

Industry Roundtable on Composites Manufacturing, Styrene and TSCA

January 14, 2025



Megan Multanen

Chair; ACMA Board of Directors
Co-Chief Executive Officer; Bestbath

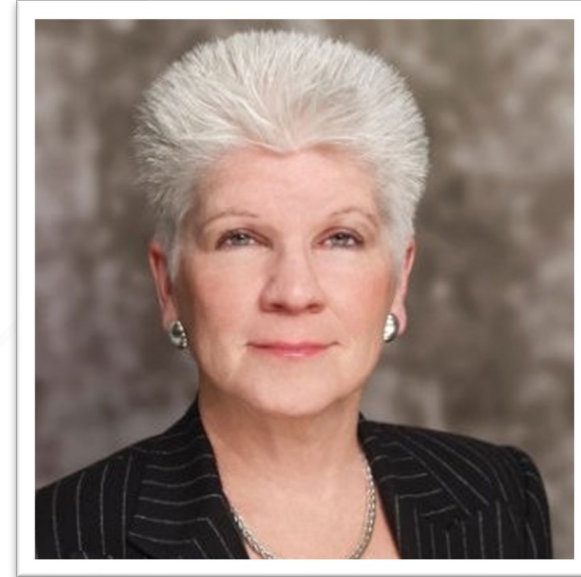


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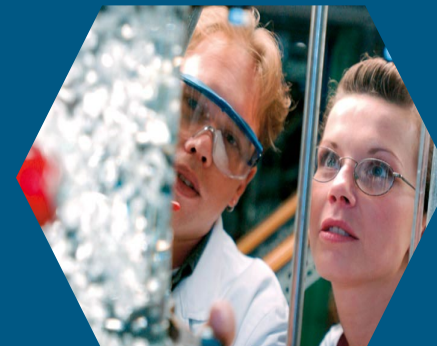
Daniel Neumann
Vice President,
Government Relations

Agenda

- ACMA Introduction & Overview
- What happened?
- Why is this important?
- What is the political/ regulatory background?
- When will our use of styrene be regulated?
- What could the regulation require?
- How could the Trump Administration and Courts impact this process?
- What is ACMA doing?
- How do I get involved?
- How can I turn this uncertainty into an advantage?
- Q&A

OUR VALUES

- **Shared Voice** – ACMA convenes the industry and is the trusted voice to advance a strong collaborative composites industry with respected policy experts, industry leaders and advocates, with industry leading data.
- **Science** – Our leadership of the industry is predicated on the foundation of strong science ensuring that composite technology is always viewed as an innovative, reliable, responsible, and sustainable industry.
- **Standards** – Incorporating composites into the work of established standard developing organizations will ensure a regulatory framework that supports the composites industry to deliver the materials solutions that enable our growth.
- **Support** – Our team is committed to provide the range of activities to support the growth of our industry through education, representation, events, and public affairs.
- **Service** – An association is nothing without our members and we will provide a superior level of service.



ACMA Leadership Perspective



Megan Multanen

Chair; ACMA Board of Directors
Co-Chief Executive Officer; Bestbath



Andrew Beer

Chair; ACMA Resin Managers Council
Vice President, Americas; INEOS Composites

Quick Poll

Preparing for TSCA



EPA gets a tour from Dan Naugle of Composites USA

ACMA active engagement with NMMA, ICPA & SIRC

***What happened?
Why is this important?***

What happened?

Styrene subject to the Toxic Substances Control Act (TSCA)

- 1976 Legislation
- 2016 Amendments
- EPA's implementing program



FEDERAL REGISTER

The Daily Journal of the United States Government



Notice

Initiation of Prioritization Under the Toxic Substances Control Act (TSCA); Notice of Availability

A Notice by the Environmental Protection Agency on 12/18/2024

This document has a comment period that ends in 64 days. (03/18/2025)

SUBMIT A PUBLIC COMMENT

PUBLISHED DOCUMENT: 2024-29829 (89 FR 102903)

PDF

Document Details

Document Dates

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Public Comments

Regulations.gov Data

Sharing

Print

Document Statistics

Other Formats

Public Inspection

DOCUMENT HEADINGS

Environmental Protection Agency
[EPA-HQ-OPPT-2023-0601; FRL-11581-06-OCSPP]

AGENCY:

Environmental Protection Agency (EPA).

ACTION:

Notice.

SUMMARY:

Under the Toxic Substances Control Act (TSCA) and related implementing regulations, EPA is initiating the prioritization process for five chemical substances as candidates for designation as High-Priority Substances for risk evaluation. This action provides the identity of the chemical substances being initiated for prioritization, a general explanation of why the Agency chose these chemical substances, and information on the data sources EPA plans to use to support the designation. EPA is providing a 90-day comment period, during which interested persons may submit relevant information on these chemical substances.

DATES:

Comments must be received on or before March 18, 2025.

Why is this important?

Existing Chemical Exposure Limits (ECELS)

Chemical	OSHA PEL (ppb)	EU OEL (ppb)	EPA ECEL (ppb)	PEL/EPA ECEL
Methylene Chloride	25,000	100,000	2000	12.5 times lower
Perchloroethylene	100,000	20,000	140	714 times lower
Carbon Tetrachloride	10,000	10,000	30	333 times lower
Trichloroethylene	100,000	10,000	4	25,000 times lower
Formaldehyde	750	300	11 ppb*	~ 70 times lower

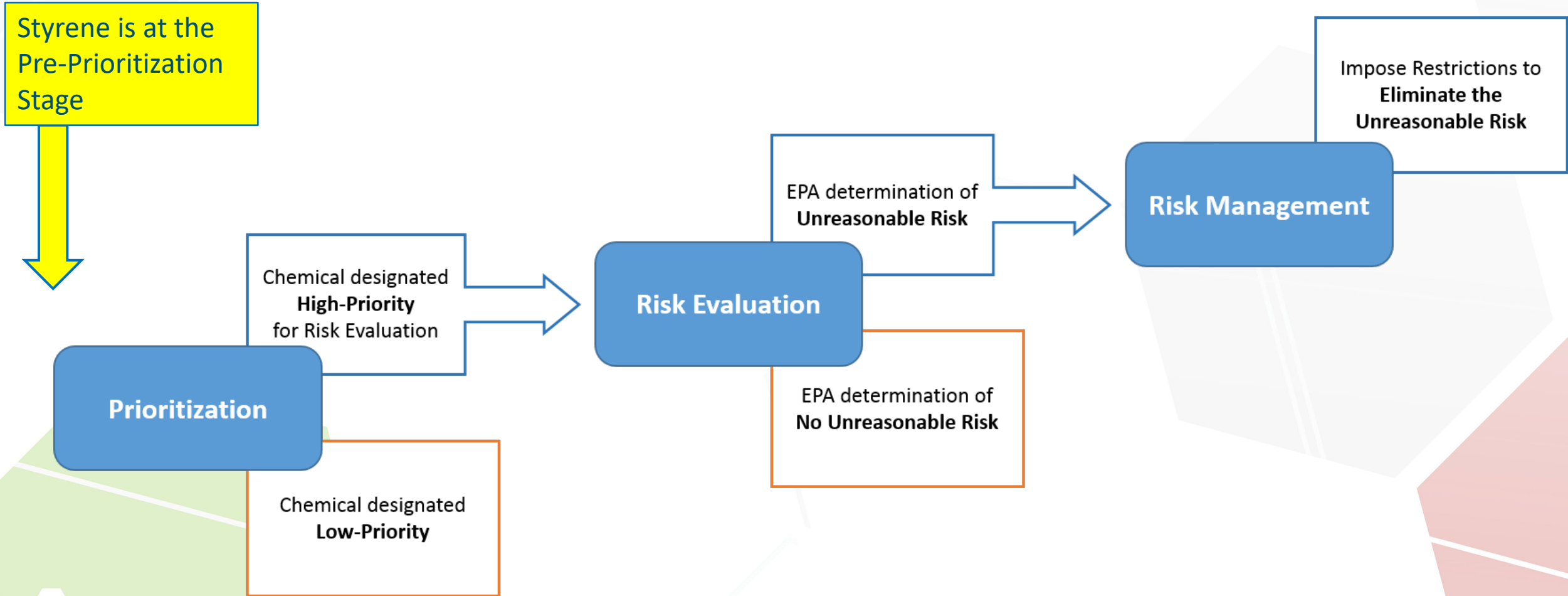
***What is the political/
regulatory background?***

Political/Regulatory Background

- Original TSCA statute did not effectively regulate “**existing chemicals**,” resulting in compromise between the chemical industry and environmental interests with the bipartisan 2016 TSCA amendments
- Congress established **3-stage framework**—each with statutory deadlines and many opportunities for public comment—for EPA to develop chemical use regulations to **eliminate “unreasonable risk”**



Political/Regulatory Background



Changing Winds of Administrations



Obama



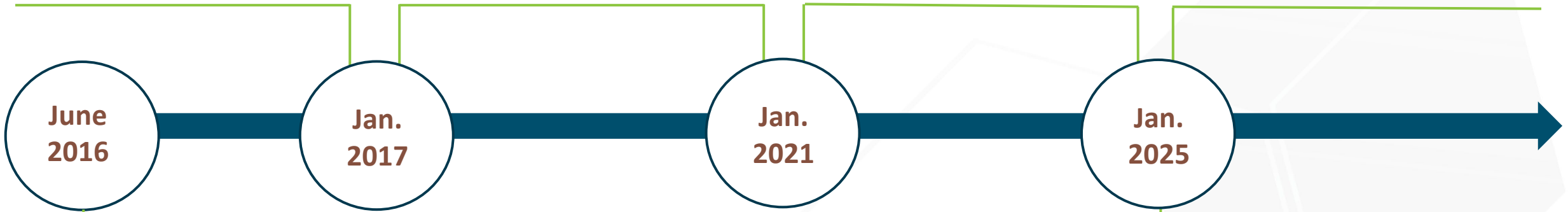
Trump



Biden



Trump



Frank R. Lautenberg
Chemical Safety for the
21st Century Act enacted

Lee Zeldin (EPA nominee)



Status of Chemical Reviews (as of January 10, 2025)

First 10 Existing Chemicals

- 5 final risk management rules
- 3 proposed risk management rules

Next 20 “High Priority” Chemicals

- 3 completed risk evaluations

Additional “High Priority” Chemicals

- 1 additional chemical designated “high priority” in October 2020, and 5 additional chemicals in December 2024

When will our use of styrene be regulated?

Given the recent announcement what are the known key dates? What could change?

December 18, 2024	• Initiation of Prioritization (89 FR 102903)	
December 2025	• Final prioritization due	➤ Triggers risk evaluation
1 Year	Within one year of starting risk evaluation, draft scoping	
3.5 Years	Within 3.5 years of starting risk evaluation, final risk evaluation and risk determination	➤ Scope of risk evaluation expected 1 year after starting risk evaluation
		➤ Finding of unreasonable risk triggers risk management (RM)
1 Year	Within 1 year of final risk evaluation, draft Risk Management (RM) rule	
2 Years	Within 2 years of final risk evaluation, final RM rule	
6 Years TOTAL	Final rule expected in about 6 years	

EPA has missed most of the deadlines for TSCA regulation set by Congress

- EPA was sued for failure to perform non-discretionary duties under TSCA timely to complete risk evaluations
 - **Court-ordered deadlines** were derived from these cases:
 - *Community In-Power and Development Association Inc. v. EPA* (D.D.C.)
 - *ACC v. EPA* (D.D.C.)
- Recent activity also likely due to an “end of Administration” rush
- Change of Administration and possible impact of Court decisions could impact schedule
 - *CIDA* and *ACC* court-ordered deadlines will remain in effect, but EPA may renegotiate them
 - Prioritization announced on December 18, 2024, may be delayed
 - Litigation on EPA’s recent final rules (*e.g.*, asbestos, methylene chloride, TCE, procedural framework) will likely contribute to delays

*What could the regulation
require?*

How does the risk evaluation result impact the rest of the process?

- EPA must regulate to the “extent necessary” to address any **unreasonable risk identified** in the risk evaluation
- Critical that final risk evaluation is based on **quality information and sound science**
- Conclusion of **risk evaluation informs protective measures**
 - Workplace controls
 - Release limits
 - Prohibitions (with possible phase-out periods)
 - Downstream notification

What is a “condition of use” and when does it come into play?

- **Conditions of use (COUs)** means “the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of”
- COUs come into play at the initiation of prioritization
- Scope of risk evaluation further clarifies COU for EPA’s risk evaluation
- EPA evaluates releases and exposures for COUs
- Final risk determination specifies which COUs pose an unreasonable risk

What have we seen in risk evaluations?

- Science seems biased toward **most precautionary** outcomes
- Departure from global risk evaluation outcomes and EPA's own risk evaluation standards
- Limits input from EPA's external science advisors

What is a “risk management standard?”

- Risk management chooses from array of protective measures
- Protective measures must protect against risks identified in risk evaluation
 - Each final risk management rule includes some use bans
 - Even when EPA concludes Workplace Chemical Protection Program (WCPP) is protective for risk identified in risk evaluation
 - If WCPP is protective does a ban go beyond the “extent necessary”

When will we know what level of exposure/emission would be allowed?

- A risk-based occupational exposure level (RBOEL) will be available in the draft risk evaluation
- RBOEL is used during risk management to inform an existing chemical exposure limit (ECEL)
- Value of RBOEL will depend on EPA's interpretation of the science; EPA's precautionary policies may result in very low values; feasibility and cost are not considered at this stage
- EPA has not identified a policy for controlling fenceline exposures; some Risk Management standards have addressed fenceline exposures by prohibiting uses with high workplace exposures

***How could Trump
Administration policies and
decisions by Federal Courts
impact this process?***

What do we expect from Trump 2.0?

- Review Point of Departure (POD) and Margin of Exposure (MOE) to align better with best available science
- Focus on “extent necessary” rather than bans

What do we expect from the Courts?

- Court decisions may:
 - Define “extent necessary”
 - Challenge EPA’s view of the best available science

What do we know about Trump policy thus far?

- Deregulatory agenda will influence policy changes
- TSCA likely not high on White House's priority list
- May be limited by statutory requirements under TSCA (*e.g.*, must do risk evaluations, must issue RM rules, and must review new chemicals)

How will Agency funding impact this process?

- Decreased funding under TSCA will adversely impact industry
 - Reduced funding for OPPT could drive EPA to rely on precautionary shortcuts
 - Staff and supporting contracts
- Grant programs are a major part of EPA's budget

What is ACMA Doing?

December 5, 2024

The Honorable Donald J. Trump
President-Elect of the United States

Dear President-Elect Trump,

Manufacturers in America are ready to help you deliver on your promise to make the United States the best place in the world to build, grow and create jobs. Manufacturing is at the heart of our economy, employing nearly 13 million people in America, supporting local communities and developing innovative new products that make life better for everyone.

Right now, regulations are strangling our economy. Manufacturers are shouldering enormous regulatory compliance costs—nearly \$350 billion annually, or 12% of our entire sector's contribution to U.S. GDP. For smaller manufacturers, these costs can exceed \$50,000 per employee each year. This means that a small manufacturer with just 20 employees pays \$1 million per year to comply with federal regulations—rather than investing those funds in raises

Transition Outreach

- Letter to Trump & Transition
- EPA Nomination Hearings Qs

Chemicals Risk Management

The Toxic Substances Control Act also requires the EPA to assess risk, which means to consider both the hazards of and the exposures to a chemical. However, the agency is not currently taking this approach to new regulations of existing chemicals in commerce. The EPA is focusing predominantly on hazards and making conservative assumptions about exposures, which is leading to unnecessary regulation. In its TSCA program and elsewhere, the EPA relies on assumptions and shortcuts instead of the thorough and transparent identification, assessment, weighing and integration of data that is needed to arrive at scientifically valid conclusions, which is leading to confusion, duplication and overregulation.

We look forward to working with your administration to ensure that manufacturers in the United States have the freedom and certainty they need to drive growth, invest in people and technology and strengthen our communities.

* * * *

Assembling a Team & Coalition



Legal Counsel

SIDLEY

Policy Advisors



Communications Advisors

- Telling our Story
- Building a Robust Record
- Keeping Members Informed & Providing Guidance
- Amplify our Message

How do I get involved?

Communications

If you have ideas, questions, or concerns about communications with this campaign feel free to reach out to:

Alex Dickinson

Managing Partner, Beekeeper Group

acma@beekeepergroup.com

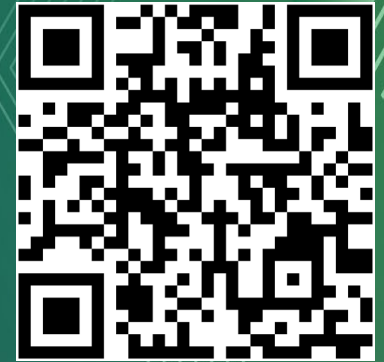


Beekeeper Group

What steps can you take?

- All attendees will receive styrene action information moving forward
- Let us know who else should be receiving alerts
- Please support the **Composites Advocacy Fund** to fund our efforts!
- Attend the Composites 2025 Fly-in & pop-up advocacy meetings
- Host a tour of your member of Congress at your facility

Poll (Private)



COMPOSITES 2025 FLY IN

JUNE 10-12, 2025
WASHINGTON, DC



How can I turn uncertainty into advantage?

- **Stay informed** – assign someone on your team to track this issue and provide guidance to ACMA
- **Be proactive** in your communications with stakeholders & representatives
- Participate in the upcoming
 - **Composites Evolution: Technology, Resins, and Regulations**
Poll (Private)

Questions



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