



EPA Announced Public Comment Period for Five PBT Rules and No Action Assurance for One Chemical

The U.S. Environmental Protection Agency (EPA) issued five final rules to reduce exposures to certain chemicals that are persistent, bioaccumulative and toxic (PBT).

In March 2021, EPA announced a 60-day public comment period to collect additional input on these final rules which were issued on January 6, 2021. Additionally, EPA issued a temporary 180-day “No Action Assurance”, which will allow them to exercise enforcement discretion regarding the prohibitions on processing and distribution of PIP (3:1) for use in articles, to ensure that the supply chain of these articles is not interrupted while EPA determines the appropriate final action. EPA will accept comments until May 17, 2021 in docket EPA-HQ-OPPT-2021-0202 on www.regulations.gov. Comments may include whether and how the rules should be revised as the agency can amend them if circumstances change or new information becomes available.

The following rules apply to persons who currently or may manufacture (including import), process, distribute, use, and/or dispose of products and articles containing the following PBT chemicals: 2,4,6-TTBP, decaBDE, PIP (3:1), PCTP, and HCBd.

1. Decabromodiphenyl ether (DecaBDE) (CASRN 1163-19-5)
 - Used as a flame retardant in plastic enclosures for televisions, computers, audio and video equipment, textiles and upholstered articles, wire and cables for communication and electronic equipment, and other applications.
 - Distribution is prohibited as of January 6, 2022.
2. Phenol, isopropylated phosphate (3:1) (PIP (3:1)) (CASRN 68937-41-7)
 - Used as a plasticizer, a flame retardant, an anti-wear additive, or an anti-compressibility additive in hydraulic fluid, lubricating oils, lubricants and greases, various industrial coatings, adhesives, sealants, and plastic articles, and in foam upholstery, textile fibers, carpets and curtains.
3. 2,4,6-Tris(tert-butyl)phenol (2,4,6-TTBP) (CASRN 732-26-3)
 - Uses include fuel, oil, lubricant additives, and stabilizers.
 - Prohibits products containing 2,4,6-TTBP at concentrations above 0.3%, beginning on January 6, 2026.
4. Hexachlorobutadiene (HCBd) (CASRN 87-68-3)
 - Commercial and consumer uses include fumigant/pesticide/algaeicide, textile coating, hydraulic fluid, and gyroscope fluid.
5. Pentachlorothiophenol (PCTP) (CASRN 133-49-3)
 - Used in rubber manufacturing as a peptizer, or a chemical that makes rubber more amenable to processing.
 - Prohibition above 1% by weight effective January 6, 2022.

To view link to the rules and public comment period:

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/persistent-bioaccumulative-and-toxic-pbt-chemicals-under>

How Does this Impact You? Contact Us to Discuss

If you have any questions, please contact your customer service representative or email:

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