

EPA's Proposed Rule to Regulate TCE Use for Aerosol Degreasing and Spot Cleaning must be Reevaluated to Address Small Business Concerns.

On March 15, 2017, the Office of Advocacy (Advocacy) filed a comment letter with the U.S. Environmental Protection Agency (EPA) regarding its proposed rule entitled, “*Trichloroethylene (TCE); Regulation of Certain Uses Under TSCA § 6(a)*.” A complete copy of Advocacy’s letter to EPA may be accessed at: <http://www.sba.gov/advocacy/>.

- On December 16, 2016, EPA issued the proposed rule, which will:
 - Prohibit the manufacture (including import), processing, and distribution of TCE for aerosol degreasing and spot cleaning in dry cleaning facilities
 - Prohibit the commercial use of TCE in aerosol degreasing and for spot cleaning in dry cleaning facilities; and
 - Impose downstream notification requirements.

Under the Regulatory Flexibility Act (RFA), EPA certified that the rule will not have a significant economic impact on a substantial number of small entities. EPA provided formal notification of its intent to convene a SBREFA panel for this regulatory action but ultimately did not convene the panel for TCE use of aerosol degreasing and spot cleaning.

- Small businesses are concerned about the risk assessment which is used to support the prohibition of production and use of TCE for these uses and the lack of consideration of compliance costs that would be incurred by small businesses.
- Advocacy urges EPA to carefully address the small business concerns and carefully reconsider the impact of its proposal on small businesses.

For more information, visit Advocacy’s website at <http://www.sba.gov/advocacy>, or contact Assistant Chief Counsel Tayyaba Waqar by email at twaqar@sba.gov or by phone at 202-205-6790.