

## MEMO

---

**From:** Mercury Public Affairs  
**To:** Laboratory Products Association  
**Date:** July 14, 2022  
**Subject:** EPA Regulatory Tracking

---

### Regulations

**Type:** Withdrawal of Proposed Rule (Economically Significant) - [Federal Register Link](#)

**Title:** Protection of Stratospheric Ozone: Standards Related to the Manufacture of Class II Ozone-Depleting Substances for Feedstock; Withdrawal of Proposed Rule

**Reg. Number:** 87 FR 36282

**Published:** June 16, 2022

**Summary:** On September 29, 2021, the U.S. EPA issued a proposed rulemaking to require the control, capture, and/or destruction of a hydrofluorocarbon that would otherwise be emitted from manufacture of hydrochlorofluorocarbons. Specifically, EPA proposed to require companies to control, capture, and/or destroy HFC-23 byproduct generated at plants that manufacture class II ozone-depleting substances regulated under current Clean Air Act regulations, such as HCFC-22.

Upon our consideration of comments and based on further action by EPA, EPA is now withdrawing the proposed requirements described in that proposed rule. This document summarizes the proposed rule and provides an explanation for the Agency's decision not to finalize the proposed action.

**Type:** Notice - [Federal Register Link](#)

**Title:** Methylene Chloride; Draft Revision to Toxic Substances Control Act (TSCA) Risk Determination; Notice of Availability and Request for Comment

**Reg. Number:** 87 FR 39824

---

**Published:** July 5, 2022

**Comment Deadline:** August 4, 2022

**Summary:** The Environmental Protection Agency (EPA) is announcing the availability of and seeking public comment on a draft revision to the risk determination for the methylene chloride risk evaluation issued under TSCA. The draft revision to the methylene chloride risk determination reflects the announced policy changes to ensure the public is protected from unreasonable risks from chemicals in a way that is supported by science and the law. In this draft revision to the risk determination EPA finds that methylene chloride, as a whole chemical substance, presents an unreasonable risk of injury to health when evaluated under its conditions of use. In addition, this revised risk determination does not reflect an assumption that all workers always appropriately wear personal protective equipment (PPE). EPA understands that there could be occupational safety protections in place at workplace locations; however, not assuming use of PPE reflects EPA's recognition that unreasonable risk may exist for subpopulations of workers that may be highly exposed because they are not covered by OSHA standards, or their employers are out of compliance with OSHA standards, or because many of OSHA's chemical-specific permissible exposure limits largely adopted in the 1970's are described by OSHA as being "outdated and inadequate for ensuring protection of worker health," or because the OSHA permissible exposure limit (PEL) alone may be inadequate for ensuring protection of worker health. This revision, when final, would supersede the condition of use-specific no unreasonable risk determinations in the June 2020 methylene chloride risk evaluation (and withdraw the associated order) and would make a revised determination of unreasonable risk for methylene chloride as a whole chemical substance.

**Type:** Notice - [Federal Register Link](#)

**Title:** n-Methylpyrrolidone (NMP); Draft Revision to Toxic Substances Control Act (TSCA) Risk Determination; Notice of Availability and Request for Comment

**Reg. Number:** 87 FR 39511

**Published:** July 1, 2022

**Comment Deadline:** August 1, 2022

**Summary:** The Environmental Protection Agency (EPA) is announcing the availability of and seeking public comment on a draft revision to the risk determination for the n-methylpyrrolidone (NMP) risk evaluation issued under TSCA. The draft revision to the NMP risk determination reflects the announced policy changes to ensure the public is protected from unreasonable risks from chemicals in a way that is supported by science and the law. In this draft revision to the risk determination EPA finds that NMP, as a whole chemical substance, presents an unreasonable risk of injury to health when evaluated under its conditions of use. In addition, this draft revised risk determination does not reflect an assumption that all workers always appropriately wear personal protective equipment (PPE). EPA understands that there could be occupational safety protections in place at workplace locations; however, not assuming use of PPE reflects EPA's recognition that unreasonable risk may exist for subpopulations of workers

that may be highly exposed because they are not covered by OSHA standards, or their employers are out of compliance with OSHA standards, or because OSHA has not issued a permissible exposure limit (PEL) (as is the case for NMP). This revision, when final, would supersede the condition of use-specific no unreasonable risk determinations in the December 2020 NMP risk evaluation (and withdraw the associated order) and would make a revised determination of unreasonable risk for NMP as a whole chemical substance.

## Press Releases

**Type:** Press Release - [EPA Releases Initial List of Programs Covered Under the Biden-Harris Administration's Justice40 Initiative](#)

**Title:** EPA Releases Initial List of Programs Covered Under the Biden-Harris Administration's Justice40 Initiative

**Date:** June 24, 2022

**Summary:** Today, the U.S. Environmental Protection Agency (EPA) released an initial list of programs covered under the Biden-Harris Administration's Justice40 ~~EXIT~~ EPA WEBSITE Initiative, which aims to deliver 40 percent of the overall benefits of climate, clean energy, affordable and sustainable housing, clean water, and other investments to disadvantaged communities. Under Administrator Michael S. Regan's leadership, EPA has been integral to fulfilling President Biden's whole-of-government approach to advancing environmental justice and delivering on the President's Executive Order on Tackling the Climate Crisis at Home and Abroad.

+++

**Type:** Press Release - [EPA Issues First Test Order Under National Testing Strategy for PFAS in Commercial Fire Fighting Foam and Other Uses](#)

**Title:** EPA Issues First Test Order Under National Testing Strategy for PFAS in Commercial Fire Fighting Foam and Other Uses

**Date:** June 6, 2022

**Summary:** Today, as a part of the U.S. Environmental Protection Agency (EPA)'s PFAS Strategic Roadmap, the agency issued the first in a series of Toxic Substances Control Act (TSCA) test orders to require companies to conduct and submit testing on per- and polyfluoroalkyl substances (PFAS). When EPA announced its Strategic Roadmap to confront PFAS contamination nationwide, the agency also released the National PFAS Testing Strategy to help identify PFAS data needs and require testing to fill those gaps.

+++