



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

NOV 04 2019

Timothy Whitehouse
Executive Director
Public Employees for Environmental Responsibility
962 Wayne Avenue, Suite 610
Silver Spring, Maryland 20910

Dear Mr. Whitehouse:

The U.S. Environmental Protection Agency (EPA) is responding to the petition filed pursuant to section 21 of the Toxic Substances Control Act (TSCA), received on August 7, 2019, from your organization, Public Employees for Environmental Responsibility (PEER). The petition requests that EPA initiate a rulemaking under TSCA section 6(a) prohibiting oil refineries from using hydrofluoric acid in their manufacturing processes and for oil refineries to phase out the use of hydrofluoric acid within two years. PEER also petitioned EPA under the Administrative Procedures Act to take the same action pursuant to section 112 of the Clean Air Act. This response addresses only the section 21 petition under TSCA.

EPA has reviewed the information submitted in your petition. Based on this review and after careful consideration of your specific requests, EPA is denying the petition. The Agency's reasons for denying your petition will be published in a forthcoming edition of the Federal Register. A pre-publication copy of that Federal Register document is enclosed.

Under TSCA section 21, PEER has the right to appeal the Agency's denial of its petition by commencing a civil action in a U.S. district court to compel the Administrator to initiate a rulemaking proceeding for a TSCA section 6(a) rule as requested in the petition within 60 days of the date of this letter. If you would like to discuss this matter further, please contact Tanya Mottley, Director of the National Program Chemicals Division, at 202-564-3152.

Sincerely,

A handwritten signature in blue ink, reading "Alexandra Dapolito Dunn".

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety and Pollution Prevention