



OFFICE OF POLLUTION PREVENTION AND TOXICS

WASHINGTON, D.C. 20460

June 5, 2025

Robert J. Simon
Vice President
Chemical Products and Technology
American Chemistry Council
700 2nd Street, NE
Washington, D.C. 20002

Re: PET-001911: Toxic Substances Control Act Section 21 Petition to Initiate a Proceeding for the Amendment of EPA's Final Rule for Trichloroethylene

Dear Mr. Simon:

I am writing to confirm that on May 29, 2025, the U.S. Environmental Protection Agency received your petition, submitted on behalf of American Chemistry Council requesting that EPA amend the final rule "Trichloroethylene (TCE); Regulation Under the Toxic Substances Control Act (TSCA)" (89 FR 102568; December 17, 2024) to "reconsider and amend two discrete provisions of the rule:

- (i) revise the byproduct exclusion in 40 C.F.R. § 751.301(c) by removing the [']site-limited['] restriction that requires byproduct TCE to be reused as a [']part of the same overall manufacturing process.['] This would allow facilities to continue reusing/processing byproduct TCE *either* at the same facility where the byproduct was generated *or* at another facility; and
- (ii) delete the last sentence from the [']regulatory threshold['] provision in 40 C.F.R. § 751.301(b), which would allow facilities to continue discharging wastewater that contains TCE at less than 0.1 percent by weight pursuant to their valid, existing Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permits."

EPA notes ACC also requests that the Agency "take immediate action to revise the TCE Rule by extending the compliance deadlines for the prohibitions on wastewater disposal and reuse of byproduct TCE."

Your petition has been filed pursuant to section 21 of the Toxic Substances Control Act and, as required under this section, EPA will either grant or deny the portions of your petition eligible for TSCA section 21 within 90 days of the date we received your petition (i.e., by August 27, 2025).

If you have any questions relating to your petition or the EPA's guidelines for TSCA section 21 petitions, feel free to contact petitions-ocspp@epa.gov, or Thomas Groeneveld of my staff at (202) 566-1188 or groeneveld.thomas@epa.gov.

Sincerely,

Mary Elissa Reaves, Ph.D.
Director
Office of Pollution Prevention and Toxics