

SUMMARY

EPN Comments on EPA Draft Methylene Chloride Risk Evaluation

November 26, 2019

On November 26, 2019, EPN submitted [comments](#) to the Science Advisory Committee on Chemicals (SACC) to aid in its review of EPA's draft risk evaluation of the chemical methylene chloride (MC) under the Toxic Substances Control Act (TSCA). MC is primarily used as an industrial solvent and also as a potent paint stripper and paint thinner that has been linked to cancer, cognitive impairment, and asphyxiation, among other effects. It is the fifth of the first ten chemicals undergoing EPA risk evaluations under TSCA. EPN objected to the process followed and basis on which EPA conducted the risk evaluation for MC, as it has with the [previous risk evaluations](#).

EPA scheduled the SACC [meeting](#) to discuss the draft risk evaluation for MC in early December, almost a month before the December 30, 2019 close of the public comment period. EPN submitted its comments in advance of the SACC meeting to ensure that at least some of its concerns would be considered during the SACC review. As EPN noted in [many of its previous comments](#), it is extremely disingenuous for EPA to schedule a SACC meeting at which risk evaluations will be discussed prior to the deadline for public comments. This is inconsistent with standard procedures, and has the potential to discourage public comment. EPN raised concerns that the SACC would conclude its review and make determinations before the public has full opportunity to weigh in.

EPN comments raised concerns about:

- **Use of a flawed TSCA systematic review process.** The scientific method for identifying, assessing and integrating data from multiple sources has never been externally peer-reviewed. EPN recommends that EPA not use the process until it has been peer reviewed and revised to follow accepted scientific principles.
- **The adequacy of the toxicity database used to assess the potential for human health hazards.**
- **EPA's approach to determining unreasonable risk to workers.** EPA underestimates the risk by assuming workers will use personal protective equipment (PPE), such as respirators, during all of their work throughout their careers, even when such equipment is not required, provided or used. EPN believes EPA should not consider the use of PPE in making unreasonable risk determinations.
- **EPA's approach to evaluating inhalation and dermal contact exposures to MC separately.** The risk evaluation did not consider aggregate or combined exposures across multiple routes and pathways, potentially leading to an underestimate of exposure and risk, or even "no unreasonable risk" determination when one actually exists.
- **EPA's failure to conduct health-protective exposure and risk assessments when evaluating potential risks from situations, such as consumer exposure, that could be regulated under other statutes.**

Background

TSCA was passed in 1976 to keep dangerous chemicals off the market and protect people from exposure to existing chemicals. It was [amended and strengthened](#) in 2016, requiring EPA to set priorities for which chemicals to assess, evaluate their risks and impose restrictions to protect people's health and the environment.