



AFL-CIO

AMERICA'S UNIONS

**American Federation
of Labor and
Congress of Industrial
Organizations**

815 Black Lives Matter
Plaza NW
Washington, DC 20006

202-637-5000

aflcio.org

EXECUTIVE COUNCIL

ELIZABETH H. SHULER
PRESIDENT

FREDRICK D. REDMOND
SECRETARY-TREASURER

Michael Sacco
Cecil Roberts
Matthew Loeb
Randi Weingarten
Fredric V. Rolando
Baldemar Velasquez
Lee A. Saunders
Terry O'Sullivan
James Callahan
DeMaurice Smith
Sean McGarvey
D. Taylor
Stuart Appelbaum
Mark Dimondstein
Cindy Estrada
Sara Nelson
Marc Perrone
Eric Dean
Joseph Sellers Jr.
Christopher Shelton
Lonnie R. Stephenson
Richard Lanigan
Robert Martinez
Gabrielle Carteris
Mark McManus
Elissa McBride
John Samuelsen
Vonda McDaniel
Gwen Mills
Charles Wowkanech
Bonnie Castillo
Warren Fairley
Ernest A. Logan
Capt. Joe DePete
James Slevin
Tom Conway
John Costa
Tim Driscoll
Everett Kelley
Anthony Shelton
Ray Curry
Edward A. Kelly
Evelyn DeJesus
Cheryl Eliano
Matthew S. Biggs
Roxanne Brown
Arthur Maratea
James A. Williams Jr.
Ben Valdepeña
Meghann Burke
Bernie Burnham
Gina Cooper
Frank Christensen
Roland Rexha
Rich Santa

September 28, 2022

Dr. Michal Freedhoff

Assistant Administrator for the Office of Chemical Safety and Pollution
Prevention

U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW

Washington, DC 20460

**Re: Carbon Tetrachloride; Draft Revision to Toxic Substances Control Act
(TSCA) Risk Determination; Notice of Availability and Request for
Comment; Docket ID: EPA-HQ-OPPT-2016-0733**

Dear Assistant Administrator Freedhoff:

The AFL-CIO is a federation of 58 national and international unions and we represent more than 12.5 million working people in their workplaces. Our unions represent workers in a broad range of industries including manufacturing, construction, first responders, education, transportation, utilities, and others; in private and public sectors; in stationary and mobile workplaces. Our members work side-by-side with millions of non-unionized workers. We, along with our affiliate unions, have been actively engaged in the implementation of the 2016 Frank R. Lautenberg Chemical Safety for the 21st Century Act and have commented on previous scoping, risk evaluation and risk management documents for the first ten priority chemicals.

The AFL-CIO strongly supports EPA's decision to revise the risk evaluation for carbon tetrachloride. The revised risk evaluation corrects two significant errors in the previous risk evaluation and EPA should move quickly to finalize the revised risk determination and move to management of the unreasonable risks posed by carbon tetrachloride.

We strongly support EPA's decision to follow longstanding occupational risk evaluation practices by not including assumptions of widespread PPE use in

making a risk determination for carbon tetrachloride. EPA's earlier policy assumed widespread use of PPE and reduced measured exposure levels by the assigned protection factor of the PPE. This policy was inconsistent with longstanding OSHA regulations and incompatible with well-established industrial hygiene principles. OSHA and NIOSH strongly urged EPA to abandon this erroneous assumption in making a risk determination and we commend the agency for following occupational safety and health expertise when evaluating occupational risk.

Labor and other groups have previously commented at length on why exposures should be measured without regard to PPE; why OSHA regulations do not apply at the exposure levels EPA has determined pose unreasonable risks; and why EPA should consider PPE use, if at all, only during risk management and only consistent with the hierarchy of controls. Further supporting our past comments and EPA's revised risk evaluation, is the 2022 publication by the National Academy of Sciences, Medicine and Engineering (NAS) Frameworks for Protecting Workers and the Public from Inhalation Hazards. The NAS committee reported the vast majority of workplaces do not have a respiratory protection program, with a rough estimate that only 3.3 percent of American workers are protected by a respiratory protection program issued under OSHA standards. Our comments on the revised risk determinations for HBCD and methylene chloride detail our objections to the old assumptions and explain why the revised risk determination accurately reflects the risks workers face. As these comments are relevant to risk determination for all chemicals EPA evaluates, we ask that EPA incorporate those comments by reference into the docket for carbon tetrachloride.

We also believe that EPA's decision to make a risk determination for the "whole chemical" carbon tetrachloride is more consistent with the statutory text of TSCA and serves to better protect workers equitably. All workers exposed to a chemical at an exposure level EPA has determined pose unreasonable risks should be protected through risk management regulations. Under the "use-by-use" policy EPA had previously relied upon, workers with similar exposures but working in different "conditions of use" might not receive equivalent protections from risk management rules. The new "whole chemical" risk determination ensures that all workers exposed to unreasonable risks from carbon tetrachloride can be provided equivalent protections under TSCA.

In conclusion, we strongly support EPA's decision to determine risk without using assumptions on the use of PPE and using a whole chemical approach. The agency should move quickly to finalize the revised risk determinations and to propose strong risk management rules that protect workers from the unreasonable risks from exposure to carbon tetrachloride.

Sincerely,



MK Fletcher, MSPH



Rebecca L. Reindel, MS, MPH