

Advocacy Comments on EPA's Chromium Electroplating Supplemental Rule

On March 12, 2012, the Office of Advocacy (Advocacy) submitted a comment letter to the U.S. Environmental Protection Agency (EPA) discussing Advocacy's concerns with EPA's supplemental notice of proposed rulemaking, "National Emission Standards for Hazardous Air Pollutant Emissions: Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks; and Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plans," 77 Fed. Reg. 6628 (February 8, 2012). The proposed rule would set emission limits for facilities for hexavalent chromium achievable by the application of control technologies and testing. The supplemental proposed rule also proposes to ban perfluorooctyl sulfonates (PFOS) based wetting agent fume suppressant (WAFS), a commonly used control technology. Advocacy's comment letter includes the following points:

- Advocacy is concerned that EPA's certification is missing essential factual information. EPA has not demonstrated that this rulemaking is technically feasible and, therefore, cannot certify at this time.
- EPA has not shown that this rulemaking is technically feasible because the data does not establish whether proposed surface tension levels are achievable using non-PFOS based WAFS. EPA's data is based upon, and its conclusions rely on, the use of PFOS WAFS which the rule is banning.
- EPA has not demonstrated that the rulemaking will not have a significant cost. Although EPA obtained limited data on the costs of non-PFOS WAFS, more data on how the faster depletion rate of alternatives will affect the amount of WAFS used in the electroplating and anodizing processes is necessary to satisfy the cost impact analysis.

A complete copy of Advocacy's letter to EPA is available at: www.sba.gov/advocacy.

For further information regarding this issue, visit Advocacy's website at: www.sba.gov/advocacy or contact [Sarah Bresolin Silver](#) at 202-205-6790.