



halogenated
solvents
industry
alliance, inc.

March 15, 2017

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

Re: Docket No. EPA-HQ-2016-0737

Dear Sirs:

The Halogenated Solvents Industry Alliance, Inc. (HSIA) represents producers, distributors, and users of trichloroethylene or TCE. 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 trichloroethylene is used, intended to be used, or foreseen to be manufactured, distributed or disposed of in commerce.

HSIA notes at the outset that important uses of TCE are the subject of proposed rules that would largely ban its use in certain applications. 81 Fed. Reg. 91592 (Dec. 16, 2016) (spot cleaning in dry cleaning facilities and aerosol degreasing); 82 Fed. Reg. 7432 (Jan. 19, 2017) (vapor degreasing). The first of these rulemakings failed to comply with the Small Business Regulatory Enforcement Fairness Act as it was not the subject of a Small Business Advisory Review; both are outside the scope of the risk assessment on which they are based in violation of TSCA § 26(l)(4). The deficiencies of the underlying risk assessment have been the subject of a Small Business Advisory Review on June 15, 2016 and EO 12866 meetings at the Office of Management & Budget on September 15 and October 3, 2016, and will be the subject of voluminous comment. **We also urge EPA to take steps now to include a review of these uses as part of the current scoping exercise, so that any future regulation of TCE in spot cleaning in dry cleaning facilities, aerosol degreasing, or vapor degreasing will be based on a risk assessment in compliance with TSCA §§ 6 and 26.**

Overview

Trichloroethylene is a chlorinated solvent that is used extensively in vapor degreasing, metal fabrication, metal cleaning, as a chain transfer agent in the production of polyvinyl chloride, as a feedstock in the manufacture of refrigerants, and to flush out reservoirs and piping for liquid oxygen and liquid hydrogen tanks.

Trichloroethylene is one of the most regulated chemicals in the United States. The Occupational Safety and Health Administration (OSHA) and the American Conference of Governmental Industrial Hygienists (ACGIH) have established or recommended occupational airborne

exposure limits for trichloroethylene. The OSHA Permissible Exposure Limit (PEL) is an 8-hour weighted average (TWA) of 100 ppm. The ACGIH currently recommends a Threshold Limit Value (TLV) of 10 ppm for an 8-hour Time Weighted Average and 25 ppm for a 15-minute short term exposure limit.

Uses of Trichloroethylene

Vapor Degreasing – Trichloroethylene is used primarily for vapor degreasing, which includes critical cleaning while fabricating, finishing or assembling parts made of zinc, aluminum, brass, bronze, and steel. Industries such as automotive, aerospace and house appliance manufacturers use vapor degreasing to remove soil and metal chips that occur during fabrication.

Adhesives and Coatings – Trichloroethylene is used by the coatings and adhesives industries in the manufacture of adhesives, rubber cements, epoxies, caulks, and adhesive and sealant removers.

Feedstock Use – Trichloroethylene is essential in the manufacture of fluorocarbon refrigerants, most notably HFC-134a. These are used in refrigeration and automotive, household, and industrial air conditioning.

Aerospace Use – Trichloroethylene is used by the aerospace industry to flush out reservoirs and for piping for liquid oxygen and liquid hydrogen tanks.

Metals Cleaning – Trichloroethylene is the primary cleaning solvent for aluminum sheet and strip steel prior to galvanizing. TCE is used because it cleans more thoroughly and several times faster than alkaline cleaners and requires smaller equipment that consumes less energy.

Chemical Processing – Trichloroethylene is critical to the chemical processing industry. It is used in manufacturing photographic and x-ray films, in plastics manufacturing, in ink processing and in agricultural chemicals, among others.

Product Stewardship and Trichloroethylene

Producers and users of trichloroethylene are committed to its continued safe use. Good industrial hygiene practices and the use of personal protective equipment, combined with proper training and environmental, health and safety practices all contribute to safety in the workplace. In the event of an environmental release, containment programs are in place. Many aspects of dealing with a release or spill are now mandated by federal, state and local requirements. Trichloroethylene is not sold directly to consumers but may be an ingredient in some consumer products.

Industrial Hygiene

The manufacturers and users of trichloroethylene have a long history of focusing on industrial hygiene as evidenced by extensive personnel monitoring samples collected over many years. One manufacturer has collected more than 50,000 personnel monitoring samples since the late 1970s. With regards to trichloroethylene, that same manufacturer has collected 2,973 samples to

date with 99.87% of the results below the OSHA Permissible Exposure Limit (PEL). In the last 15 years, there has only been a single result above the PEL.

REACH and Trichloroethylene

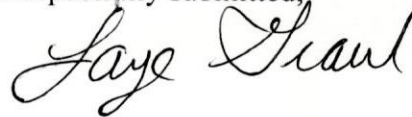
Under European REACH regulations, manufacturers assess the exposure and risks of substances as part of its registration dossier. One member company reports that its German subsidiary holds an application for authorization under REACH for five uses of trichloroethylene. This application was supported by detailed assessments that demonstrated that the process involving trichloroethylene cannot be replaced by other solutions, the socio-economic benefits of the continued use of TCE, and the exposure and risks related to these uses.

Other Resources

HSIA would like to suggest that EPA consult a very valuable resource with information on the supply, demand, markets and trade of chlorinated solvents. We learned that EPA does have a subscription to this service – IHS Markit. You may want to contact the HIS 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