozone Layer, large quantities of carbon tetrachloride were used to produce the refrigerants R-11 (trichlorofluoromethane) and R-12 (dichlorodifluoromethane). These refrigerants have been phased out, as has the manufacture of carbon tetrachloride for anything other than use as a feedstock or process agent, on the basis that the material is "used and entirely consumed" in such applications. *See* 40 C.F.R. § 82.3(w), defining production as "the manufacture of a substance from any raw material or feedstock chemical, but does not include: (1) The manufacture of a substance that is used and entirely consumed (except for trace quantities) in the manufacture of other chemicals or (2) The reuse or recycling of a substance."

Uses of Carbon Tetrachloride

Carbon tetrachloride is now used primarily as a feedstock for the production of refrigerants. It is used as a processing agent and for chlorine recovery by tail gas absorption in chlor-alkali production. It is also used as a feedstock for perchloroethylene and agricultural chemicals. A very small amount of carbon tetrachloride is used in laboratories under the Analytical Use Exemption for Essential Class I Ozone-Depleting Substances. Carbon tetrachloride is only

loaded in bulk and shipped directly to feedstock customers with the exception of a very limited number of drums for the exempted analytical use.

Prior uses as propellants in aerosol cans, as a pesticide, as a cleaning fluid and degreasing agent, in fire extinguishers, and in spot removers have long been eliminated on the basis of toxicity.

Feedstock Use of Carbon Tetrachloride

Carbon tetrachloride is used primarily as a feedstock for the production of flrorocarbons, perchloroethylene and agricultural chemicals. Carbon tetrachloride is essential to the manufacture of certain fluorocarbons, including hydrofluoroolefins (HFOs), used in refrigeration, automotive, household and industrial air conditioning, and as propellants and blowing agents for various types of foams.

The vast majority of carbon tetrachloride is only loaded in bulk and shipped directly to feedstock customers, all of whom operate large integrated chemical manufacturing operations.

HSIA strongly suggests that EPA build on the concepts from two regulatory frameworks, REACH and the Montreal Protocol on Substances That Deplete the Ozone Layer, which both provide exemptions for reporting on feedstock and intermediate uses, and use their flexibility in the scoping process to provide definitions for feedstock and intermediate uses and exclude them from risk evaluation.

Under the EU's REACH law, exemptions are made for feedstock and intermediate uses in two ways. Hazard data requirements are reduced and there is no requirement to document the safety assessment as there is for regular substances. In order to qualify, the manufacturer needs to have written confirmation from its customer that the substance is being used as an intermediate or feedstock under strictly controlled conditions as defined in the regulation. The rationale behind these exemptions is that the strict control of exposure and release and the oversight of the process by trained professionals allows a focus on areas where there is a potential for exposure.

In addition, under the Montreal Protocol substances produced and converted into another substance are not considered in the inventory for produced volume. This is reflected in EPA's summary of its regulations implementing the Montreal Protocol: "Feedstock EPA regulations exempt controlled substances used for feedstock purposes from the requirements. No allowances are needed when producing or importing these substances for feedstock use."

Product Stewardship and Carbon Tetrachloride

The manufacturers and users of carbon tetrachloride provide their employees and customers Safety Data Sheets that warn of its hazards if used improperly.

Other Resources

HSIA would like to suggest that EPA consult a very valuable resource with information on supply, demand, and markets for the chlorinated solvents. We learned that EPA does have a subscription to this service – IHS Markit. You may want to contact the IHS Markit Director of Specialty Chemical Consulting, Ray Will, at ray.will@ihsmarkit.com for assistance in using these data.

We appreciate the opportunity to submit these comments and look forward to working with EPA on the path forward in implementing the Lautenberg Act.

Respectfully submitted,

Faye Graul
Executive Director