



# **Methylene Chloride Rule: Navigating the Differences Between OSHA and EPA**



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**Judy Morgan**

VP, Chief Compliance Officer

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[Judy.morgan@pacelabs.com](mailto:Judy.morgan@pacelabs.com)

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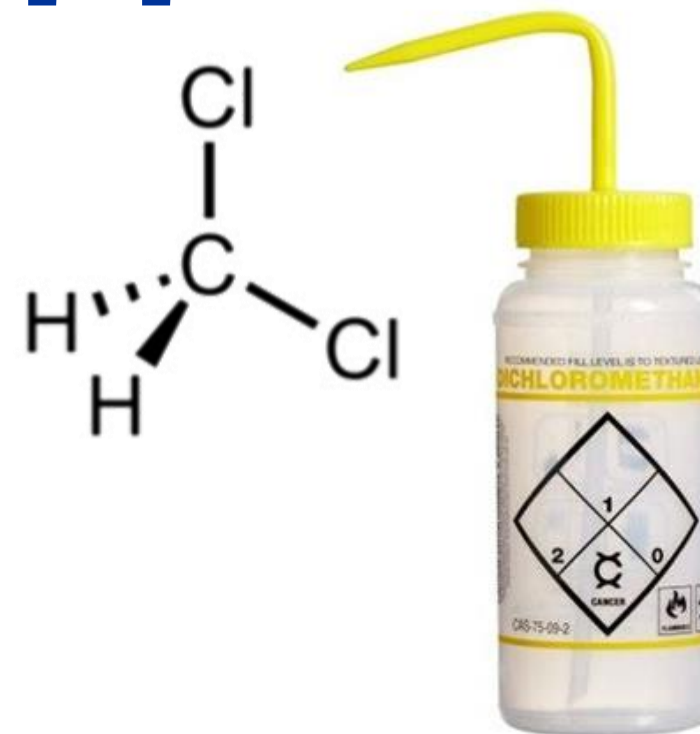
# Methylene Chloride (MeCl) Workplace Chemical Protection Plan (WCPP)

## Agenda

- Review of Final Rule
- Deadlines
  - Overall
  - Monitoring
  - Prohibitions
- Comparison to OSHA Rule
- Exposure Control Plan (ECP)
- Regulated Areas
- Recordkeeping and Notifications
- Enforcement
- Model for Future WCPP

# Methylene Chloride (Dichloromethane) $\text{CH}_2\text{Cl}_2$ , aka “MeCl”

- EPA - Methylene chloride poses high risk as brief, high exposures can cause death, nervous system problems, and certain cancers.
- MeCl production is over 100 million pounds annually
- EPA is restricting the use of MeCl primarily to protect workers.
  - According to the data at least 88 people have died from exposure to methylene chloride since 1980.
  - This has been in industrial jobs not in laboratories.



# Risk Management

- Prohibits manufacturing, processing, and distribution of methylene chloride for all consumer uses
- Restricts most industrial and commercial uses, including paint and coating removers
- Creates strict workplace protections to ensure worker safety
- Requires notification to companies receiving methylene chloride shipments
- Phases out some prohibited uses over 2 to 10 years - one of which is key to the aerospace Industry
- Remaining Uses that were added include:
  - Use as a processing aid;
  - Plastic and rubber products manufacturing;
  - Closed-system processing and reclamation
- De minimis concentration allowed in products – accounts for impurities

# Original Deadlines

WCPP Requirement	Compliance Dates from May 2024 Final Rule
Initial Monitoring	May 5, 2025 / 12 months
ECEL/EPA STEL	August 1, 2025 / 15 months
PPE/Respirators	August 1, 2025 / 15 months
Establish Regulated Area(s)	August 1, 2025 / 15 months
Exposure Control Plan (ECP)	October 30, 2025 / 18 months

**Possible Extension?**

# Monitoring

- Facilities likely have the data already under OSHA 1910.1052 Rule
  - Data must be within past 5 years and meet criteria

## Potential Outcome:

- Increase in monitoring may constrain turnaround time and analytical capabilities of providers
- Monitoring results may highlight a need to install new environmental controls
- Other possible issues?



# Exposure Control Plan:

*Reprinted from the EPA guide*

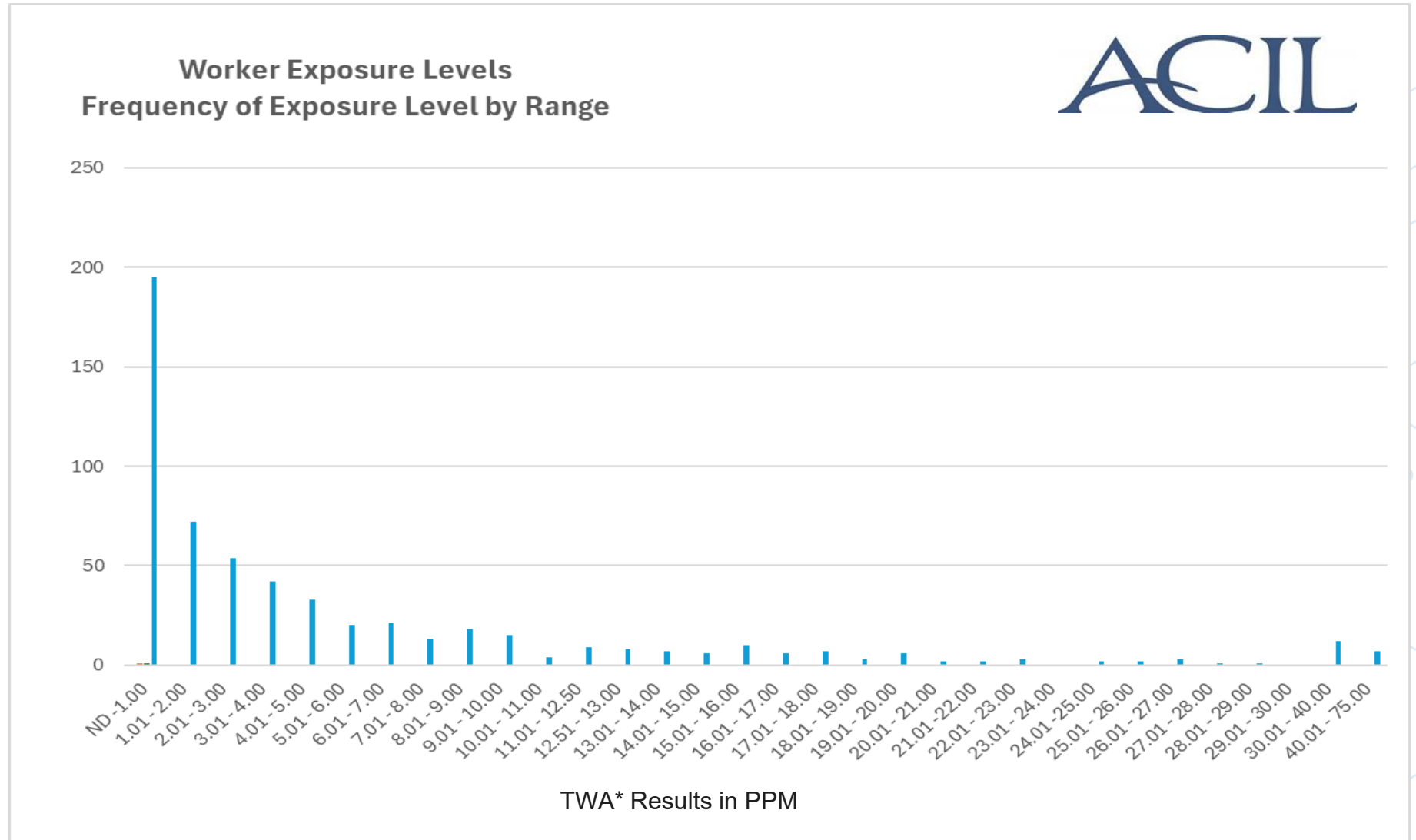
- Identification of possible exposure control measures and the rationale for using or not using available exposure controls in the sequence described by hierarchy of controls;
- For the exposure controls not selected, documentation of the efforts identifying why these are not feasible, not effective, or otherwise not implemented;
- A description of actions the owner or operator must take to implement exposure controls selected, including proper installation, regular inspections, maintenance, training, or other steps taken;
- A description of regulated areas, how they are marked, and persons authorized to enter the regulated areas;
- A description of activities conducted by the owner or operator to review and update the exposure control plan to ensure effectiveness of the exposure controls, identify any necessary updates to the exposure controls, and confirm that all persons are properly implementing the exposure controls; and
- An explanation of the procedures for responding to any change that may reasonably be expected to introduce additional sources of exposure to methylene chloride, or otherwise result in increased exposure to methylene chloride, including procedures for implementing corrective actions to mitigate exposure to methylene chloride.

# Comparison of OSHA 1910.1052 vs EPA MeCl WCPP

Aspect	OSHA 1910.1052	EPA Methylene Chloride WCPP
<b>Scope</b>	Applies to all occupational exposures to methylene chloride in general industry, construction, and shipyard employment	Applies to all workplace exposures to methylene chloride, including laboratory personnel and other potentially exposed persons.
<b>Exposure Limits</b>	Action Level: 12.5 ppm (8-hour TWA); Permissible Exposure Limit (PEL): 25 ppm (8-hour TWA); Short Term Exposure Limit (STEL): 125 ppm (15-minute TWA) .	Action Level: 1 ppm (8-hour TWA); Existing Chemical Exposure Limit (ECEL): 2 ppm (8-hour TWA); Short Term Exposure Limit (STEL): 16 ppm (15-minute TWA).
<b>Monitoring Requirements</b>	Initial determination of exposure; periodic monitoring if exposure exceeds action level.	Initial monitoring; periodic monitoring every 3 months if ECEL or STEL exceeded, every 6 months if Action Level exceeded, every 5 years if no limits exceeded.
<b>Prohibited Uses</b>	No specific prohibited uses listed.	Prohibits nearly all commercial and industrial uses, including use as a solvent or paint remover.
<b>Training and Information</b>	Requires training and information for employees exposed to methylene chloride.	Requires implementation of a Workplace Chemical Protection Program (WCPP) to protect potentially exposed persons.
<b>Emergency Procedures</b>	Defines emergency situations and requires specific procedures.	Requires exposure control plans and regulated areas for high concentrations.

# How do we do as an industry, relative to OSHA PEL requirements?

Measured Worker Exposure	Number of Analysts Measured
Concentration (ppm)	Permissible Exposure Limit (PEL)
ND - 1.00	195
1.01 - 2.00	72
2.01 - 3.00	54
3.01 - 4.00	42
4.01 - 5.00	33
5.01 - 6.00	20
6.01 - 7.00	21
7.01 - 8.00	13
8.01 - 9.00	18
9.01 - 10.00	15
10.01 - 11.00	4
11.01 - 12.50	9
12.51 - 13.00	8
13.01 - 14.00	7
14.01 - 15.00	6
15.01 - 16.00	10
16.01 - 17.00	6
17.01 - 18.00	7
18.01 - 19.00	3
19.01 - 20.00	6
20.01 - 21.00	2
21.01 - 22.00	2
22.01 - 23.00	3
23.01 - 24.00	0
24.01 - 25.00	2
25.01 - 26.00	2
26.01 - 27.00	3
27.01 - 28.00	1
28.01 - 29.00	1
29.01 - 30.00	0
30.01 - 40.00	12
40.01 - 75.00	7
<b>Total Points</b>	<b>584</b>

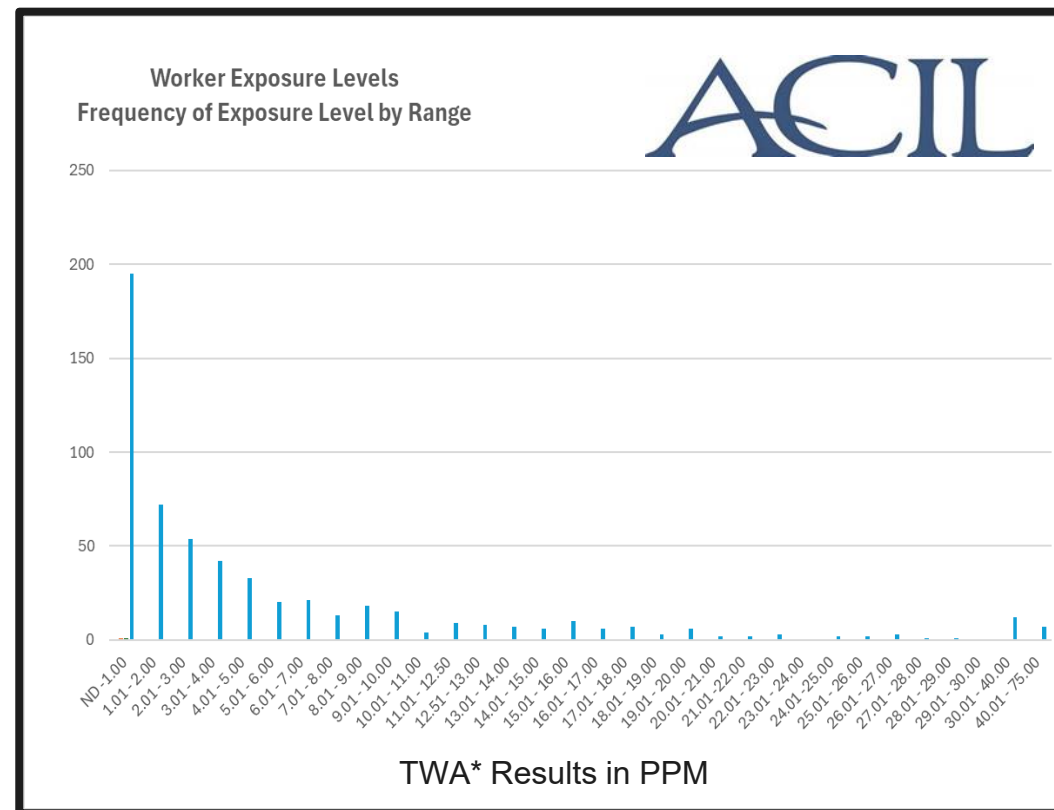


## How do we do as an industry, relative to OSHA PEL requirements?

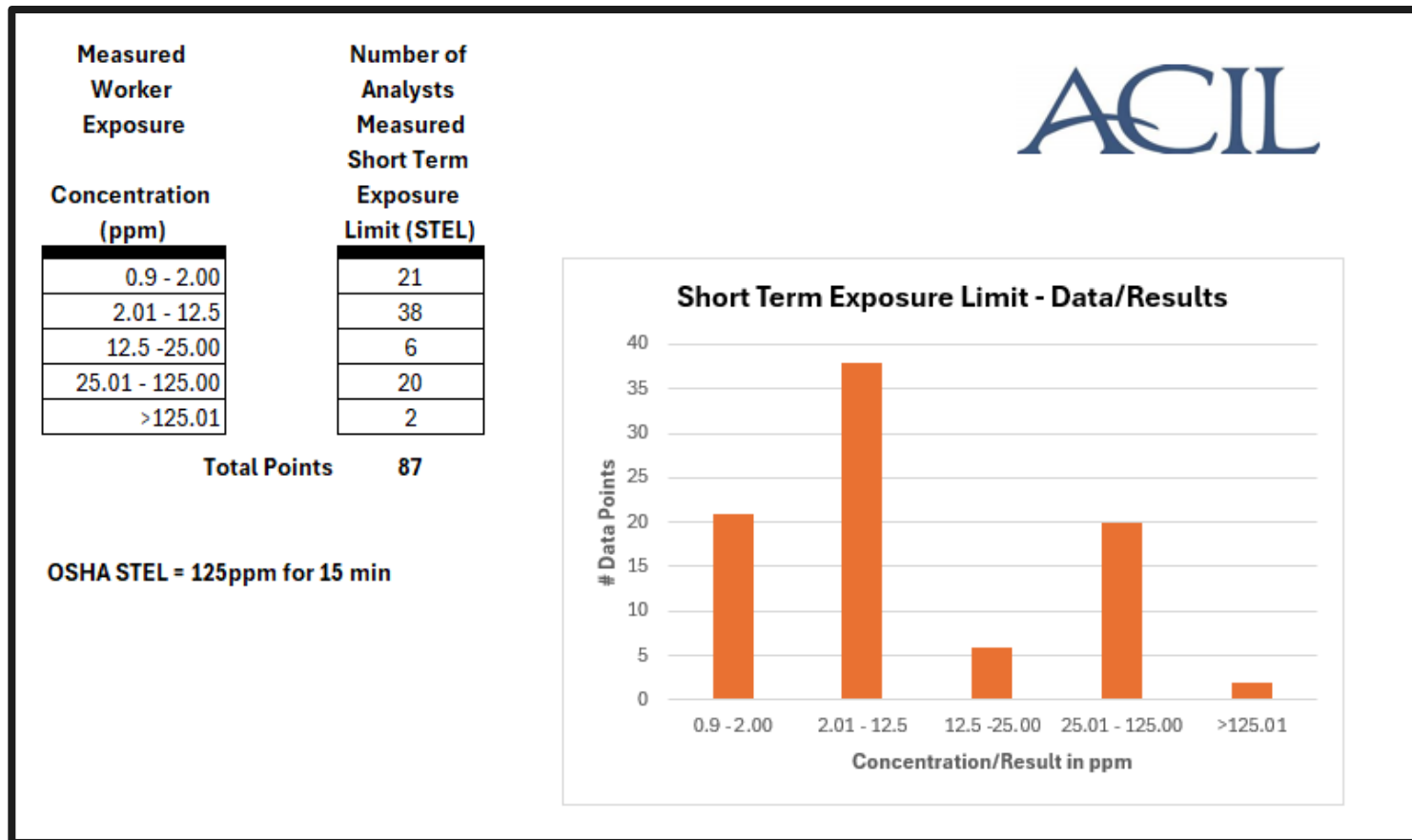
Results below 1ppm (EPA Action Level)	33%
Results below 2ppm (EPA PEL)	46%
Results between 2ppm & 12.5ppm (OSHA Action Limit)	39%
Results between 12.5ppm and 25ppm (OSHA PEL)	11%
Total results below 12.5ppm (OSHA Action Limit)	85%
Total results below 25ppm (OSHA PEL)	96%

### Notes:

1. All results over the action limit and the PEL are reviewed for root cause and are assigned a corrective action to prevent recurrence.
2. Majority of exceedences are due to ergonomic issues specific to the individual or improper technique that can be corrected by additional process training.



# How do we do as an industry, relative to OSHA STEL requirements?



98% Results below OSHA STEL 125ppm

75% Results below OSHA PEL and EPA STEL 25ppm

23% Results between 25 and 125ppm

**Notes:**

STEL data is usually determined on days where workload is higher than normal and where activities require handling larger volumes of methylene chloride, involves solvent transfer, waste disposal, or other infrequent tasks.

Excursions are usually related to spillage, improper use of the hood, improper handling, or other unusual circumstance.

Corrective action has been shown to resolve excursions successfully.

# EPA UPDATE 5/20/25



## Chemical Update

EPA's Office of Chemical Safety and Pollution Prevention

### **EPA Proposes Temporary Relief to Ensure Lab Compliance with Methylene Chloride Regulations under TSCA**

The U.S. Environmental Protection Agency (EPA) is proposing to extend various upcoming compliance dates in the final risk management rule for methylene chloride under the Toxic Substances Control Act (TSCA) in order to ensure long-term compliance with the rule's requirements. The proposal extends the Workplace Chemical Protection Program (WCPP) compliance dates for non-federal laboratories by an additional 18 months, to align with the dates allowed for federal laboratories and their contractors. EPA is issuing this proposal to address non-federal laboratories' near-term challenges with implementation of the [May 2024 final rule on methylene chloride](#).

If finalized, this proposal would extend the following compliance dates for non-federal laboratories: for initial monitoring from May 5, 2025, to November 9, 2026; for establishing regulated areas and ensuring compliance with the Existing Chemical Exposure Limit from August 1, 2025, to February 8, 2027; and for ensuring the methods of compliance, as well as developing and implementing an exposure control plan, from October 30, 2025, to May 10, 2027.

Shortly after publishing the 2024 final rule, representatives from various laboratories using methylene chloride contacted EPA with questions and concerns including on the applicability of the rule and the requirements for WCPP compliance. Many of these laboratories, especially those associated with local governments or universities on fixed budget cycles that did not contemplate these requirements, use methylene chloride in small quantities and somewhat infrequently and are facing challenges completing the rule's initial monitoring requirements across potentially hundreds of labs in such a short timeframe. EPA's proposal would avoid disrupting important environmental monitoring and associated activities, while these non-federal labs work to comply with the rule's new requirements.

EPA will soon publish a Federal Register notice extending the compliance dates for non-federal laboratories. Upon publication of the Federal Register notice, EPA will accept comments for 30 days via docket [EPA-HQ-OPPT-2020-0465](#) on [regulations.gov](#).

While we are proposing new compliance dates through this action, the current deadlines remain effective until modified through this rulemaking. Enforcement of the current deadlines is a low enforcement priority for the agency, and EPA intends to focus its resources on compliance with the new compliance dates that may be established by this rulemaking. EPA retains the right to take action to address imminent and substantial threats to human health and the environment.

[Read a pre-publication version of the proposed rule](#)

## Actions:

- American Council of Independent Laboratories (ACIL) Environmental Sciences Section leaders (Judy Morgan (Chair), David Friedman (SME), Kim Ramsay (VC), and Mike Oscar (govt affairs) met with EPA OPPT Leadership on April 23, 2025 in DC to present laboratory concerns regarding the WCPP and timelines. The goal of the meeting was to ask for an exemption or extension and agency support.
- The meeting was collaborative and engaging regarding the concerns presented.
- Following the meeting:
  - EPA published a Federal Register notice on **MAY 27, 2025** extending the compliance dates for non-federal laboratories.
  - EPA accepted comments for 30 days via docket EPA-HQ-OPPT-2020-0465 on regulations.gov and the comment period ended **JUNE 26, 2025**.
    - 28 comments received – supporting the extension of time and confirming potential options such as the current requirements for controlling exposure to Perchloroethylene.

## Actions:

Current requirements for controlling exposure to Perchloroethylene:

The EPA Perchloroethylene Final Rule, addresses laboratory exposures to perchloroethylene by **requiring fume hoods** or other enclosures and **dermal protection**, is far preferable and more feasible for professional lab environments

Represents a **harmonized approach to ALL chemicals** currently undergoing TSCA risk evaluation and rulemaking for laboratory settings.

A harmonized, risk-based approach for all applicable TSCA regulated laboratory chemicals **would reduce confusion, lower compliance costs, and maintain a high level of health protection** represented in actual data, laboratory risk assessments, and historical experience.

### During this time:

- While EPA has proposed new compliance dates, the current deadlines remain effective until modified through this rulemaking.
- Enforcement of the current deadlines is a low enforcement priority for the agency, and EPA intends to focus its resources on compliance with the new compliance dates that may be established by this rulemaking.
- EPA retains the right to take action to address imminent and substantial threats to human health and the environment.

## Path Forward:



- Deploy methods that already offer a reduced volume option
- Work in harmony as a lab community along with EPA on a more advanced methods modification and approval processes
- Explore possible solvent replacements
- Innovation: develop new technologies
- Take a hard look at the current target chemical lists and remove chemicals that are no longer pose a risk to the environment.....due to lack of current use or no detection across the regulated community.
- Others?



**THANK YOU**

**Judy Morgan**

VP, Chief Compliance  
Officer

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Judy.morgan@pacelabs.com  
615-347-5418

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