

economically significant as defined in Executive Order 12866, and because the Agency does not have reason to believe the environmental health or safety risks addressed by this action present a disproportionate risk to children. EPA believes that this proposal will not increase exposure of solvents to the public, adults or children.

The public is invited to submit or identify peer-reviewed studies and data, of which the Agency may not be aware, that assess results of early life exposure to solvent-contaminated industrial wipes.

#### *H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use*

This proposed rule is not subject to Executive Order 13211, "Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

#### *I. National Technology Transfer Advancement Act*

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 ("NTTAA"), Public Law 104-113, Section 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This proposed rulemaking involves environmental monitoring or measurement consistent with the Agency's Performance Based Measurement System (PBMS). EPA proposes not to require the use of specific, prescribed analytic methods. Rather, the Agency plans to allow the use of any method that meets the prescribed performance criteria. The PBMS approach is intended to be more flexible and cost-effective for the regulated community; it is also intended to encourage innovation in analytical technology and improved data quality. EPA is not precluding the use of any method, whether it constitutes a voluntary consensus standard or not, as long as it meets the performance criteria specified.

EPA welcomes comment on this aspect of the proposed rulemaking and, specifically, invites the public to identify potentially-applicable voluntary consensus standards and to explain why such standards should be used in this regulation.

### **Appendix A to Preamble— Demographics of the Industrial Wipes Industry**

#### **I. General Description of the Industrial Wipes Industry**

##### *A. Types of Industrial Wipes*

The term "industrial wipes" as used in this preamble represents a heterogeneous group of products which come in a wide variety of types and brands to meet a broad range of application needs. The major division is between reusable shop towels, which are laundered or dry cleaned and used again, and disposable wipes and rags that are used for a limited number of applications and then discarded. Disposable wipes include both non-woven wipes and woven rags. The universe of materials affected by this proposed rule encompasses both reusable and disposable industrial wipes which are used by numerous industries in conjunction with solvents to clean surfaces, parts, accessories, and equipment. Industrial wipes are distinguished by their respective composition, durability, uses, and disposal methods.

The Agency has chosen to use the term "industrial wipe" throughout the preamble for the sake of simplicity. However, because of the many terms currently used throughout industry to identify industrial wipes, EPA believes it is helpful to provide an explanation of industry terms to set forth the Agency's understanding as we developed this proposal:

An *industrial shop towel* is a woven textile consisting of cotton or polyester blends. These materials are reusable items and are generally laundered or dry-cleaned a number of times before they have outlived their useful life and must be discarded. Shop towels are rented by industrial launderers to manufacturing, automotive, chemical, and other similar facilities to use for heavy-duty cleaning and wiping. Soiled shop towels are either washed or dry-cleaned at commercial laundry facilities.

An *industrial wipe* is a non-woven towel consisting of wood pulp, polyester blends or 100 percent polypropylene. These materials come in all sizes and thicknesses. They generally are designed for one time use and are used to wipe small quantities of solvents off hands, tools, equipment, or floors.

An *industrial rag* is a non-homogeneous material consisting of cotton or polyester blends. Rags are made from old clothing or from cloth remnants from textile mills, and vary in size and type of fabric.

*Paper towels* also are sometimes used in conjunction with solvents in the workplace. These materials are made from wood pulp with binders.

The wipe suitable for each application depends on a number of factors. The amount of lint allowed in a task plays a large role,

because some electronic or printing applications cannot tolerate any lint, while other applications can tolerate large amounts of lint. Absorbent capacity is also another important factor in some tasks, while not in others. Durability is important in some tasks, such as those that require heavy scrubbing, while often not important in tasks where lint or absorbency is more important. Durability does not only refer to the physical strength of the wipe, towel, or rag, but also to its ability to withstand strong solvents.

##### *B. Additional Data*

Additional data collected from site visits, literature searches, and industry include information regarding the numbers of wipes used daily, types of solvents used, type of operation (i.e., whether cleaning operations involve the use of small or considerable amounts of solvent per wipe); preference for disposable versus reusable wipes; and estimated total volumes of wipes used annually. A detailed discussion of these findings can be found in the Technical Background Document for this proposed rule, as well as other documents supporting this rule that are found in the Docket. Key findings include:

- Number of wipes used daily by a facility can vary from 50 to 6,000.
- Many facilities appear to use ignitable-only solvents (D001) that could be classified as characteristically hazardous when the wipes no longer can be used; most facilities also appear to use solvent blends consisting of two or more constituents.
- Most industrial sectors appear to only use a small amount of solvent per wipe: Auto body repair; electronics; furniture manufacturers; fabricated metals; and organic and inorganic chemical manufacturers. Conversely, the printing sectors, automobile manufacturers, parts of the military, and defense industries often use large amounts of solvent on each wipe.
- Using wipes sales and usage volume figures provided by wipes suppliers and industry users, coupled with U.S. Bureau of Census counts of related facilities, EPA estimates that approximately 9.6 billion industrial wipes are used by industry annually (88 percent reusable wipes and 12 percent disposable wipes) in 13 different industries. EPA further estimates that approximately 3.8 billion of these industrial wipes are used in conjunction with solvents in industrial cleaning and degreasing operations.

### **Appendix B to Preamble— Memorandum From Michael Shapiro**

February 14, 1994

Memorandum

Subject: Industrial Wipers and Shop Towels under the Hazardous Waste Regulations  
From: Michael Shapiro, Director, Office of Solid Waste

To: Waste Management Division Directors  
Regions I–X

We have received numerous questions about the regulatory status of used industrial wipers and shop towels ("wipers") under the Resource Conservation and Recovery Act (RCRA) regulations from the users and launderers of these wipers, and the