

June 13, 2022



The Link Between Grain and Goodness

Mr. Peter Gimlin
Existing Chemicals Risk Management Division (7405M)
Office of Pollution Prevention and Toxics
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460-0001

Re: Docket No: EPA-HQ-OPPT-2021-0057

Dear Mr. Gimlin:

On behalf of our nation's grain millers, the North American Millers' Association (NAMA) welcomes the opportunity to submit comments regarding the proposed rule: *Asbestos Part 1: Chrysotile Asbestos; Regulation of Certain Conditions of Use Under Section 6(a) of the Toxic Substances Control Act (TSCA) (Federal Register Number 2022-07601 (Tuesday, April 12, 2022) Pages 21706 - 21738).*

NAMA represents millers of wheat, corn, oats, and rye across the continental United States, Puerto Rico, and Canada. Through a process of grinding and sifting, our members produce flour and other ingredients that are used to make favorite foods such as bread, cereals, pasta, tortillas, cookies, cakes, and snack foods. As the link between farmers and bakers, our members are relied upon to produce bleached flour for American consumers and bakeries across the country.

The grain milling industry has a long history of utilizing chlorine as a bleaching agent to achieve various product characteristics desired by consumers in many wheat-based foods. Chlorine gas is used as an aid in the milling process to remove the natural creamy yellow color of flour and produce a whiter looking product. Bleaching cake flour or soft wheat flour with chlorine gas leads to improved baking volume, a finer crumb texture, and consistency. All of which improves the quality of finished goods thereby reducing food waste at the bakery. Specific functional improvements such as these are difficult to replicate with chlorine alternatives. While the industry has access to alternatives to chlorine, the process and systems used to incorporate other bleaching agents would require significant capital investment and, in some cases, high energy demand to established operations. Additionally, the main alternative to chlorine for bleaching purposes is benzoyl peroxide, which is predominantly imported into the United States and has had its own supply chain challenges in recent years along with other imported products. Further, the use of benzoyl peroxide does not have the desired effects on flour functionality as chlorine does. As there are limited alternatives to chlorine for flour bleaching, a reliable supply

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of chlorine is imperative for the production of bleached flour, a staple in many households.

The milling industry is already facing unprecedented challenges when trying to acquire chlorine and its byproducts. Chlorine producers declared force majeure and temporarily shut down their various production facilities numerous times in 2021. In addition to the numerous temporary shutdowns, producers have permanently closed multiple production facilities. By November 2021, the closures had resulted in the removal of 1.1 million electrochemical unit (ECU) tons from the market permanently. As a result, it has been challenging for millers to find reliable suppliers, and when they do, the costs have been exorbitant with prices for chlorine and its byproducts having tripled in cost, reaching historic highs in recent years.

If implemented as written, this proposal will negatively impact the chlor-alkali market throughout the U.S. There are a number of chlor-alkali plants making caustic via the diaphragm method, which uses asbestos diaphragms. These plants will either have to convert to the membrane process or find alternatives to asbestos diaphragms. The short phase out period for asbestos diaphragms as described in the proposal would be detrimental to the chlorine supply chain by taking too many chlorine producers offline in the same timeframe. With an already tightened supply, further constriction could lead to shutdowns of grain mills across the country and empty shelves at the grocery store.

If EPA moves forward with the proposal, NAMA recommends a longer phase out period so that chlorine producers may strategically retrofit their facilities without major supply chain disruptions. Additionally, we recommend that EPA work directly with impacted chlorine producers to implement a phase out plan that does not adversely impact supply. This partnership will be critical to ensuring the chlorine supply chain is not further strained.

We appreciate the opportunity to provide input as EPA considers how this proposal will have far-reaching effects spanning multiple industries. We look forward to the continued partnership between the agency and the agriculture and food sectors.

Sincerely,



Jane DeMarchi
President
North American Millers' Association