

AR003-22

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460



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TSCA New

Georgine Adams
3M Corporate Product Responsibility
3M Center
St. Paul, Minnesota
55144-1000

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Dear Ms. Adams:

On behalf of the EPA Office of Pollution Prevention and Toxics (OPPT), I am writing to you as a representative of one of the fourteen "major facilities" identified in our "Risk Management Level 2" (RM 2) assessment for 1,2-dichloroethane (also known as ethylene dichloride, or EDC). While they are not regulatory reviews, RM 2 assessments are intended to provide a substantial evaluation of risk and pollution prevention issues for existing chemicals. RM 2 assessments can lead to a variety of outcomes, such as initiation of rulemaking, referrals to other offices, enforcement initiatives, industry agreements, or proposals for testing. A copy of the assessment is attached.

EDC, which is included in the Toxic Release Inventory (TRI), has been identified by EPA as a B2 "Probable Human Carcinogen". Our assessment looked at EDC release trends over several years of TRI data, and found that a small number of facilities were responsible for most of the nationwide releases and transfers of EDC. Releases for several facilities were on the increase through 1990. A preliminary look at the risks that might be associated with continuation of these releases indicated concern for potential risks to communities surrounding the following four facilities:

Ferro (Keil Division) Corporation, Hammond, Indiana
3M Corporation, Charlestown, West Virginia
National Starch and Chemical, Salisbury, North Carolina
PPG Industries, Westlake, Louisiana

Follow-up analyses using the new TRI pollution prevention data for 1991 lessened our concerns. All four facilities reported that releases were now on the decline, and projected further reductions in the years ahead. The 3M facility reported elimination of all EDC releases, and this was confirmed with the state of West Virginia. The Ferro facility is a special case, as information obtained by Region 5 indicates that the reductions in releases claimed by the company have not occurred. Region 5 will be taking the lead for EPA in further follow-up with this facility. We will continue to coordinate with the EPA regions to track future environmental trends TRI for the two remaining facilities plus ten others.

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This case raised interesting questions about product stewardship and the responsibilities of producers and their customers for ensuring the safe use of chemicals. The RM 2 case began with a "letter of concern" and among the responses was one from Dow reporting that they had turned down 5 potential EDC customers based on concerns for their proposed uses and/or use conditions. Did the five customers turn to another chemical, or did they purchase the EDC from a less demanding supplier, or did all suppliers turn them down? This, it turned out, was an important issue for this case, because it was the EDC "customers", rather than the producers, that were linked with most of the releases nationwide. Even though the "miscellaneous use" sector used only a relatively small amount of EDC, they dominated the TRI release statistics. The EDC suppliers, despite an enormous throughput, generally had EDC releases under control and on the decrease according to their TRI reports.

This case indicates that EDC manufacturers possess considerable pollution prevention expertise for reducing releases and transfers of this chemical, and that there is a need to share this expertise with their customers. It also shows that TRI might be used as a tool to link up suppliers with their customers that need help with releases. As the foundations for product stewardship programs are put into place, the use of TRI by suppliers to target outreach and technical assistance, or to screen potential customers, deserves additional consideration. OPPT will send a copy of this letter and the RM 2 report to EDC manufacturers as well. We encourage you to work with your supplier.

In summary, OPPT encourages EDC manufacturers and users to work together to further reduce releases of EDC. We hope that OPPT information tools can help in this process. Because we do not anticipate further national office initiatives for EDC beyond coordination with EPA regional offices, we do not propose to hold a stakeholders' session for this case. However, should there be questions or the need for a meeting, please contact EDC project manager Matt Gillen at 202-260-1801.

Sincerely,



Charles M. Auer, Director
Chemical Control Division
EPA Office of Pollution
Prevention and Toxics

attachment

cc: Mark Greenwood
Joe Carra
Bob McNally

Matt Gillen
Hank Topper
James Burke, Region 3

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