

FACT SHEET

Reconsideration of the 2020 National Emission Standards for Hazardous Air Pollutants (NESHAP): Miscellaneous Organic Chemical Manufacturing Residual Risk and Technology Review

ACTION

- On January 25, 2022, the U.S. Environmental Protection Agency (EPA) proposed the reconsideration of the 2020 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Miscellaneous Organic Chemical Manufacturing source category (“2020 MON final rule”), finalized on August 12, 2020.
- In response to the 2020 MON final rule, the Administrator received and granted petitions for reconsideration on two issues, specifically, on (1) the use of EPA’s 2016 IRIS value for ethylene oxide in assessing cancer risk for the source category, and (2) the use of the Texas Commission on Environmental Quality (TCEQ) risk value for ethylene oxide as an alternative risk value to EPA’s 2016 IRIS value for purposes of evaluating risk under CAA section 112(f)(2).
- In this reconsideration action, EPA is addressing these two issues and is proposing the following:
 - To not change its decision to use the EPA’s 2016 IRIS value for ethylene oxide when assessing risk for the source category in the 2020 MON final rule, as the 2016 ethylene oxide IRIS assessment remains the best available science;
 - To decline to use the TCEQ risk value for ethylene oxide instead of the EPA’s 2016 IRIS value, after careful consideration of the TCEQ risk value for ethylene oxide.
- As such, EPA is not proposing any changes to our risk assessment for the 2020 MON final rule.
- EPA will accept comment on the two issues addressed in this reconsideration action for 45 days after publication in the *Federal Register*. EPA is seeking comment only on the two identified petition issues. The Agency will not respond to comments addressing any other issues or any other provisions of the final rule.

BACKGROUND

- On August 12, 2020, EPA published 2020 MON final rule, pursuant to Clean Air Act (CAA) sections 112(f)(2) and 112(d)(6).
- In the residual risk review, cancer risks were calculated using EPA’s Integrated Risk Information System (IRIS) unit risk estimate (URE) for ethylene oxide and additional standards were imposed in the 2020 MON final rule because the risks were unacceptable based on that analysis.

- Language was also included in the 2020 MON final rule that indicated that “the EPA remains open to new and updated scientific information, as well as new dose response values such as the TCEQ value, as they become available”; however, by the close of the public comment period (March 19, 2020), the TCEQ dose-response value had not yet been finalized and could not be considered in the final action.
- Subsequently, EPA received and granted petitions for reconsideration of two issues, specifically, on (1) the use of EPA’s IRIS value for ethylene oxide in assessing cancer risk for the source category, and (2) the use of the TCEQ risk value for ethylene oxide as an alternative risk value to EPA’s IRIS value for purposes of evaluating risk under CAA section 112(f)(2).

HOW TO COMMENT

- EPA will accept comments for 45 days after the proposal is published in the *Federal Register*.
- Comments, identified by Docket ID No. EPA-HQ-OAR-2018-0746 may be submitted by one of the following methods:
 - Go to <https://www.regulations.gov/> and follow the online instructions for submitting comments.
 - Send comments by email to a-and-r-docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2018-0746.
- Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone and webform.
 - We encourage the public to submit comments via <https://www.regulations.gov/> or email, as there may be a delay in processing mail and faxes. Hand deliveries and couriers may be received by scheduled appointment only.
 - For further information on EPA Docket Center services and their current status, please visit us online at <https://www.epa.gov/dockets>.

FOR MORE INFORMATION

- Interested parties can download a copy of the proposed rule notice from EPA’s website at <https://www.epa.gov/stationary-sources-air-pollution/miscellaneous-organic-chemical-manufacturing-national-emission>.
- Today’s action and other background information are also available electronically at <https://www.regulations.gov/>, EPA’s electronic public docket and comment system.
- For additional technical information about the rule, contact Tegan Lavoie at the EPA's Office of Air Quality Planning and Standards, at (919) 541-5110 or at lavoie.tegan@epa.gov.