

Bodman PLC

December 11, 2024

### **New USEPA Rules Under the Toxic Substances Control Act Ban Many Uses of TCE and PCE**

By: Erica J. Sarver and Nathan D. Dupes, Environmental Law Group

On December 9, 2024, the United States Environmental Protection Agency (USEPA) adopted new rules under the Toxic Substances Control Act (TSCA) banning certain uses of trichloroethylene (TCE) and perchloroethylene (PCE). Most uses of TCE will be banned by December of 2025, while use of PCE will be permitted only in workplaces where strict controls can be implemented.

TCE and PCE are chlorinated solvents, commonly used in consumer and commercial products such as cleaning and furniture care products, degreasers, brake cleaners, sealants, lubricants, adhesives, paints and coatings, arts and crafts spray coatings, and they also are used in the manufacture of some refrigerants. Workplace controls required for a business to continue using TCE will include inhalation exposure limits for employees, which are expected to reduce employee exposure by 97%. The use of PCE in dry cleaning will be subject to a ten-year phaseout, with shorter timelines for newly acquired dry-cleaning equipment. Workplaces that will continue to use PCE have 30 months to develop a compliant Workplace Chemical Protection Program.

USEPA is expected to issue compliance guidance for workplaces impacted by the new solvent rules in the coming months. Funding may become available under President Biden's proposed 2025 budget for compliance costs incurred by small businesses to comply with new TSCA rules. If the proposed budget is not approved before the end of the Congressional term on December 20, this funding may be removed by the new administration.

*If you have questions regarding any of the information above, please contact one of the authors, Erica J. Sarver ([esarver@bodmanlaw.com](mailto:esarver@bodmanlaw.com) | 313-393-7548) or Nathan D. Dupes ([ndupes@bodmanlaw.com](mailto:ndupes@bodmanlaw.com) | 313-393-7590) or any member of Bodman's [\*\*Environmental Law Group\*\*](#). Bodman cannot respond to your questions or receive information from you without establishing an attorney-client relationship and clearing potential conflicts with other clients. Thank you for your patience and understanding.*