# Office of Management and Budget Request for Suggestions for Deregulation: American Coatings Association Response



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The American Coatings Association ("ACA") submitted a May 12th response to a solicitation of suggestions for deregulation from the Office of Management and Budget ("OMB").

ACA states it represents approximately 96% of the paint and coatings industry in the United States (including paint and coatings manufacturers and their raw materials suppliers) and therefore provided suggestions concerning regulatory frameworks that impact this industry.

By way of introduction, ACA states that it supports:

…reasonable regulations that are based upon sound science and create a level playing field…

Nevertheless, it contends that there are "many requirements that that do not serve the stated regulatory purpose or include elements that do not make logical sense."

The key issues and rules that the ACA comments address include:

- Chemicals Management and related regulations.
- Reporting Requirements.
- Revisions to the Toxic Substances Control Act ("TSCA") 8(c).
- Reporting requirements under 40 CFR 717.17(b).
- Eliminate requirement to report "unpublished health and safety studies for 16 high priority chemicals (40 CFR 716.120).
- Export Notifications.
- Request revisions to the TSCA 12(b) annual notification requirements for export.
- Revisions to the TSCA 12(b) intent to export language at 40 CFR 707.65(a)(2).
- PFAS reporting rule (TSCA 8(a)(7)).
- Revisions to the TSCA (a)(7) rule – 40 CFR Part 705.
- PMN and SNUR related requirements.
- Update SNURs with outdated volume reporting requirements.
- Eliminate CDR reporting for manufacturers and importers of small amounts.
- Rescind proposed SNURs that have been outstanding for several years and are clearly not proceeding towards being finalized.
- LVE and LoREX Exemptions Should Not be Subject to the PMN Process.
- Import Certification Requirements.

- Modification to TSCA 13 Import Certification policy statements at 40 CFR 707.20(c).
- Polymer Exemption.
- Suggests several revisions to the Polymer Exemption rule at 40 CFR 723.250.
- Enforcement discretion is requested for certain rules as identified in the letter.
- EPCRA / TRI Notifications and Listings.
- De minimis exemption at 40 CFR 372.45(d)(1) for chemicals of special concern.
- Congressional Review Act Issues.
- EPA's Risk Evaluation Procedural Rule.
- New Chemical Review Procedural Rule.
- Federal Fungicide Insecticide and Rodenticide Act.
- U.S. EPA's National VOC Emission Standards for Aerosol Coatings Amendments.
- Extend the rule's compliance date to two years from publication.
- Designate Paint Waste as a Universal Waste.
- Requirements under Build America, Buy America (BABA).
- U.S. EPA's Amendments to its RMP Regulations.
- Eliminate the requirement for a third-party compliance audit.
- Information availability requirements and notification range should be refined.

A copy of the ACA letter can be downloaded here.