

THE DISPERSER

No. 76 Volume 97 January 2021
"Dispersing ideas among friends"

PROGRESS THROUGH COOPERATION

FPCA President Letter

Dear Current and Future FPCA Members,

Happy New Year!

Trusting that this letter finds each and every one of you and your families safe and well. Even though vaccines are available and being distributed, it will be some time before 300 million plus people are vaccinated. That being said, it is not the intent or purpose of this letter to bore you with Covid-19 data. I will leave that up to the major networks and social media.

The business climate continues to be brisk in our state and thankfully so. Most manufacturers are reporting steady to slight increase in sales. Some raw material shortages and price increases are being announced. The biggest news seems to be the number of acquisitions, mergers and reorganizations among our members and non-members, including manufacturers, distributors and suppliers. There are new announcements almost on a weekly basis. Stay tuned. Time will tell if they are good or not so good decisions.

As most of you should already know, our February general meeting at the Hilton Buena Vista Palace Resort in Orlando has been moved to April 16-18. This decision was made only after the board considered many factors and also input from several of you. Please put these dates on your calendar and make plans to attend. I look forward to seeing each of you there for a great weekend of business and pleasure.

The new year is upon us and the annual membership drive is in full force. You should have already received a membership application. If not, please let myself, Jack McMahon or Mary Bogan know. Please complete and submit as soon as possible. Remember there is a \$50 discount if paid by Jan 31. Also, as always, promote FPCA to all of your business contacts. Talk it up to everyone. You are the association and I sincerely appreciate your support.

On a closing note, there are several of our manufacture members that are in need of TD's, lab managers and lab chemists. If you know of anyone that may be interested, please contact me and I will forward the appropriate info.

Regards and
Have a Blessed Day
Eddie Saxon
FPCA President



WWW.FPCA.CLUB

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Board Member.....Jack McMahon
Board Member..Teresa Thompson
Past President....Brian Chalmers





EPA Retains 2015-Set Ozone NAAQS

January 11, 2021 Government Affairs Contact: [Rhett Cash](#)

On Dec. 31, 2020, the U.S. Environmental Protection Agency (EPA) issued a [final decision to retain the existing National Ambient Air Quality Standards \(NAAQS\) for Ozone](#), effective immediately. The existing primary (health-based) and secondary (welfare-based) standards for ozone, established in 2015, are set at 70 parts per billion (ppb). According to EPA, the final decision is based on its judgment that the current NAAQS protect the public health, with an adequate margin of safety, including the health of at-risk populations, and protect the public welfare from adverse effects. EPA's decision is also consistent with ACA's longstanding position.

On Oct. 1, 2020, ACA submitted comments to the EPA supporting the agency's then-proposed determination to retain both the primary and secondary NAAQS for ozone at 70 ppb. ACA maintains that this standard was significantly strengthened in 2015 when the agency lowered it from 75 ppb to 70 ppb.

Under the Clean Air Act, EPA is required to set health-based NAAQS for specific pollutants, including ozone. This standard must be reviewed every five years, and EPA cannot consider implementation costs when setting NAAQS. NAAQS are standards for outdoor ambient air that are intended to protect public health and welfare from pollution. "NAAQS do not directly limit emissions of a pollutant; rather, they set in motion a long process in which states and EPA identify areas that do not meet the standards, and states prepare implementation plans to demonstrate how emissions will be lowered sufficiently to reach attainment."

The paint and coatings industry agrees that the current NAAQS protect the public health, with an adequate margin of safety, including the health of at-risk populations, and protect the public welfare from adverse effects. In its comments, ACA cited a [recent report](#) by U.S. EPA showing that 8-hour average ozone levels in ambient air in the United States have fallen 25 percent since 1990. ACA's comments stated:

This air quality improvement has resulted in large part from reductions in emissions of nitrogen oxides (NO_x) and volatile organic compounds (VOC), the primary precursors for ozone. According to U.S. EPA, combined emissions from the six common pollutants dropped by 77 percent. During this same period, the United States' gross domestic product increased 285 percent, vehicle miles traveled increased 195 percent, and energy consumption increased 49 percent. In short, under the existing primary NAAQS for ozone, the regulated sectors have innovated and responded to the need to reduce ozone levels responsibly, while continuing to support the American economy.

ACA also noted that the paint and coatings industry has significantly reduced its emissions of VOCs and hazardous air pollutants (HAPs) since the late 1970s, and this trend continues. Market forces have played a role as the paint and coatings industry has become more service-oriented, providing just-in-time orders, smaller batch sizes, more waterborne and low-VOC coatings, and better transfer technology. VOC emissions from architectural coatings have drastically decreased over the last few decades as industry has moved towards low-VOC waterborne technologies, even while the use of architectural coatings has increased over the same period nationwide.

Notably, more than 90 percent of architectural coatings sales in the United States are now for environmentally preferable water-based paint, and many manufacturers are developing very low VOC paint products specifically for vulnerable populations. In addition, modern aerosol coatings formulas are being developed with very low reactive solvents, resulting in significantly less potential for ozone formation.

"Furthermore, the estimated economic impacts of previous NAAQS proposals and the lack of compelling new evidence to lower the standards support U.S. EPA's policy judgement that the current NAAQS for ozone are requisite to protect the public health with an adequate margin of safety. Taking all of the current scientific record into account, ACA agrees with U.S. EPA's policy determination and believes that emphasizing market-driven innovations and existing policies to improve fuel economy, increase energy efficiency, and reduce air pollution from cars, facilities, and products will drive further air quality improvements over the next decade," ACA's comments stated.

THANKS

Mr. Saxon,

I wish to thank you and the Florida and Coatings Association Scholarship program for your generous support. I appreciate this help as I study chemical biology in the hopes of making the world a happier and healthier place. Thank you again!

Sincerely,
Emily Hyde

Please send your Card and check to:

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Mary Bogan
9592 Parksouth Court
Orlando, FL 32837

Cost is \$100.00 for four issues



November 23, 2020

Florida Paint and Coatings Association
C/O Eddie Saxon
9592 Parksouth Court
Orlando, FL 32837

Dear Mr. Eddie Saxon,

I am honored to be a recipient of the FPCA Scholarship and would like to thank you and the members of the Florida Paint and Coating Association, this will be a tremendous help in covering my textbook costs in the 2020-2021 school year. I truly appreciate your support and encouragement and will continue to work hard during my sophomore year at Carthage College.

Best regards,



Kathryn Shuty

December 28, 2020

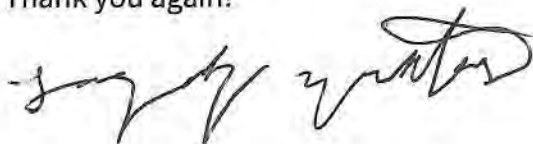
Mr. Eddie Saxon
President
Florida Paint & Coatings Association
9592 Parksouth Court
Orlando, FL 32837

Dear Mr. Saxon,

Thank you very much for the generous scholarship of \$500 from the Florida Paint & Coatings Association. My father deposited this into my 529 Educational Savings account, and it will be used for my Chemistry books for the spring 2021 semester which will be starting next week at Clemson.

I wanted to let you know I finished my first semester at Clemson with a 4.0 grade point average, making the President's List and maintaining my status in the Honors' College. My first semester was challenging, not only academically, but due to the COVID pandemic. I am hoping that 2021 will be a better year for all of us!

Thank you again!



Sarah Winters
148 Melbourne Drive
Fort Mill, SC 29708



EPA Proposes Changes to TSCA Fees Rule

January 11, 2021 Government Affairs Contact: [Riaz Zaman](#)

On Dec. 21, 2020, the U.S. Environmental Protection Agency (EPA) proposed updates to its Toxic Substances Control Act (TSCA) Fees Rule, finalized in October 2018. TSCA requires that EPA collect fees from chemical manufacturers and processors to help defray 25% of costs associated with most TSCA implementation efforts; 50% of costs associated with manufacturer-requested risk evaluations of TSCA workplan chemicals; and 100% of costs for manufacturer-requested risk evaluations of other chemicals. The law also directs EPA to review the TSCA Fees Rule, and, if necessary, adjust fees every three years. In March 2020, the agency announced its plan to [initiate a new rulemaking process to update the fees rule](#). EPA is accepting comments on the proposal through Feb. 25, 2021.

EPA proposes increases to risk evaluation fees based on projected costs per chemical to conduct a risk evaluation. EPA estimates approximately \$2.84 million per chemical for chemicals on the TSCA Work Plan and \$5.67 million per chemical for chemicals not on the TSCA Work Plan.

EPA proposes the following fee increases to recover a percentage of total costs:

- \$2,560,000 paid jointly by manufacturers and importers for EPA-initiated chemical risk evaluations. Current fee amount is \$1,350,000 per chemical.
- A company requesting a risk evaluation of a TSCA workplan chemical would make two payments of \$945,000 plus an additional final payment to cover any remaining costs to cover 50% of actual costs. Current fee amount is \$1,250,000 plus an additional payment to recover 50% of actual costs.
- A company requesting a risk evaluation of a chemical not included on the TSCA workplan would make two payments of \$1,890,000 with a final payment to cover any remaining (100%) of actual costs. Current fee amount is one payment of \$2,500,000 with an additional payment for any remaining actual costs.
- EPA is not proposing an increase for the PMN (pre-manufacture notice) filing fee, set at \$16,000. EPA proposes an increase for other fees associated with new chemical review, as follows:
- Companies would pay \$500 to a bona fide notice of intent to manufacture or import. Currently no fee is required.
- Companies would pay \$500 to file a notice of commencement after PMN review. Currently, no fee is required.

EPA also proposes changes to timing for fee payment. For EPA-initiated risk evaluations, payment is collected over two installments, with the first payment of 50% due 180 days after EPA publishes the final scope of a chemical risk evaluation. The second payment is due not later than 545 days after EPA publishes the final scope of a risk evaluation. Currently, payment is due in one payment 120 days after publication of the final scope. The timeline for manufacturer-requested risk evaluations is also extended to 180 days after providing EPA with notification for the first payment of three installments.

Background

In its press release announcing the proposed updates, EPA identified changes to the original 2018 TSCA Fees Rule as accomplishing the following:

- Narrowing the scope of the rule by exempting importers of articles containing a chemical substance, companies that produce a chemical as a byproduct or manufacture or import as an impurity, companies that produce a chemical in *de minimus* amounts, companies that use chemicals solely for research and development purposes, and companies that manufacture a chemical that is produced as a non-isolated intermediate from fees.
- Using cost data gathered over the last two years, instead of estimates, to update the fee calculations.
- Ensuring fees are fairly and appropriately shared across companies by proposing a production-volume based fee allocation and including export-only manufacturers for EPA-initiated risk evaluations.
- Allowing for corrections to be made to the list of manufacturers subject to fees for EPA-initiated risk evaluations after the final list is published, ensuring the accuracy of the list.
- Increasing flexibility for companies by extending the amount of time to form consortium to share in fee payments.
- Ensuring EPA can fully collect fees and enabling companies to better prepare for paying fees by allowing payments in installments for EPA-initiated and manufacturer-requested risk evaluations.

Additionally, EPA's proposal adds new fee categories associated with new chemicals activities. While EPA is proposing to add three new fee categories for Bona Fide Intent to Manufacture or Import Notices, Notices of Commencement of Manufacture or Import, and an additional fee associated with test orders, EPA is proposing exemptions for:

- Research and development activities;
- **Entities manufacturing or importing less than 2,500 lbs. of a chemical subject to an EPA-initiated risk evaluation fee (unless all companies are manufacturing/importing below that level);**
- Manufacturers of chemical substances produced as a non-isolated intermediate; and
- Manufacturers of a chemical substance subject to an EPA-initiated risk evaluation if the chemical substance is imported in an article, produced as a byproduct, or produced or imported as an impurity.



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Association for Materials Protection and Performance Launches

January 11, 2021 Business Contact: Jacqui Barrineau

The Association for Materials Protection and Performance (AMPP) launched this month to create what organizers say will be a unified voice for the corrosion control and protective coatings industries. AMPP, which was announced January 6 at a global virtual event, was formed by a merger between Houston-based NACE International, The Corrosion Society; and Pittsburgh-based SSPC: The Society for Protective Coatings. AMPP's name, logo, and other brand elements were revealed at the event led by AMPP CEO Bob Chalker and the organization's executive leadership.

"AMPP brings together the world's leading corrosion prevention and protective coatings organizations under one umbrella," Chalker said. "With a vision to create a safer, protected, and sustainable world, the new association will focus on the future of materials protection and performance."

With more than 40,000 members in 130 countries, AMPP consists of two governance structures: AMPP, a 501(c)(6), and AMPP Global Center, a 501(c)(3). AMPP provides services to members in the areas of certification, accreditation, membership, advocacy and public affairs, and AMPP Global Center focuses on standards, technical and research activities, conferences, events, education, training, publications and pre-professional programming.



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Dear Mr. Eddie Saxon,

Thank you and the rest of the Florida Paint and Coatings Association for awarding me the FPCA scholarship. This award reinforces the purpose of my studies in school and inspires me to stay on track in my studies. With school being online, the cost of educational resources has increased, so this scholarship will certainly help in covering those costs. Once again, thank you for making the completion of my degree easier.

Sincerely,

Christian Kelly

Christian Kelly

Student at The University of Texas at Austin





OSHA Reminder: Specific Employers to Submit Required 2020 Injury and Illness Data by 3/2/21

January 11, 2021 Government Affairs Contact: Riaz Zaman

The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) is reminding employers that the agency began collecting calendar year 2020 Form 300A data on Jan. 2, 2021. Employers must submit the form electronically by March 2, 2021.

Electronic submissions are required by establishments with 250 or more employees currently required to keep OSHA injury and illness records, and establishments with 20-249 employees classified in **specific industries** with historically high rates of occupational injuries and illnesses.

Visit the [Injury Tracking Application Electronic Submission of Injury and Illness Records to OSHA](#) for more information and a link to the Injury Tracking Application.

Background

Establishments with 250 or more employees that are required to keep OSHA injury and illness records, AND establishments with 20 to 249 employees in certain industries are **required to submit Form 300A**. For the list of designated industries, visit <https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.41AppA>.

OSHA's regulation at 29 CFR part 1904 requires employers to collect a variety of information on occupational injuries and illnesses. Much of this information may be sensitive for workers, including descriptions of their injuries and the body parts affected. Under OSHA's regulation, employers with more than 10 employees in most industries must keep those records at their establishments. Employers covered by these rules must record each recordable employee injury and illness on an OSHA Form 300, the "Log of Work-Related Injuries and Illnesses," or equivalent. Covered employers must also prepare a supplementary OSHA Form 301, the "Injury and Illness Incident Report" or equivalent, to provide additional details about each case recorded on the OSHA Form 300. OSHA requires employers to provide these records to others under certain circumstances but imposes limits on the disclosure of personally identifying information. At the end of each year, these employers are required to prepare a summary report of all injuries and illnesses on the OSHA Form 300A, the "Summary of Work-Related Injuries and Illnesses," and post the form in a visible location in the workplace. Form 301 requires the collection of much sensitive information about each individual worker's job-linked illness or injury, information an employer must collect with or without the worker's consent. Some of the information is likelier to be regarded as particularly sensitive. Form 300 requires employers to log much of this individual information—notably, descriptions of injuries and the body parts affected—for each individual worker and incident. Form 300A, by contrast, merely summarizes incident data without any traceable connection to individual workers.



UPCOMING MEETINGS

DISNEY

When: April 16 - 18, 2021

Where:

**Hilton Orlando Buena Vista Palace
1900 E. Buena Vista Drive
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LONG BOAT

When: September 24 – 26, 2021

Where:

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LONGBOAT KEY, FL 34228
(941) 383-8821**



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If you are interested please contact, Mary Bogan.



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