

Questions on EPA's Methylene Chloride Half-Measure

After a two-year delay, the Trump EPA is signaling it will [impose only a partial ban](#) on deadly paint strippers using methylene chloride, despite numerous fatalities and strong science showing the products pose very high risk to both workers and consumers. While EPA is apparently moving forward on a ban of the chemical in paint strippers for “consumer uses” (finally catching up to voluntary bans by most major retailers, including Home Depot, Lowes, Walmart, and others), a [separate proposal](#) by EPA indicates that EPA intends to continue to allow commercial use. Yet the great majority of reported deaths from the use of these products involved workers

EPA sent two items to the White House Office of Management and Budget (OMB): a draft final rule that appears to be limited to consumer uses; and a proposal to initiate an uncertain and lengthy process that could lead to a training and certification program for commercial uses.

1. It appears that the Environmental Protection Agency is not finalizing a ban for commercial uses of methylene chloride.

- a. Are EPA and OMB aware that the vast majority of reported deaths have occurred in the work setting?
- b. Are EPA and OMB aware that the OSHA limit for methylene chloride exposure is over 20 years old and even OSHA doesn't think it is protective enough?

(The permissible exposure limit (PEL) set by OSHA is over 20 years old and OSHA itself has indicated that the PEL is not protective of the risk EPA identified to workers from methylene chloride.)

2. EPA has apparently removed the ban on commercial uses from the draft final rule and instead will release only an advance notice of proposed rulemaking (ANPRM) to take input on whether to establish a training and certification program for workers:

- a. Do EPA and OMB understand that EPA already identified clear and multiple unreasonable risks to workers from exposure to methylene chloride in paint strippers? And that releasing an ANPRM to address worker exposure separately is likely to add years to the process – at best delaying but more likely denying workers critical health protections?
- b. Are EPA and OMB aware of the major limitations of a certification program? They are extremely complicated and costly to implement and difficult to enforce.

(A key example is the Renovation, Repair and Painting Rule (RRP) for lead-based paint which is costly and very difficult to enforce. While necessary to address the legacy of lead-based paint, how does it make sense to stand up such a complex, costly program for use of a chemical that has viable alternatives?)

- 3. Are EPA and OMB aware that EPA evaluated a training program for the proper use of respirators for methylene chloride paint strippers and concluded it would be so costly that companies would likely instead seek out alternatives to methylene chloride?**

(EPA evaluated a respiratory protection program, including training and respirator fit testing, under the proposed methylene chloride rule and concluded that it would be so costly that companies would likely voluntarily choose to use alternatives as opposed to implementing such a program.)

- 4. How will the final rule address commercial furniture refinishing, if at all?**
- a. Are EPA and OMB aware that EPA made a finding nearly two years ago that workers in the commercial furniture refinishing sector face unreasonable risks from the use of methylene chloride paint strippers?