



EPA Proposes Use Restrictions on TCE

02.06.2017

EPA is proposing significant use restrictions and recordkeeping requirements on those facilities using or distributing trichloroethylene (TCE), a widely used industrial solvent. The agency proposed two rules in a month's time in response to what EPA says are "significant health risks" associated with the use of TCE. The first proposed rule would ban the use of TCE in aerosol degreasing and in spot cleaning at dry cleaning facilities. The second proposed rule would ban the use of TCE in vapor degreasing, something that would affect a wide-variety of industries and machine shops. Public comments are being accepted on the first proposed rule through February 14, 2017 and on the second proposed rule through March 20, 2017.

The proposed rules have been promulgated under the Toxic Substances Control Act, and any facilities involved in the manufacture (including import), processing, distribution in commerce, or use of TCE are covered. Specific restrictions in the proposed rule include prohibitions on the manufacture, processing, distribution, and use of TCE in aerosol degreasing products, spot cleaning at dry cleaning facilities and vapor degreasing. These prohibitions would become effective six to nine months after the effective date of the final rules.

Moreover, manufacturers, processors, and distributors (but not retailers of TCE) would be subject to notification and recordkeeping requirements. As proposed, covered facilities would have to "notify companies to whom TCE is shipped, in writing, of the [use] restrictions" and maintain records for two years of the customers receiving TCE products, the amounts shipped, and all downstream notifications made. This requirement would begin forty-five days after the respective effective dates of the final rules.

81 Fed. Reg. 91592 (Dec. 16, 2016).

82 Fed. Reg. 7432 (Jan. 19, 2017).

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