

**EPN Comments on Perchloroethylene (PCE);  
Draft Revision to Toxic Substances Control Act Risk Determination**

Docket No.: EPA-HQ-OPPT-2016-0732

August 1, 2022

Founded in 2017, the [Environmental Protection Network](https://www.environmentalprotectionnetwork.org) (EPN) harnesses the expertise of more than 550 former Environmental Protection Agency (EPA) career staff and confirmation-level appointees from Democratic and Republican administrations to provide the unique perspective of former regulators and scientists with decades of historical knowledge and subject matter expertise.

EPN is pleased to comment on EPA's Draft Revision to Toxic Substances Control Act (TSCA) Risk Determination for Perchloroethylene (PCE).

EPA, in accordance with administrative provisions of TSCA section 6(b)(2)(A), published a final risk evaluation for PCE on December 14, 2020, based on 1) making unreasonable risk determinations separately on each individual condition of use evaluated in the risk evaluation and 2) the assumption, for several conditions of use, that personal protective equipment (PPE) would always be provided to and used by workers potentially exposed to PCE. EPA stated that it used feedback from public comment and the scientific peer review process carried out by the Science Advisory Committee on Chemicals (SACC) to inform the final risk determination.

EPA's draft revision to the December 2020 risk evaluation would, when final, supersede the December 2020 risk determination and contain an order withdrawing the TSCA section 6(i)(1) order in section 5.4.1 of the December 2020 PCE risk evaluation. EPA is proposing to determine that PCE presents unreasonable risk to human health, addressing PCE as a whole substance. The revised risk determination is based on 1) EPA's finding that PCE, as a whole chemical substance, presents an unreasonable risk of injury to health when evaluated under its conditions of use and 2) that there should be no assumption that workers always have access to and appropriately utilize PPE under conditions of exposure to PCE. According to the June 30, 2022, draft revision, risk from 60 out of 61 conditions of use drove the whole chemical determination of unreasonable risk to human health.

In summary, under the draft revision of the PCE risk evaluation pursuant to TSCA section 6(b), EPA proposes the conclusion that PCE, evaluated as a whole chemical, presents an unreasonable risk of injury to health under its conditions of use, and does not rely on assumptions of appropriate use of PPE.

EPN submitted comments<sup>1</sup> and presented testimony<sup>2</sup> to the SACC in response to EPA's announcement that it was seeking public input on the initial draft risk evaluation of PCE under TSCA. EPN raised significant concerns about the initial draft risk evaluation, based on issues including but also in addition to those addressed in EPA's revised draft risk determination for PCE under TSCA. Despite the fact that not all of EPN's concerns have been addressed in EPA's latest draft risk determination, EPN agrees with the reasoning and conclusions drawn by EPA in the June 2022 draft revision to the TSCA risk determination of PCE.

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<sup>1</sup> <https://www.environmentalprotectionnetwork.org/wp-content/uploads/2020/05/EPN-Comments-on-Perchloroethylene.pdf>

<sup>2</sup> <https://www.environmentalprotectionnetwork.org/wp-content/uploads/2020/05/EPN-Testimony-before-SACC-regarding-Perchloroethylene.pdf>