



NMP News Brief

June 2017

EPA Docket on NMP Conditions of Use

N-Methylpyrrolidone (NMP) stakeholders may wish to review the submissions in the [U.S. Environmental Protection Agency \(EPA\) docket for input and information to assist EPA in its efforts to establish the scope of the NMP risk evaluation under the Toxic Substances Control Act \(TSCA\)](#). Many industrial groups, including the NMP Producers Group, Inc. (NMP Producers Group), submitted input on conditions of use for NMP, which will be critical in EPA's assessment. This risk assessment under amended TSCA is distinct and separate from the risk assessment conducted on paint removers containing NMP. The risk assessment under amended TSCA will cover all other conditions of NMP use.

The deadline for submission was originally March 1, 2017, but in response to a request from the interested public, EPA extended the comment period until March 15, 2017.

EPA Docket on Section 6 Proposed Rulemaking for NMP Used in Paint Removers

On May 19, 2017,¹ the NMP Producers Group submitted two sets of comments to EPA on its proposed TSCA Section 6 rulemaking on NMP used in paint removers. One set of comments highlighted significant scientific errors and problems in the EPA initial and supplemental risk assessments, which were the basis for the proposed risk management rulemaking. The NMP Producers Group raised questions on the timing of the EPA supplemental risk assessment and EPA's announcement of the assessment conclusions, the inappropriate reliance on an unusually low benchmark response, the decision to ignore saturated air concentration values for exposure modeling, and other analytical flaws previously raised by one of EPA's peer reviewers, and identified problems with the peer review process.

The second set of comments focused on the proposed restriction in the EPA proposal. The NMP Producers Group clearly stated that it does not support the EPA conclusions from its risk assessment that NMP in paint remover products presents unreasonable risks. The NMP Producers Group comments highlighted critical concerns or issues that EPA must address should the Section 6 rulemaking proceed. These issues included the elimination of proposed restriction for consumer uses, identification of changes needed in the proposed personal protective equipment (PPE) risk

¹ The comment period was initially scheduled to close on April 19, 2017, but EPA extended the deadline until May 19, 2017.

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management options for occupational scenarios, and the recommendation to defer any final rulemaking actions until the ongoing assessment under amended TSCA is complete. The NMP Producers Group noted the Executive Order that directs EPA to remove two regulations for each new regulation.² If EPA decides to pursue a separate risk management action for paint removers only, it would need to identify two regulations to be withdrawn. If additional risk management actions are identified later, EPA would need to identify an additional two regulations to withdraw. If EPA defers the Section 6 actions on paint removers until the ongoing risk assessment is completed, however, and issues only one risk management rule, it would only need to withdraw two regulations instead of four.

The NMP Producers Group's comments, as well as submissions from other groups, will eventually be available in the [EPA docket](#). As of May 31, 2017, EPA had not completed the processing of the reported thousands of comments submitted, so not all submitted comments are posted in the docket yet.

² Presidential Executive Order on Reducing Regulation and Controlling Regulatory Costs (Jan. 30, 2017), available at <https://www.whitehouse.gov/the-press-office/2017/01/30/presidential-executive-order-reducing-regulation-and-controlling>.