

115TH CONGRESS 2D SESSION

H. R. 7168

To direct the Administrator of the Environmental Protection Agency, as required by section 112(d)(6) of the Clean Air Act (42 U.S.C. 7412(d)(6)), to review and revise as necessary the emissions standards for sources of ethylene oxides, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

November 20, 2018

Mr. Lipinski introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

- To direct the Administrator of the Environmental Protection Agency, as required by section 112(d)(6) of the Clean Air Act (42 U.S.C. 7412(d)(6)), to review and revise as necessary the emissions standards for sources of ethylene oxides, and for other purposes.
 - 1 Be it enacted by the Senate and House of Representa-
 - 2 tives of the United States of America in Congress assembled,
 - 3 SECTION 1. SHORT TITLE.
 - 4 This Act may be cited as the "Clean Up EtO Act
 - 5 of 2018".
 - 6 SEC. 2. FINDINGS.
 - 7 The Congress finds the following:

- (1) Ethylene oxide is a human carcinogen that causes increased cancer risk at very low concentrations in air.
 - (2) The Environmental Protection Agency produced a cancer risk estimate due to ethylene oxide inhalation in 1985 and again in 2016. Due to significant advances in our scientific understanding of ethylene oxide carcinogenicity, the risk estimate increased by a factor of 30 over that period of time.
 - (3) The Environmental Protection Agency has not updated its National Emissions Standards for Hazardous Air Pollutants for ethylene oxide sterilization facilities or hospital ethylene oxide sterilizers since the 2016 risk estimate was published.
 - (4) According to the Environmental Protection Agency's most recent National Air Toxics Assessment, ethylene oxide is the biggest contributor to cancer risk in 93 out of the top 100 census tracts in the country with the highest cancer risk due to air pollution. In 58 of those tracts, the cancer risk due to ethylene oxide is greater than 100 cases per million people, the level at which the Agency considers an air pollutant to pose a public health threat beyond an ample margin of safety.

1 (5) Section 112 of the Clean Air Act (42 U.S.C.
2 112) requires the Environmental Protection Agency
3 to revise emissions standards for hazardous air pol4 lutants no less often than every 8 years, yet the
5 standard for ethylene oxide sterilization facilities was
6 last updated in 2006 and the standard for hospital

ethylene oxide sterilizers was last updated in 2007.

- 8 (6) In 2001, the Environmental Protection 9 Agency eliminated the requirement that ethylene 10 oxide sterilization facilities control emissions from 11 their sterilization chamber vents. Emissions from 12 those vents are a significant contributor to the ele-13 vated cancer risk estimated in the National Air 14 Toxics Assessment.
 - (7) The current National Emissions Standards for Hazardous Air Pollutants for ethylene oxide sterilizers and hospital ethylene oxide sterilizers do not protect public health with an adequate margin of safety.

20 SEC. 3. REVIEW AND REVISION OF EMISSIONS STANDARDS

- 21 FOR SOURCES OF ETHYLENE OXIDES.
- Not later than 9 months after the date of enactment
- 23 of this Act, as required by section 112(d)(6) of the Clean
- 24 Air Act (42 U.S.C. 7412(d)(6)), the Administrator of the
- 25 Environmental Protection Agency shall—

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I	(1) review the emissions standards promulgated
2	under section 112(d) of such Act (42 U.S.C.
3	7412(d)) for sources of ethylene oxides;
4	(2) promulgate a final rule revising such stand-
5	ards as necessary; and
6	(3) include in such final rule emissions stand-
7	ards under section 112(d)(2) of such Act (42 U.S.C.
8	7412) to control the emission of ethylene oxides
9	from chamber exhaust vents

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