

UPDATE

HALOGENATED SOLVENTS INDUSTRY ALLIANCE

December
2008

LEGISLATIVE AND REGULATORY NEWS FOR THE SOLVENTS INDUSTRY

Best wishes for a happy and healthy new year

EPA Extends Degreasing Comment Deadline

The US Environmental Protection Agency (EPA) has extended the comment period on its proposal to reconsider amendments to the national emissions standards for halogenated solvent cleaning (degreasing) using the chlorinated solvents promulgated in May 2007. As a result, the deadline for comment is now February 4.

The May 2007 amendments establish an annual facility-wide emission limit of 60,000 kilograms (kg) of methylene chloride-equivalents (MCEs) for general degreasing operations and a 100,000 kg MCE limit for military maintenance and depot facilities. The amendments also exempt facilities involved in narrow tube manufacture, aerospace manufacture & maintenance, and those operations using web cleaning machines from the facility-wide limits. The requirements of the regulation are summarized in the May/June 2007 *Solvents Update* and on EPA's web site. (According to the promulgated standard, 60,000 kg MCEs equals 60,000 kg/yr of methylene chloride, 14,100 kg/yr of trichloroethylene, or 4,800 kg/yr perchloroethylene.)

In response to objections raised by environmental groups and the Pennsylvania Department of Environmental Protection about the exemptions for narrow tube, aerospace, and web cleaning, EPA issued a notice in October 2008 requesting comment on the following three options for revising the regulation -

- option 1** no change to the May 2007 amendments (i.e., the exemptions would remain in place)
- option 2** require narrow tube manufacturers to meet the same facility-wide limit as general degreasing operations (60,000 MCEs); aerospace and web cleaning companies would continue to be exempt
- option 3** require narrow tube manufacturers to meet 60,000 MCEs, aerospace manufacture to meet 100,000 MCEs, and require web cleaners that exceed 60,000 kg MCEs to achieve 80 percent overall control efficiency.

The October 2008 notice also suggests that EPA will consider variations on options 2 & 3. By including a control efficiency, rather than an absolute limit, Option 3 is closer to the approach HSIA had suggested to EPA in amending the standard.

EPA appears to base much of its rationale for Options 2 & 3 on the possibility of a switch to n-propyl bromide (nPB) as a cleaning solvent in some applications. The October 2008 notice does not include a discussion of recent reports from the Centers for Disease Control (CDC) on occupational exposure to nPB (see page 2).

CDC Issues nPB Warning

The National Institute for Occupational Safety and Health (NIOSH) recently released a report regarding possible neurologic illness associated with occupational exposure to n-propyl bromide (nPB, or 1-bromopropane). The cases, when coupled with previous reports of “severe neurologic illnesses” in workers exposed to nPB, “illustrate the potential health risk to [nPB] exposures” according to NIOSH’s report in the CDC’s *Morbidity and Mortality Weekly Report* of December 5.

The NIOSH report describes two cases involving workers exposed to nPB in the electronics and drycleaning industries and diagnosed with clinical manifestations of neurotoxicity. The cases were reported to regional poison control centers in Pennsylvania (2007) and New Jersey (2008) by attending physicians who treated the affected workers and were investigated by federal and state health agencies. In one of the cases the neurologic effects persisted 1 year after the initial visit.

The report notes that, while CDC does not have a recommended exposure limit for nPB, manufacturers and professional organizations, such as the American Conference of Governmental Industrial Hygienists, have recommended occupational exposure limits as low as 10 ppm as an 8-hour time-weighted average. NIOSH also notes that, on the basis of limited exposure and human health effects data, the National Toxicology Program has concluded that exposure to 1-BP is toxic to the developmental and reproductive health of animals. As a result, NIOSH recommends that effective control methods to limit exposure to 1-BP should be implemented at worksites.

New Jersey Drycleaning Proposal On Hold

After several months of negotiations between the New Jersey Department of Environmental Protection (NJDEP) and industry representatives, NJDEP has agreed not to phase out perchloroethylene drycleaning as the Department proposed in December 2007. Instead, NJDEP is expected to propose a new regulation in the first quarter of 2009 that would require cleaners to upgrade to fourth generation equipment or better, accelerate the phase out of perchloroethylene cleaners in co-residential buildings, and impose ventilation requirements on other co-located cleaners.

NJDEP also plans to make money available to co-residential cleaners, and perhaps other cleaners significantly impacted by the new regulations, to invest in wetcleaning technology. The Department has verbally agreed not to require that cleaners eliminate solvent cleaning to be eligible for this funding.

NJDEP has adopted consumer product regulations, also proposed in late 2007. The new regulations phase out the use of perchloroethylene in aerosol automotive products. HSIA and aerosol manufacturers had objected to the phase out.



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