EPA Denies Petition to Remove EGBE From List of TRI Form R Chemicals

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Ethylene glycol monobutyl ether (EGBE) is a solvent used primarily in the production of paints, coatings, and metal and household cleaners. It's also used in the production of other chemicals. Facilities that manufacture, process, or otherwise use EGBE above reporting thresholds within a calendar year are required to file an annual Form R report under the Emergency Planning and Community Right-to-Know Act (EPCRA) disclosing their permitted and unpermitted releases of EGBE to the environment.

EPCRA authorizes EPA to add and delete chemicals from the list of chemicals subject to Form R reporting. Last December, the American Chemistry Council (ACC) petitioned EPA to remove EGBE from the list on the grounds that available scientific data shows EGBE poses low potential hazards to human health and the environment. Among other things, ACC pointed out that EPA removed EGBE from the Clean Air Act's list of Hazardous Air Pollutants in 2004. In doing so, EPA said then that there is a "reasonable assurance" any potential adverse human health and environmental effects "will not occur" from EGBE facility releases (68 FR 65660). EPA said it was able to conclude "with confidence" that releases of EGBE would "not reasonably be anticipated to cause any adverse effects…."

Despite this prior action under the Clean Air Act, EPA denied the petition. ACC had argued the agency should take into account more realistic assumptions about exposure levels and the fate and transport of EGBE in environmental media. Instead, EPA focused only on EGBE's toxicity. The Notice announcing the denial said:

This denial is based on EPA's conclusion that EGBE can reasonably be anticipated to cause serious or irreversible chronic health effects in humans….*While EPA acknowledges that there is evidence to indicate that humans are less sensitive than rodents to the hematological effects associated with acute or short term exposure to EGBE, little is known of the long-term or repeated exposure responses in humans to EGBE.*

(Emphasis Added.)

The greatest concern over EPA's action is not necessarily its decision to deny the petition, but its refusal to investigate ACC's claims. ACC's delisting petition was incredibly detailed and full of scientific information. Ultimately, EPA's decision not to conduct the exposure assessments necessary to verify

ACC’s claims was a decision not to do the work required to properly assess the effects of EGBE.

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