



Aerospace Industry Perspectives on TSCA

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What does AIA do?

- Represents approximately 330 members from across the aerospace and defense industry, who employ almost 900,000 people in the U.S.
- Our Mission: To advocate for policies and investments that keep our country strong, bolster our capacity to innovate and spur economic growth.
- Our Vision: To help our united membership improve the safety of air transportation, make America more secure, fuel exploration, drive innovation and ensure a vibrant industrial base.
- The voice of American aerospace and defense

Chemical usage in the aerospace and defense industry

- Aerospace products operate under range of extreme environmental conditions
 - e.g. extreme temperatures, speeds, pressures, corrosion resistance
- To ensure products meet safety, reliability, and durability requirements, performance is dictated by a range of federal, military, industry and company specifications
- Possibility of significant disruption if a chemical can no longer be used
 - In many cases an approved drop-in replacement is not available
 - In these instances, need to work with chemical formulators to research and reformulate a product which gives the same performance requirements
 - Testing, reformulating and certification/approval can take many years
 - No guarantee of success

Other issues facing aerospace sector

- Even if aerospace uses are not restricted, typically very low-volume and highly-specialized uses
 - May not be viable for chemical producers to continue to manufacture
- Aerospace goods and supply chain extremely complex
 - May not know all uses of substances throughout the supply chain
- Long-life cycle of aerospace and defense products – often several decades
 - Access to chemicals still required for replacement and maintenance for many years after product is sold
 - Long lead-in times for product redesign

AIA Chemicals Activity

- AIA Chemicals Subcommittee reports to Environmental Committee
 - Currently 30 active companies involved
- Monitor, respond to, and develop strategies related to national and international chemical regulations impacting the aerospace and defense industry
- AIA supports evidence and risk-based chemicals regulation
- Work closely with Rapid Response Network
 - Network of member companies
 - Identifies uses of chemicals subject to proposed regulation
 - Allows industry assess potential impacts of chemical restriction/ban

AIA Views on TSCA

- Supports the risk-based approach required under TSCA
- Process so far has been able to accommodate unique characteristics of aerospace goods and chemical uses of industry.

BUT

- TSCA does pose challenges for industry....

Industry's TSCA challenges

- TSCA process requires significant resources for industry
 - Large number of substances going through process
 - Understanding uses throughout supply chain can be difficult and opaque
 - TSCA is just one of many global chemical frameworks
- Process creates uncertainty for industry about how future chemicals under TSCA will be treated
 - Industry would prefer more certainty about what are unacceptable risks and when restrictions are necessary
 - At present, not clear when or why EPA might impose restriction and difficult for industry to prioritize

Reducing uncertainty for industry

- A framework the EPA should follow for determining whether a particular use creates an unacceptable risk would help make the process more transparent and predictable for industry
 - Only those uses which pose an unacceptable risk should be regulated
- Applying exemption to replacement parts as default where no significant risk posed would be consistent with TSCA

EXAMPLES OF TSCA ISSUES

Example 1: 1,3 Butadiene

- In 2014, the EPA's report *Flame Retardant Alternatives for Hexabromocyclododecane (HBCD)* recommended a butadiene styrene brominated copolymer as a safer alternative for HBCD.
- HBCD designated as a high priority chemical in 2016, draft risk evaluation in June 2019 found no unreasonable risk to population, consumers, workers, or the environment.
- 1, 3 Butadiene given proposed designation as a high priority chemical in August 2019 and if this designation is confirmed will undergo risk assessment
- If industry had acted to replace HBCD uses as per guidance, could now have applications that could potentially be impacted

Example 2: Persistent, Bioaccumulative, and Toxic Chemicals

- Industry welcomed EPA's recognition that it was not practicable to regulate several aerospace uses of DecaBDE or PIP(3:1)
 - Recognizes industry commitment to phasing out DecaBDE and includes exemption for replacement parts
 - Includes exemption for PIP(3:1) used in aviation hydraulic fluids, lubricants, greases
- However, AIA identified additional PIP(3:1) uses and likely others industry is not yet aware of and requested exemption for new and replacement aerospace parts
 - These would not be expected to cause unacceptable risk or be released to environment

THANK YOU