

**Before the United States Environmental Protection Agency
Carbon Tetrachloride; Regulation Under the Toxic Substances Control Act
90 Fed. Reg. 48203 (October 9, 2025); Docket EPA-HQ-OPPT-2020-0592**

Comments of the Chemical Users Coalition

Chemical Users Coalition (“CUC”)¹ appreciates the opportunity to provide these comments regarding the U.S. Environmental Protection Agency’s (“EPA’s” and “the Agency’s”) reconsideration of the rule for the Regulation of Carbon Tetrachloride (“CTC”) under Section 6(a) of the Toxic Substances Control Act (“TSCA”) (the “Reconsideration”). CUC is an association of companies from diverse industries that typically acquire and use, rather than manufacture or import, chemical substances. Our members depend on the availability of certain existing substances for which there are not technically feasible substitutes as well as a reliable pipeline for innovative new chemistries to be able to thrive in a competitive, global economy. Consequently, our members encourage EPA to develop regulatory approaches that encourage innovation and permit sustainability. Thus, CUC supports measures that protect health and the environment in a manner that enables the regulated community to pursue technological innovation simultaneously with economic development in the United States. This is critical in the area of chemical regulatory policy, which necessarily addresses emerging information about health and environmental risk.

Overview of CUC Comments

CUC appreciates the opportunity to provide EPA with feedback on the risk management rule for carbon tetrachloride and specifically the Existing Chemical Exposure Limit (“ECEL”) included in the risk management rule. CUC has previously commented on the risk determination and proposed risk management rule for carbon tetrachloride. Those comments are included and incorporated by reference.

CUC recommends that EPA carefully consider the following in the Reconsideration: (a) EPA should streamline and simplify its workplace chemical protection program (“WCPP”) requirements for CTC and ensure it is reflective of real world exposure scenarios and regulation by other agencies; (b) EPA should revisit the ECEL so that it remains aligned with existing exposure values in other jurisdictions and generally accepted industry standards, and (c) EPA should establish an explicit de minimis exemption for CTC in products when present at less than 0.1%.

The Workplace Chemical Protection Program Should Be Simplified

The WCPP EPA has mandated for CTC reflects an overly simplistic approach to risk mitigation. For example, in certain applications, CTC is used in enclosed systems, where the only potential

¹ The members of CUC are Airbus S.A.S., The Boeing Company, Carrier Corporation, HP Incorporated, IBM Company, Intel Corporation, Lockheed Martin Corporation, National Electrical Manufacturers Association, RTX, Sony Electronics Inc., and TDK U.S.A. Corporation.

for human exposures is those that might occur (if at all) during periodic (perhaps only annual) maintenance. However, the WCPP program does not provide any accommodation for systems (such as enclosed systems) where CTC might be used but that strictly limits worker exposures, and for which an elaborate WCPP program with initial and periodic monitoring is required (although unnecessary based on exposure risk). The WCPP requirements should permit differentiation between different types of workplaces and operations, whereas EPA presumes all are the same. EPA should provide for greater flexibility in the WCPP requirements to accommodate the practical realities – the true conditions of use - of a variety of manufacturing operations and practices.

CUC further believes that the WCPP requires clarifications to address the identification of the responsible entity for WCPP implementation and compliance in environments where workers employed by differing parties (such as contract personnel) may be present. CUC recommends EPA reexamine the use of the term “owner/operator” for the entity responsible for implementation of the WCPP. The TSCA WCPP, and determination of responsibilities, should align more closely with the term “employer” when used by OSHA. Under the existing rule, “owners/operators” – not employers – are responsible for providing respiratory protection and other PPE to personnel on site who might not be their direct employees. For a facility that may have contractors on site, the rule creates unnecessary complications. CUC, therefore, recommends that EPA adopt the approach of requiring “employers” to be the entities responsible for providing respiratory protection and other PPE to their employees. This language change would be consistent with current OSHA practice and still ensure protections are in place while not being overly burdensome.

The ECEL Should Be Revised

The ECEL adopted in the rule (0.03 ppm) is two orders of magnitude lower than the American Conference of Governmental Industrial Hygienists (“ACGIH”) 8-hour time-weighted average Threshold Limit Value (“TLV”) of 5 ppm. It is also significantly lower than the California OSHA PEL and the NIOSH REL which are both 2 ppm. The ECEL is the most restrictive limit globally, cannot be reconciled with the global scientific consensus and creates substantial compliance and enforcement difficulties without demonstrated proportionate health benefits.

Section 6(a) of TSCA requires EPA to manage, not eliminate, “unreasonable risk” — that is, risk that persists after accounting for feasible controls. However, by setting the ECEL at a such a low level, EPA has transformed TSCA’s “unreasonable risk” standard into a zero-risk policy. This approach exceeds statutory authority and contravenes Congressional intent that EPA regulate chemicals “to the extent necessary,” not to eliminate all potential risk. It also fails to balance economic and technological feasibility, as required by TSCA §6(c)(2). CUC therefore recommends that EPA revisit and revise the ECEL.

De Minimis Levels, Byproducts, Impurities, and Articles

EPA has excluded from the rule’s requirements CTC that is “solely present unintentionally in trace quantities with another chemical substance or mixture.” CUC appreciates EPA’s recognition that certain small quantities do not pose a risk and need not be addressed in the rule. Rather than using the undefined term of “trace quantity,” CUC requests that EPA add an explicit

provision stating a de minimis level of CTC present at 0.1% or less in products is exempt from all provisions of the regulation. EPA should also explicitly add that the presence of CTC as an impurity or byproduct in a substance or product would not subject that substance or mixture to the proposed ban and other requirements. In the same way EPA has excluded impurities and byproducts from other regulations under TSCA (such as Chemical Data Reporting), EPA should explicitly exclude CTC present as an impurity, byproduct and when contained in imported articles from the prohibitions.

Conclusion

CUC Members would be glad to make themselves available to discuss any questions EPA personnel may have concerning CUC's comments and/or to discuss any issues related to the Agency efforts to reconsider the carbon tetrachloride risk evaluation rule.