



INTERNATIONAL

REGULATORY RADAR

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Enhancing Compliance & Mitigating Risk.



The Regulatory RADAR is a comprehensive advocacy report for **CPCA Members Only**.

ADVOCACY REPORT



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Members receive access to CPCA advocacy activities, regulatory news, and compliance alerts to facilitate staying ahead of the many changes in Canadian Regulations.

April 2023

- Members Given Another Opportunity to Comment on LC-PFCAs and MCCPs Prior to Their POP listing Under the Stockholm Convention
- Center for International Environmental Law Publishes: *Breathing Plastic, The Health Impacts of Invisible Plastics in the Air*
- OMB Signs off on EPA's TSCA Methylene Chloride Draft
- EPA Proposes Rulemaking to Strengthen Standards for Chemical and Polymers Manufacturing Plants and Limit Chemical Emissions
- Washington Bill to Restrict PCBs or "Chlorine-based pigments" in Paints
- US EPA Unveils New Tailpipe Emissions Rules to Accelerate EV Transition
- Six-month Consultation on ECHA Restriction/Ban of PFAS under REACH
- ECHA Recommends Eight SVHCs for REACH Authorization
- Assessment of Endocrine Properties of Biocidal Substances Causing Undue Delays and Issues



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United States REGULATORY REPORT



Chemical Management

OMB Signs off on EPA's TSCA Methylene Chloride Draft

The Office of Management and Budget cleared the release of the **EPA's RM rule** for methylene chloride.

ACA: EPA Proposes Rulemaking to Strengthen Standards for Chemical and Polymers Manufacturing Plants and Limit Chemical Emissions

EPA recently proposed amendments to significantly reduce emissions and other harmful air pollutants from chemical plants. These amendments will affect the New Source Performance Standards (NSPS) that apply to the Synthetic Organic Chemical Manufacturing Industry and the NESHAP. Facilities that make, store, use, or emit EtO, chloroprene, benzene, 1,3-butadiene, ethylene dichloride, or vinyl chloride would be required to monitor these air pollutant levels at the fence line of facilities. The monitoring data will be public. **More on timeframes here.**

EPA Commits to 'Dialogue' on TSCA Test Orders Before Issuing Them

Last autumn, EPA indicated ambitious plans for as many as **75 test orders per year**, in support of its existing chemical risk evaluations and PFAS testing strategy. EPA committed to a dialogue at least a month ahead of an order.

Industry Concerned with EPA's IRIS Draft for Hexavalent Chromium

The EPA draft assessment is not based on the best available science and is **inconsistent with respected international authorities**.

Consultation on Potential Development of Future Regulations Targeting PFAS Under the CERCLA Superfund

Input and data are sought on seven PFAS, besides PFOA and PFOS, and their salts and structural isomers, or some subset thereof; precursors to PFOA, PFOS, and seven other PFAS; and/or categories of PFAS.

Principles of Cumulative Risk Assessment Proposed Under the TSCA

This draft is **not a framework** nor guidance on the process for conducting CRAs; it rather focuses on the principles of CRA for chemical substances. This follows the draft Phthalate CRA Approach **published in February**.

TSCA SNURs Can Apply to 'Preexisting' Uses that Agency Did Not Know About

EPA tells the court that any **regulated entity can attempt to evade TSCA** by filing Snuns and then claim that an enforcement proceeding is not justifiable pending Snun review.

SNURs Published for 27 Substances

[View the SNURS](#)

Nominations Requested for Review of Draft Supplement to the 1,4-Dioxane Risk Evaluation

[Learn More](#)

California OEHHA

- Proposal to **Lower Prop 65 Safe Harbour Level** for EtO to 0.058 µg/d & **Draft Inhalation Cancer Unit Risk Reviewed**
- Bill 418: Assembly Likely to Pass Five Food Chemicals Ban
These **five common food chemicals**, which include TiO₂, have already been **banned in the EU**.



Health and Safety

New Fed Bill to Force Overtime Pay Limits Higher

Fewer than **15% of all full-time salaried workers** receive overtime pay. The bill would expand eligibility to 55% of salaried workers earning up to \$45,000/year. This threshold would increase each year for five years, culminating at \$82,700.

EPA, OSHA Cooperation Agreement in the Works Ahead of TSCA Risk Management Rules

MOU will focus on the coordination of **workplace safety** implementation and enforcement.



Environment

ACA: Washington Bill to restrict PCBs or "Chlorine-based pigments" in Paints

Last month, a Washington Committee conducted a hearing on a revised bill addressing inadvertent PCBs (iPCBs) in printing inks and paint (SB 5369), which establishes:

- A ban on paint and printing inks with "**chlorine-based pigments**" effective January 1, 2025.
- Additional products with iPCBs may be identified by Oct. 1, 2023, and will be subject to a ban 12 months after a final rule listing.
- Recycled paint and certain previously owned products with coatings containing iPCBs are exempted.

Maine Files Lawsuits Against PFAS Manufacturers

Two lawsuits were filed against manufacturers DuPont and 3M, alleging that they have promoted PFAS substances and PFAS-containing products for widespread use in the state. Maine is in the middle of a multi-year investigation of PFAS contamination tied to sludge or industrial byproducts. 3M plans to exit PFAS manufacturing of fluoropolymers and PFAS-based additives across its product portfolio by the end of 2025.

ACC: Minnesota Lawmakers Poised to Ban PFAS-containing Products

SF 2438 and HF 2310 contain multiple provisions aiming to limit the availability of **PFAS** and **fluorinated chemistries**.

Kansas Signs Advanced Recycling Bill

The bill designates **advanced recycling as a manufacturing activity**, separating this activity from solid waste management.



Transportation

EPA Unveils New Tailpipe Emissions Rules

The new **US rules for tailpipe emissions** could accelerate the transition toward electric vehicles. They would apply to the 2027–32 model year, requiring automakers to offer 67% of their new light-duty passenger vehicles and 46% of their medium-duty trucks as EVs by 2032.

Industry Moving Toward Low-carbon Future

76% of the top 100 chemical companies are **targeting net-zero or carbon neutrality by 2050**, but stable policies are needed to support the shift.

ACA: Administration Fact Sheets on State Investments

The White House recently issued "**STATE FACT SHEETS**": How President Biden's Investing in America agenda is delivering for Americans in all 50 states and territories.

ACC: Supply Chain Disruption Still Hindering Industry

Marine and truck transportation has improved, **while poor rail service** continues to be a major concern.

PHMSA Requests Feedback on Recycled Plastics

How the potential use of recycled plastic resins in the manufacturing of specification packaging may affect **hazardous materials transportation safety** and how to insure transparency.



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European REGULATORY REPORT





Six-month Consultation on ECHA Restriction/Ban of PFAS under REACH

Six countries have drawn up a proposal to restrict 10 000+ PFASs. A six-month consultation on the proposal will end on **September 25, 2023**.

Echa's Restriction Proposal for MCCPs and Other Substances Containing Chloroalkanes with Carbon Chain Lengths from C14 to C17

A wide-ranging **EU restriction on medium-chain chlorinated paraffins** would have 'far-reaching' consequences for the automotive industry which is pressing for exemptions and more time. MCCPs are used in polymers, dyes, adhesives and sealants, and coating products.

Echa Recommends Eight SVHCs for REACH Authorization

The **eight substances** are: lead; CASRN 71868-10-5 & 119313-12-1 – used in photoinitiator in UV-curable CASE inks; 2-(4-tertbutylbenzyl) propionaldehyde and its individual stereoisomers; CASRN 107-15-3 – used in corrosion inhibitors; and, CASRN 111-30-8. Echa also recommended two chemicals that have no registered REACH uses such as diisohexyl phthalate (CASRN 71850-09-4).

European Commission Reviews Final WSP Report on Essential Use Concept

There is increasing pressure on the **Commission to publish the long-awaited revision**.

Echa-led Review of Extended One-generation Reproductive Toxicity Studies (Eogrts) Shows Low Dosing Affects a Fifth of Cases

Labs are then failing to **demonstrate proficiency**.

Rac Gives Support to Proposed EU Restriction of PFAS Firefighting Foams

Echa's risk assessment committee adopted its opinion, which Echa has yet to publish. The proposal covers all PFASs, with a broad definition based on the OECD's. It would restrict their placing on the market, use, and export above 1 ppm.

Assessment of Endocrine Properties of Biocidal Substances Causing Undue Delays and Issues

All biocidal actives that were still in the review program up to 2018 must be assessed in accordance with the specific criteria given in a **Guidance for Regulations** (EU) No 528/2012 and (EC) No 1107/2009 in order that a decision be reached on their endocrine-disrupting effects. However, this addition has delayed approvals of biocidal active substances. Just 42 % of all biocidal active ingredients (31 a.i., 19) have been fully reviewed, while the review program must be completed in 2024.



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Sustainability Reporting Entering the New Era of Standardization

This whitepaper shares insights as to how **businesses can keep up and stay ahead.**

Taiwan's EPA Publishes Guidelines on Registering New and Existing Substances

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