



Polytopics

Quarter 4 - 2009

In this issue:

EPA Proposes to Reclassify Trichlorethylene..... 1, 5

Katz Assumes PMA President Position2

Executive Director's Msg4

2010 Annual Meeting Preliminary Schedule5

IRA Distributions.....6

Regulatory Ramblings.....7-11

Going Light Green..... 8

Certification Levels..... 11

PMA Member News..... 12

EPA Proposes to Reclassify the Cancer Designation for Trichlorethylene ("TCE")

by Donald P. Gallo, Esq., P.E., Reinhart Boerner Van Deuren s.c.

In October 2009, the Environmental Protection Agency (EPA) prepared the draft report (EPA/635/R-09/011A) entitled *Toxicological Review of Trichloroethylene in Support of Summary Information on the Integrated Risk Information System (IRIS)* (the "Report").¹ A significant conclusion in the Report is that EPA proposes to classify TCE as "carcinogenic in humans by all routes of exposure." The Report is over 1,100 pages in length and is a comprehensive assessment of cancer and non-cancer human health problems associated with TCE. Many polyurethane processors use TCE and may want to consider an alternative degreasing solvent.

Basis for Proposal

TCE is a colorless liquid used mainly as a solvent degreaser for metal parts. It is also used as a component in adhesives, lubricants, paints, varnishes and other chemicals. As a result of its common usage, TCE has a pervasive presence in the environment. The highest environmental releases are to the air with inhalation as the main route of potential environmental exposure. Indoor levels of TCE are generally higher than outdoor levels because of releases from building materials.

1. IRIS is a database containing information regarding potential adverse human health effects that may result from chronic exposure to chemical substances found in the environment. Government and private entities can use IRIS data to help characterize public health risks of the chemical substances in a site-specific situation and thereby provide risk management decision-making designed to protect human health.

Higher exposures have occurred in various occupational groups such as aircraft personnel that work with TCE. Additionally, TCE is a common volatile organic compound contaminant detected in groundwater, and it has been found in a variety of foods.

Exposure to TCE can occur through inhalation, oral and dermal routes. TCE is rapidly absorbed from the stomach, intestines and lungs and readily crosses biological membranes. Thus, TCE can transfer from mothers to fetuses and to newborns through breast milk. Important target organs of TCE toxicity are the brain, kidneys and liver. TCE leaves the body mainly by lungs (by breath) and the kidneys and liver (through excretion).

TCE poses both cancer and non-cancer risks. EPA's proposed designation of TCE as a human carcinogen has evolved over time. In 1989 the EPA Science Advisory Board ("SAB") disagreed that TCE was a probable human carcinogen. However, by 1995 another group noted that TCE was "probably carcinogenic to humans." Since that time TCE has been noted by other studies as "reasonably anticipated to be a human carcinogen" and "highly likely" to be carcinogenic to humans by EPA in 2001. EPA's 2009 conclusion that TCE is carcinogenic in humans by all routes of exposure is based on "convincing evidence of a causal association between TCE exposure in humans and kidney cancer." The human evidence of carcinogenicity from epidemiologic studies of

**Polyurethane
Manufacturers
Association
(PMA)**

6737 W. Washington St.
Suite 1300
Milwaukee, WI 53214
Ph: 414-431-3094
Fax: 414-276-7704
info@pmahome.org
www.pmahome.org

Continued on page 5

EPA Proposes to Reclassify TCE

continued from page 1

TCE exposure is also “compelling for non-Hodgkin’s lymphoma” and “more limited for liver and biliary tract cancer.” The Report provides cancer risk estimates for airborne and ingested exposures.

TCE also has notable non-carcinogenic toxic effects. The Report concludes that “TCE poses a potential human health hazard for non-cancer toxicity to the central nervous system, the kidney, the liver, immune system, the male reproductive system and developing fetus. The evidence is more limited for TCE toxicity to the respiratory tract and female reproductive system.” EPA notes a preferred reference concentration (RfC) estimate for TCE of one part per billion (“ppb”). The RfC is EPA’s estimate of how much of the chemical could be inhaled over a lifetime without expectation of harm. EPA also provides a preferred reference dose (RfD) estimate of 0.4 ppb per day. The RfD is the daily amount EPA estimates could be ingested over a lifetime without expectation of harm.

Public Comment Information

The Report was released for public comment on November 3, 2009 in the *Federal Register* (74 Fed. Reg. 56,834). The Report can be accessed at the following website: <http://www.epa.gov/ncea> under the “Quick Finder” heading of “TCE.” Paper copies may be obtained from the EPA: telephone number 703-347-8561; fax: 703-347-8691.

The public comment period ends on February 1, 2010. All technical comments must be submitted in writing and received by EPA on that date. Comments may be submitted to the EPA by one of the following methods and must include listing Docket ID No. EPA-HQ-ORD-2009-0791 with the comments.

1. Internet – E-mail: Use the designation <http://www.regulations.gov>. Under “Enter Keyword or ID,” type “EPA-HQ-ORD-2009-0791-0001” and click on the “Search” button. Scroll down to “View by Relevance” in the orange box. Under “Actions” in the grid across from “NOTICES,” click on “Submit a Comment” or “Open Docket Folder” to provide your comments.

2. Fax number: 202-566-1753.
3. Mail: Office of Environmental Information Docket (OEI) (Mail Code: 2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.
4. Hand delivery/courier: EPA Headquarters Docket Center, EPA West Building, Room 3334, 1301 Constitution Avenue, N.W., Washington, D.C.

Detailed submittal instructions are included in the November 3, 2009 *Federal Register* (74 Fed. Reg. 56,834) at <http://edocket.access.gpo.gov/2009/pdf/E9-26411.pdf>.

EPA will then forward the received public comments to the SAB Peer Review Panel for their consideration. When finalizing the draft document, EPA will consider the public comments it receives in accordance with this notice. Finally, please note that EPA states the Report “does not represent or should not be construed to represent any Agency policy or determination.”

The bottom line is that federal environmental standards applicable to TCE may be lowered as a result of EPA’s conclusions that TCE is a human carcinogen and also poses non-cancer risks. This reclassification of TCE may eventually affect state standards for TCE, including vapor, groundwater and occupational/workplace exposure standards.

We will continue to track EPA’s potential reclassification of TCE and related standards and issue updates as relevant information becomes available.



Department of the Treasury
Internal Revenue Service

The Internal Revenue Service has reduced the standard mileage rates that taxpayers can deduct for business use of motor vehicles next year to **50 cents/mile** from 55 cents – effective January 1, 2010.