

FACT SHEET

DIRECT FINAL RULE WITH A PARALLEL PROPOSAL TO EXCLUDE *TRANS* 1-CHLORO-3,3,3-TRIFLUOROPROP-1-ENE FROM THE VOLATILE ORGANIC COMPOUND (VOC) DEFINITION

ACTION

On February 4, 2013, the U.S. Environmental Protection Agency (EPA) issued a direct final rule with a parallel proposal identifying *trans* 1-chloro-3,3,3-trifluoroprop-1-ene (also known as Solstice™ 1233zd(E)) as a chemical compound that will no longer be regulated as a volatile organic compound (VOC) under the Clean Air Act for purposes of meeting control requirements of the national ambient air quality standards for ozone. EPA will add Solstice™ 1233zd(E) to the list of negligible reactive compounds in EPA's regulatory definition of VOC.

- Some VOCs contribute significantly to the formation of ground-level ozone (smog). Exposure to ground-level ozone can cause serious respiratory illness.
- EPA is taking this action because scientific evidence shows it is “negligibly reactive,” meaning it contributes little or nothing to the formation of smog.
- This action would allow, but does not require, states to remove regulatory controls on Solstice™ 1233zd(E) that are part of State Implementation Plans designed to help states meet the ground-level ozone standards. This enables industry to use Solstice™ 1233zd(E) with fewer restrictions.
- EPA is issuing these changes as a direct final rule because the changes are noncontroversial and no adverse comments are anticipated. If adverse comments are received, EPA will address the comments in a subsequent final rule based on the parallel proposal that is being issued in conjunction with the direct final rule amendments.
- These direct final rule technical amendments will be effective 90 days after publication of the direct final rule in the *Federal Register*.

BACKGROUND

- A compound may be excluded as a VOC as a result of public petitions and new scientific data that demonstrate its negligible effect on the formation of smog. Since 1977, EPA has removed 61 specific compounds or classes of compounds from the list of VOCs that contribute to smog formation.
- EPA's policy on VOCs was codified on February 3, 1992 in a revised regulation, "Requirements for Preparation, Adoption, and Submittal of State Implementation Plans." Additional guidance was given in the September 13, 2005 'Interim Guidance on Control of Volatile Organic Compounds in Ozone State Implementation Plans.'
- EPA has carefully reviewed any additional scientific data before making a final decision to

exclude this compound from regulation as a VOC.

- The presence of this compound in the air does not appear to negatively impact human health or the environment.
 - Due to its low photochemical reactivity, this compound is considered to be negligibly reactive in the formation of tropospheric ozone and is not expected to contribute to violations of the national air quality standards.
 - Also, Solstice™ 1233zd(E) has a low global warming potential (GWP) compared to other compounds currently used in refrigerant, aerosol solvent, and foam-blowing agent applications. Therefore, from the aspect of global warming, this compound will be a considerable improvement over the compounds it replaces.
 - This compound is not listed as a hazardous air pollutant under the Clean Air Act.
 - Although Solstice™ 1233zd(E) contains one chlorine atom, it will have minimal depletion of stratospheric ozone due to a relatively short atmospheric lifetime.
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- By excluding this compound as a VOC, today's action would make it easier and less expensive for industry to use this compound.

FOR MORE INFORMATION

- To download this final rule from EPA's website, go to <http://www.epa.gov/airquality/ozonepollution/actions.html#impl>.
- Today's action and other background information are also available either electronically at <http://www.regulations.gov>, EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
 - The Public Reading Room is located at EPA Headquarters, room number 3334 in the EPA West Building, 1301 Constitution Avenue, NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding Federal holidays.
 - Visitors are required to show photographic identification, pass through a metal detector and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
 - Materials for this final action can be accessed using Docket ID No. EPA-HQ-OAR-2010-0605

For further information about the final rule, contact David Sanders of EPA's Office of Air Quality Planning and Standards, at (919) 541-3356 or by e-mail at sanders.dave@epa.gov.