

Public Comment 5/11/23

Amendment to ATCM

By Ted Ventrescsa President/COO CHEMEON Surface Technology

Due to time limitation for in person comments at the January 27th meeting, CHEMEON representative, Mr. Frank Aguilar was unable to present the following on behalf of CHEMEON.

CHEMEON is a proud member of the Metal Finishing Association of California and is regarded as a global expert in the alternative chemistries used to replace hexavalent chrome as a conversion coating on light metals and as a replacement for sodium dichromate/dilute chrome as an anodic seal. Our company mission and vision align with the CARB goal to reduce and ultimately remove the known carcinogen, hexavalent chrome.

Over the past year, we have followed the Proposed Amendments to the ATCM by CARB. We agree with the Metal Finishing Association that the recommendations and proposals put forth by CARB will have a severe impact on the metal finishing industry, the communities, people, and businesses of the state who rely on the essential work being done by the metal finishing industry, and unfortunately, it would not achieve your admirable goal regarding the reduction and ultimate removal of hexavalent chrome.

To truly rid California, the U.S., and the world of continued use of hexavalent chrome, the root cause of usage must first be addressed. And, to be clear, the Metal Finishing Industry of California is not the root cause.

The root cause of the continued use of hexavalent chrome for plating, finishing, conversion coating, and anodic seals is a direct result of legacy specifications that, for over 70 years, have required the use of hexavalent chrome by the manufacturers of these parts and products, including many of those used by the U.S. military and the Department of Defense.

Until specifications allow for safer alternatives or remove hexavalent chrome from the specification completely, the chemistry will still be used.

Why have some OEMs been slower to change specifications that still require the use of hex chrome on certain metal parts? Possibly due to their internal legacy systems and — in some cases — legacy safety standards that may need extensive new testing and validation to deviate or change from legacy chemistry. Certainly, the state and federal governments understand the time involved in changing, modifying, or moving away from legacy or outdated procedures.

When CARB and other state and federal agencies address the root cause of the issue, change becomes possible, and solutions become clear.

In recent years, the DoD and the automotive industry have made great strides in the elimination of hexavalent chrome use at military bases, depots, and commercial vehicle production. We know this firsthand because CHEMEON products have provided some of the safer alternative solutions. Through collaboration with OEM's Prime Contractors — and the DOD directly — we have identified and developed military-specified alternative chemicals and process solutions to legacy hex chrome specifications. Hex chrome usage has been significantly reduced by the DoD.

How can CARB address the root cause of hexavalent chrome without the harm to the state economy and Metal Finishing Industry of California?

We ask you to consider the following steps for CARB to implement in an effort to truly help end the use of hex chrome for California and the world:

1. In the next six months, CARB and SCQAMD researchers will work with industry and metal finishers to identify all part specifications or industry coating standards that still call for the use of hexavalent chrome.
2. Take that information and begin collaborative work between the OEM and Prime Contractors, safe chemical solution providers, and metal finishing and process shops in a unified effort to test, validate, and amend the specifications or to allow process shops in California and across the U.S the ability for a "deviation" from the hex chrome specification to alternate safe chemistries like CHEMEON and other Tier 1 chemical manufacturers have created and are available right now.

3. CARB and SCQAMD may consider routing the funds slotted to enforce your proposed updates to the ATCM instead to support and incentivize collaborations between industry, safer chemical manufacturers, and process facilities to accelerate their work to identify, test, and implement existing alternatives to hexavalent chrome.
4. Work with the U.S. EPA and other federal agencies to require the elimination of hexavalent chromium at the root cause: the manufacturers who continue to require that this product be used instead of the alternatives that are already on the market.

This approach will not only save jobs, but it will ultimately save lives and the California economy.

Please consider CHEMEON a resource in helping you implement positive chemical and business solutions that protect the environment, communities, and jobs related to the Metal Finishing Industry of California and beyond.

Thank you.

Ted Ventresca

President/COO

CHEMEON Surface Technology

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