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May 7, 2015

U.S. Environmental Protection Agency
EPA Docket Center (EPA/DC)
Mailcode: 28221T
Attention Docket ID Number EPA-HQ-OAR-2014-0471
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Sir/Madam:

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for this opportunity to comment on the U.S. Environmental Protection Agency's (EPA's) announcement of the "Receipt of a Complete Petition" related to the "Petition to Add n-Propyl Bromide to the List of Hazardous Air Pollutants," which was published in the *Federal Register* on February 6, 2015 (80 *Federal Register* 6676). NACAA is a national, non-partisan, non-profit association of air pollution control agencies in 41 states, the District of Columbia, four territories and 116 metropolitan areas. The air quality professionals in our member agencies have vast experience dedicated to improving air quality in the United States. These comments are based upon that experience. The views expressed in this document do not necessarily represent the positions of every state and local air pollution control agency in the country.

Section 112 of the Clean Air Act Amendments of 1990 identified a list of hazardous air pollutants that EPA is directed to regulate and provided instructions for adding additional substances to the list. Specifically, Section 112(b)(3)(B) states: "The Administrator shall add a substance to the list upon a showing by the petitioner or on the Administrator's own determination that the substance is an air pollutant and that emissions, ambient concentrations, bioaccumulation or deposition of the substance are known to cause or may reasonably be anticipated to cause adverse effects to human health or adverse environmental effects." NACAA believes that the petitioners¹ in this case have satisfactorily established that n-Propyl Bromide (n-PB) meets the criteria for listing as a HAP and that EPA should grant the petition to add n-PB to the HAP list under Section 112.

¹ The Halogenated Solvent Industry Alliance and the New York State Department of Environmental Conservation

The substance n-PB (also referred to as 1-bromopropane) has several uses, including as a solvent in cleaning operations, degreasing, dry cleaning and spray adhesives. As the New York State Department of Environmental Conservation noted in its initial petition (October 24, 2011), the use of n-PB is increasing for several reasons, including the fact that it is being substituted for perchloroethylene (perc) in dry cleaning operations. Perc, which is listed as a HAP, is subject to regulation and control under Section 112 and its use is being phased out. N-PB, on the other hand, which is not a listed HAP, is being marketed as an environmentally friendly alternative to perc. The unfortunate consequence is that this substitution of an unlisted and uncontrolled substance for a listed one could result in greater emissions of harmful pollutants with adverse health effects and risks to the public, due to the fact that n-PB is not actually a benign or non-hazardous chemical.

The National Toxicology Program (NTP) of the U.S. Department of Health and Human Services issued the *13th Report on Carcinogens* on October 2, 2014 and included 1-bromopropane (n-PB) on its list of substances that are “reasonably anticipated to be a human carcinogen.”² According to the NTP, inhalation exposure to n-PB “caused tumors in two rodent species and at several different tissue sites, including one tissue site in rats at which tumors are rare.”³ These included tumors in several organs, such as skin, lungs and the large intestine. Perc, (identified as tetrachloroethylene), for which n-PB is being advertised as an environmentally friendly substitute, is on the very same NTP list of substances that are “reasonably anticipated to be a human carcinogen.”⁴ In fact, according to a scientific review commissioned by the City of Philadelphia, n-PB is a more potent neurotoxin and carcinogen than perc.⁵

In light of these facts, it seems logical that n-PB should be subject to at least the same level of regulation as perc, which it is not. Because n-PB is not listed as a HAP, sources may stop using perc, for which controls are required, and instead use a different, possibly worse, cancer-causing substance – n-PB – in potentially greater (unregulated) quantities with higher emissions. Such a perverse outcome is likely one of the very things the crafters of the Clean Air Act wanted to avoid when they included the provisions in Section 112(b)(3)(B) allowing for the addition of substances to the list of HAPs to be regulated.

Recognizing the concerns about the health effects resulting from exposure to n-PB emissions, several state and local governments have added it to their own lists of toxic air pollutants and/or have decided to regulate its use. (e.g., California, Michigan, New York, Pennsylvania, Rhode Island, and the City of Philadelphia). We believe protection from the adverse impacts of exposure to n-PB should be afforded to the public

² <http://ntp.niehs.nih.gov/pubhealth/roc/roc13/index.html>

³ <http://ntp.niehs.nih.gov/pubhealth/roc/roc13/index.html>

⁴ http://ntp.niehs.nih.gov/ntp/roc/content/listed_substances_508.pdf

⁵ Adam M. Finkel, *Rationale for, and Derivation of, Performance Standards for n-propyl bromide (nPB) in Co-commercial Dry Cleaners* (November 4, 2010) http://www.phila.gov/health/pdfs/nPB_Performance_Standards.pdf

nationwide and therefore recommend that EPA add n-PB to the list of HAPs under Section 112 and develop regulations that call for appropriate controls as envisioned by the Clean Air Act.

Thank you for this opportunity to comment on the proposal. Please feel free to contact us for additional information.

Sincerely,



G. Vinson Hellwig
Michigan
Co-Chair
NACAA Air Toxics Committee



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