

memorandum

DATE: June 6, 2003

REPLY TO: Office of Environmental Policy and Guidance (EH-41):Boulos:6-1306
ATTN OF:

SUBJECT: Proposed Clean Air Act Rule Removing Methyl Ethyl Ketone from the List of Hazardous Air Pollutants, for Review and Comment

TO: Distribution

The purpose of this memorandum is to solicit comments from Department of Energy (DOE) program offices and field organizations on the Environmental Protection Agency's (EPA's) notice of proposed rulemaking, "List of Hazardous Air Pollutants for, Petition Process, Lesser Quantity Designations, Source Category List." The proposed rule (68 FR 32605; May 30, 2003) is available at the EH-41 Home Page at: <http://www.eh.doe.gov/oepa/rules/68/68fr32605.pdf>. In this notice, EPA is proposing the delisting of methyl ethyl ketone (MEK) from the hazardous air pollutants (HAP) list contained in Section 112(b)(1) of the Clean Air Act (CAA), in response to the Ketones Panel of the American Chemistry Council's petition. Petitions to remove a substance from the HAP list are permitted under Section 112(b)(3) of the CAA.

The petitioner's conclusions to delist MEK were based on the characterization of the sources and releases of MEK, exposure estimates, the identification of the potential hazard and the dose-response relationship of MEK, and the characterization of the risk from a reasonable worst-case lifetime exposure to MEK, and to worst-case short-term (24 hour) exposure to MEK. In the proposed rule, EPA is amending 40 CFR Part 63, Subpart C, by (i) adding Section 63.61, "Deletion of methyl ethyl ketone from the list of hazardous air pollutants" and (ii) reserving Sections 63.62 through 63.69.

Entities potentially affected by this proposed rule are those industrial facilities that manufacture or use MEK. The proposed action may be relevant to the Department's operations because information collected by this Office in the early 1990s indicated that at that time 25 DOE sites used and emitted MEK.

Please review this proposal and submit your comments by August 14, 2003, to Mr. Emile Boulos of my staff at: emile.boulos@eh.doe.gov; 202-586-1306. In developing comments, please indicate the specific page and section of the preamble of the *Federal Register* to which each comment pertains. Questions or concerns regarding this rulemaking should be directed to Mr. Boulos.



Andy Lawrence
Director
Office of Environmental Policy and Guidance