October 23, 2024

Dr. Sarah Au
Data Gathering, Management, and Policy Division (7406M)
Office of Pollution Prevention and Toxics
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460-0001

Docket Number EPA-HQ-OPPT-2018-0448

Dear Dr. Au,

In response to the request for public comments by the United States (U.S.) Environmental Protection Agency (EPA or Agency) regarding its proposed designation of vinyl chloride (CASRN 75-01-4) as a high priority substance under the Toxic Substances Control Act, the National Roofing Contractors Association (NRCA) expresses our support for comments developed by the Vinyl Institute (VI), summarized below, as well as comments filed by VI in the previous comment period.[1] Vinyl chloride is an essential commodity chemical that is a vital part of the value chain for many products, especially those in roofing materials and systems.

Established in 1886, NRCA is one of the nation's oldest trade associations and the voice of roofing professionals worldwide. Our nearly 4,000 member companies represent all segments of the industry, including contractors, manufacturers, distributors, consultants, and other employers in all 50 states and internationally. NRCA members are typically small, privately held companies with the average member employing 45 people and attaining sales of $4.5 million per year. The U.S. roofing industry is an essential $100 billion sector with nearly one million employees that provides critical materials and services to ensure home and business safety.

We share your goal of safeguarding public health and the environment, however we believe that categorizing vinyl chloride in this manner would result in significant unintended consequences without proportional benefits.

Vinyl chloride is a crucial component in various industrial processes, particularly in the production of polyvinyl chloride (PVC), a material utilized extensively in construction applications due to its durability, versatility, and cost-effectiveness. Categorizing vinyl chloride as a high priority substance could lead to unwarranted restrictions and burdensome regulatory requirements on industries reliant on it, potentially resulting in job losses, economic disruption, and diminished competitiveness on a global scale.

[1] Docket Document No. EPA-HQ-OPPT-2018-0448-0025, available at: https://www.regulations.gov/search/comment?filter=EPA-HQ-OPPT-2018-0448-0025.

As EPA moves through this phase of its years-long TSCA section 6 process, we want to emphasize several key points:

- Vinyl chloride is well-managed under U.S. federal law through the Clean Air Act NESHAPS rules, OSHA vinyl chloride standard, OSHA process safety management, and the Resource Conservation and Recovery Act (RCRA), in addition to state regulations. Additionally, polyvinyl chloride (PVC) manufacturers are required under existing regulations to remove residual vinyl chloride from PVC resin to minute levels that are protective of human health and the environment.
- When assessing the potential risks to workers of vinyl chloride, EPA should consider key studies identified by industry on vinyl chloride. The Agency should factor in the role of experimental design and relevance to current work practices, because workplace exposures since 1975 have been dramatically decreased under subsequent regulations and stewardship efforts. Occupational exposure studies must be suitable for characterizing current exposures to vinyl chloride during manufacturing. A VI review of EPA's HAWC database found that exposure data and studies for vinyl chloride manufacturers are limited in quality and availability. In addition, EPA must consider the purpose of sampling when evaluating the relevance of a given study for characterizing worker exposure to vinyl chloride. Exposure studies with specific objectives may not provide a representative estimate of exposure during normal operating conditions.
- Vinyl chloride is already deeply researched. However, the database of hazard studies EPA appears ready to rely on for final prioritization and possible risk evaluation is unnecessarily limited, and should include additional studies identified by VI for EPA to consider. EPA identified the studies under consideration for use in prioritization and the possible future risk evaluation of vinyl chloride through their Health Assessment Workspace Collaborative (HAWC). VI reviewed the HAWC database to ensure the methods for identification of studies were comprehensive and no important hazard studies were missed in EPA's review. VI identified an initial list of scientific studies relevant to human health hazard from previous assessments by the Agency for Toxic Substances and Disease Registry (ATSDR), Texas Commission on Environmental Quality (TCEQ), and the EPA Integrated Risk Information System (IRIS), as well as studies available through the National Center for Biotechnology Information PubMed resource that were not captured in the HAWC assessment.
- Years of experience under many regulatory programs, including TSCA, indicate that *de minimis* concentrations and exposures do not meaningfully contribute to risk. EPA should consider whether it is a necessary or sensible use of agency and stakeholder resources to include de minimis concentrations and exposures in the scope of the risk evaluation for vinyl chloride, or whether de minimis concentrations and exposures could be screened early in the process to determine that they do not contribute to risk.

Ahead of developing a high-quality risk evaluation for vinyl chloride using the best available science and a weight-of-evidence approach, as required by TSCA, we urge EPA to strongly

consider the relevance of a more robust data set on hazards and exposures, and the positive impact of decades of progress in industry work practices to effectively protect worker safety and human health. Further, we urge the EPA to prioritize the promotion of continued innovation in risk management and pollution prevention strategies. This approach would enable the continued safe utilization of vinyl chloride in construction applications, including roofing materials, while minimizing potential risks to human health and the environment. Doing so would prevent unnecessary regulatory burdens on industries, preserve jobs, and ensure the continued availability of essential products to consumers.

Thank you for considering our organization's comments on this critical issue. If you have questions or need more information, please contact Deb Mazol (DMazol@nrca.net) in our Washington, D.C. office at (202) 546-7584.

Sincerely,

Chief Executive Officer