THE CHLORINE INSTITUTE
1300 Wilson Boulevard, Suite 525, Arlington, VA 22209
Phone: 703-894-4140 Fax: 703-894-4130
www.chlorineinstitute.org

Environmental Protection Agency
Office of Pollution Prevention and Toxics
1200 Pennsylvania Ave. NW.
Washington, DC 20460-0001

September 19, 2017

RE: Risk Evaluation Scoping Efforts Under Toxic Substances Control Act for Ten Chemical Substances, Docket Number: EPA-HQ-OPPT-2016-0736

Dear Sir or Madam:

The Chlorine Institute ("CI" or the "Institute") is a 190 member, not-for-profit trade association of chlor-alkali producers worldwide, as well as packagers, distributors, users, and suppliers. The Institute's North American Producer members account for more than 93 percent of the total chlorine production capacity of the U.S., Canada, and Mexico. The Institute's mission chemicals, namely chlorine, sodium hydroxide and potassium hydroxide, hydrogen chloride, and vinyl chloride monomer, are used throughout the U.S. economy and are paramount to the protection of public health.

With reference to the July 7, 2017 Federal Register Notice "Scopes of the Risk Evaluations To Be Conducted for the First Ten Chemical Substances Under the Toxic Substances Control Act; Notice of Availability" (82 FR 31592), CI members request EPA include industrial hygiene data in its risk evaluation for asbestos and only evaluate asbestos using data specific to asbestos.

Additional Sources of Data

The American Chemistry Council (ACC) and CI have a number of mutual members who produce chlorine. ACC conducted an industrial hygiene survey of our mutual members, available in the EPA-HQ-OPPT-2016-0736 docket. This survey should be considered during the risk evaluation of asbestos, as it contains sampling data for both general and specific tasks involving asbestos use in the chlor-alkali industry. These data, reflecting actual conditions within chlor-alkali facilities dating back to 1996, are extremely relevant.

In comparison, in EPA's *Scope of the Risk Evaluation for Asbestos*, some sources cited were not relevant to chlorine production use. The 2011 NIOSH publication, *Current Intelligence Bulletin 62: Asbestos Fibers and Other Elongate Mineral Particles: State of the Science and Roadmap for Research*, heavily focuses on the exposure of asbestos miners and construction workers. The chlor-alkali industry is not explicitly mentioned. It could have been aggregated into the "Other" category Figure 2, *Asbestos: Annual*

geometric mean exposure concentration by major industry division, MSHA and OSHA Samples, 1979-2003, but this is not explicitly stated in the NIOSH document.

Similarly, in EPA's *Scope of the Risk Evaluation for Asbestos*, Table Appendix B-1 lists air sampling results from OSHA inspections, by NAICS code. Chlorine production falls under NAICS code 32. In Table Appendix B-1, code 32 also includes a variety of other industries, including but not limited to petroleum and coal products manufacturing and roofing manufacturing[1]. Any OSHA inspection data utilized in the asbestos risk evaluation for the chlorine production condition of use should include only those data points obtained in air sampling at or near chlorine production facilities.

Another set of data sources EPA should consult, not listed in *Scope of the Risk Evaluation for Asbestos*, are emission tests conducted under EPA or state regulations.

Surrogate Chemicals

In section 2.6.14 of EPA's *Scope of the Risk Evaluation for Asbestos*, CI agrees with EPA's intent to review exposure monitoring data specific to the condition of use and incorporate engineering and/or personal protective equipment into exposure scenarios. However, CI is concerned with a review of "surrogate chemical" literature. A surrogate, by definition, is different from the chemical being evaluated. Given the extensive list of data sources on asbestos EPA currently has, and the addition of the industrial hygiene survey mentioned previously, there is no need to use an approximation in the risk evaluation when ample science is readily available.

Industry Guidance and Commitment

As stated in our March 14, 2017 letter, the Chlorine Institute publishes industry guidance, called pamphlets, which are generally updated every five years. *Pamphlet 137, Guidelines: Asbestos Handling for the Chlor-Alkali Industry*[2] was updated in March 2016 and contains guidance on how to safely handle asbestos, including personal protective equipment, receiving, storage, diaphragm depositing (i.e. removing spent asbestos and applying new asbestos), housekeeping, exposure monitoring, and more. The first version of *Pamphlet 137* was published in 1978 and has been updated with best practices by the chlorine industry since then. Additionally, Chlorine Institute members annually sign the Member Safety and Security Commitment, committing to audit their facilities and implement recommendations within CI's pamphlets, including *Pamphlet 137*.

The chlor-alkali industry has a proven record of the safe use of asbestos within the chlorine production process. CI members believe that with the effective controls currently in place, a scientifically based risk

---

[1] 2012 NAICS Definition Code Search, Search Term "32" - https://www.census.gov/cgi-bin/sssd/naics/naicsrch

[2] *Chlorine Institute Pamphlet 137, Guidelines: Asbestos Handling for the Chlor -Alkali Industry*; the electronic version is free to download - https://bookstore.chlorineinstitute.org/mm5/merchant.mvc?Session_ID=3f7b902ffad1dd3ec4ce4928545300f2&Store_Code=ci2store&Screen=PROD&Product_Code=HE0137-HC&

assessment of the chlor-alkali industry's use of asbestos in chlorine production will demonstrate that this use does not pose an unreasonable health risk to workers.

Thank you for your time and attention.

Best Regards,

Robyn Brooks | Senior Director - Health, Environment, Safety and Security