

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 (1) Ethylene oxide is a human carcinogen that
2 causes increased cancer risk at very low concentra-
3 tions in air.

4 (2) The Environmental Protection Agency pro-
5 duced a cancer risk estimate due to ethylene oxide
6 inhalation in 1985 and again in 2016. Due to sig-
7 nificant advances in our scientific understanding of
8 ethylene oxide carcinogenicity, the risk estimate in-
9 creased by a factor of 30 over that period of time.

10 (3) The Environmental Protection Agency has
11 not updated its National Emissions Standards for
12 Hazardous Air Pollutants for ethylene oxide steri-
13 lization facilities or hospital ethylene oxide sterilizers
14 since the 2016 risk estimate was published.

15 (4) According to the Environmental Protection
16 Agency's most recent National Air Toxics Assess-
17 ment, ethylene oxide is the biggest contributor to
18 cancer risk in 93 out of the top 100 census tracts
19 in the country with the highest cancer risk due to
20 air pollution. In 58 of those tracts, the cancer risk
21 due to ethylene oxide is greater than 100 cases per
22 million people, the level at which the Agency con-
23 siders an air pollutant to pose a public health threat
24 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 pol-
4 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
7 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.

15 (7) The current National Emissions Standards
16 for Hazardous Air Pollutants for ethylene oxide
17 sterilizers and hospital ethylene oxide sterilizers do
18 not protect public health with an adequate margin of
19 safety.

20 **SEC. 3. REVIEW AND REVISION OF EMISSIONS STANDARDS**
21 **FOR SOURCES OF ETHYLENE OXIDES.**

22 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—

1 (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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