

National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production Residual Risk and Technology Review

April 26, 2019

On February 4, 2019 EPA [proposed amendments](#) to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Hydrochloric Acid (HCl) Production source category and sought comment on the science-based health risk factor for ethylene oxide (EtO), which is the reference value used to assess the health threats for community members exposed to this carcinogen. Our comments do not address the specific analyses or conclusions associated with the HCl Production source category, which are addressed by other commenters, but rather the procedurally flawed and substantively inappropriate request for comment on the risk value associated with EtO, an air toxic which is not emitted by HCl Production sources.

EPN finds it is inappropriate for EPA to use this Clean Air Act Section 112 rulemaking to seek comment about the toxicity of EtO or the Integrated Risk Information System (IRIS) review for that chemical for the following reasons:

- First, the source category under consideration, hydrochloric acid production, does not emit EtO.
- Second, a Section 112 residual risk and technology review is not the appropriate regulatory venue to take comment on a toxicity determination made through an entirely different process.
- In 2016, EPA completed a [review of EtO](#) under the IRIS process and established a new risk factor based on up-to-date scientific information about the health effects of the chemical. Any request for comment on the results of that 2016 review should be taken through the IRIS process.
- EPA should use the 2016 Individual Unit Risk (IUR) in its risk calculations for EtO now and in any future regulatory decisions dependent upon that risk assessment. If this request for comment on the 2016 IUR reflects an intention to revisit its derivation and calculation, we emphatically maintain that it is unwarranted.

The 2016 IRIS review concluded that EtO is significantly more toxic than previously thought. Facilities that emit EtO—especially those located in or near residential communities—are now coming under intense scrutiny. In addition to monitoring and other EPA actions, which EPN agrees with, the agency has an opportunity to re-examine the NESHAP for source categories that do emit EtO (as opposed to HCl Production, which does not). EPN also urges EPA to move forward expeditiously to review and update, in light of the new risk factors, the following rules: Commercial Sterilizers (last reviewed in 2006), Miscellaneous Organic Chemical Manufacturing (last reviewed in 2006), Synthetic Organic Chemical Manufacturing (last reviewed in 2006), and Hospital Sterilizers (last reviewed in 2007).