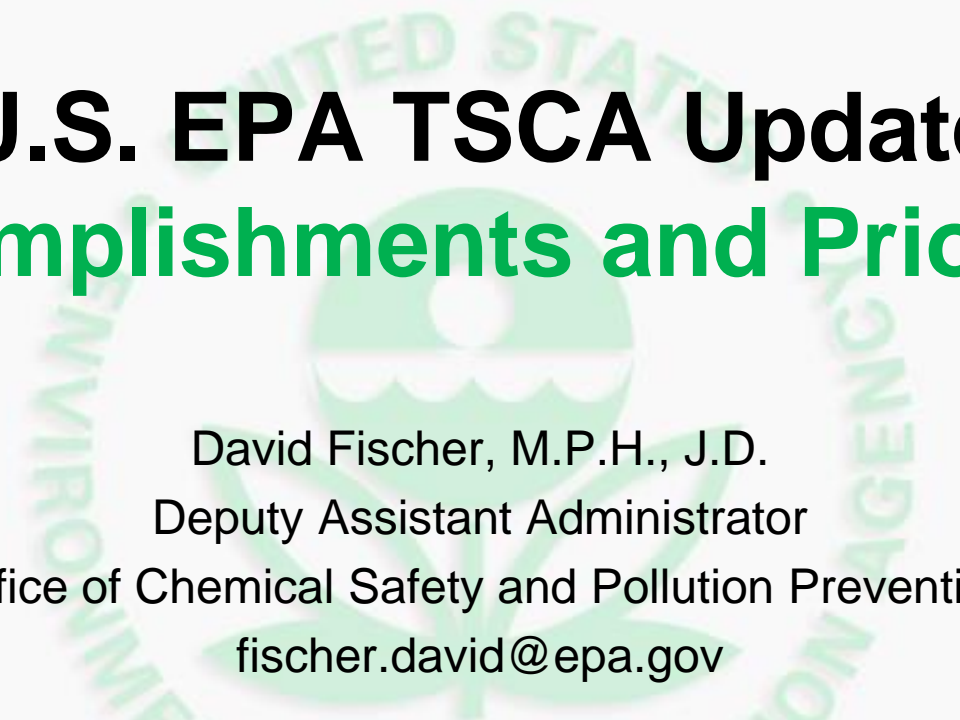




U.S. EPA TSCA Update

Accomplishments and Priorities



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Presentation to the ECOS 2019 Fall Meeting
September 25, 2019

Amended Law

“The Frank R. Lautenberg Chemical Safety for the 21st Century Act”

- Amended and updated the Toxic Substances Control Act (TSCA)
- Signed by the President on June 22, 2016
- Effective immediately

Significance

- First major update to TSCA in 40 years (1976)
- Passed with overwhelming bipartisan support in both the U.S. House and Senate
- Received support from chemical industry and downstream users of chemicals, NGOs, and other stakeholders

TSCA Reform

Stakeholder Concerns:

- No requirement that EPA review existing chemicals
- No requirement that EPA make affirmative determinations on new chemical notifications
- Little EPA review of CBI claims
- Patchwork of state actions in absence of Federal action
- Slow progress moving non-animal tests from to laboratory to TSCA decision making

Amended TSCA: Major Changes

Framework Rules

- Amended TSCA called for EPA to promulgate four rules (collectively, the “Framework Rules”) to set up the procedures EPA will use to implement, and otherwise align, EPA’s chemical management program with the new requirements and responsibilities in the law:
 - **Active/Inactive Inventory Reporting Rule**
 - **Prioritization Rule**
 - **Risk Evaluation Rule**
 - Fees Rule (no statutory deadline)

Other new requirements related to:

- Existing Chemicals
- New Chemicals
- Confidential Business Information
- Mercury
- Non-animal tests

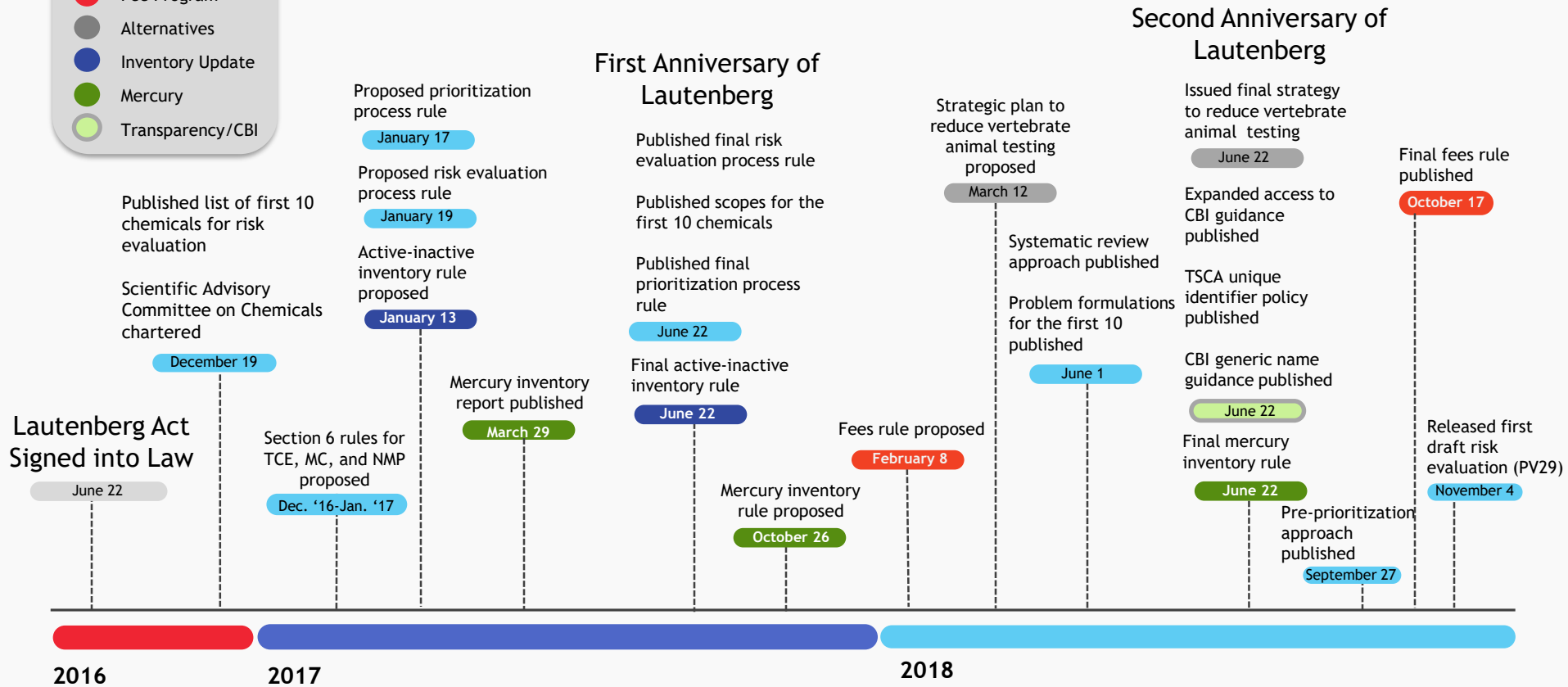
Amended TSCA

Changes Related to Existing Chemicals

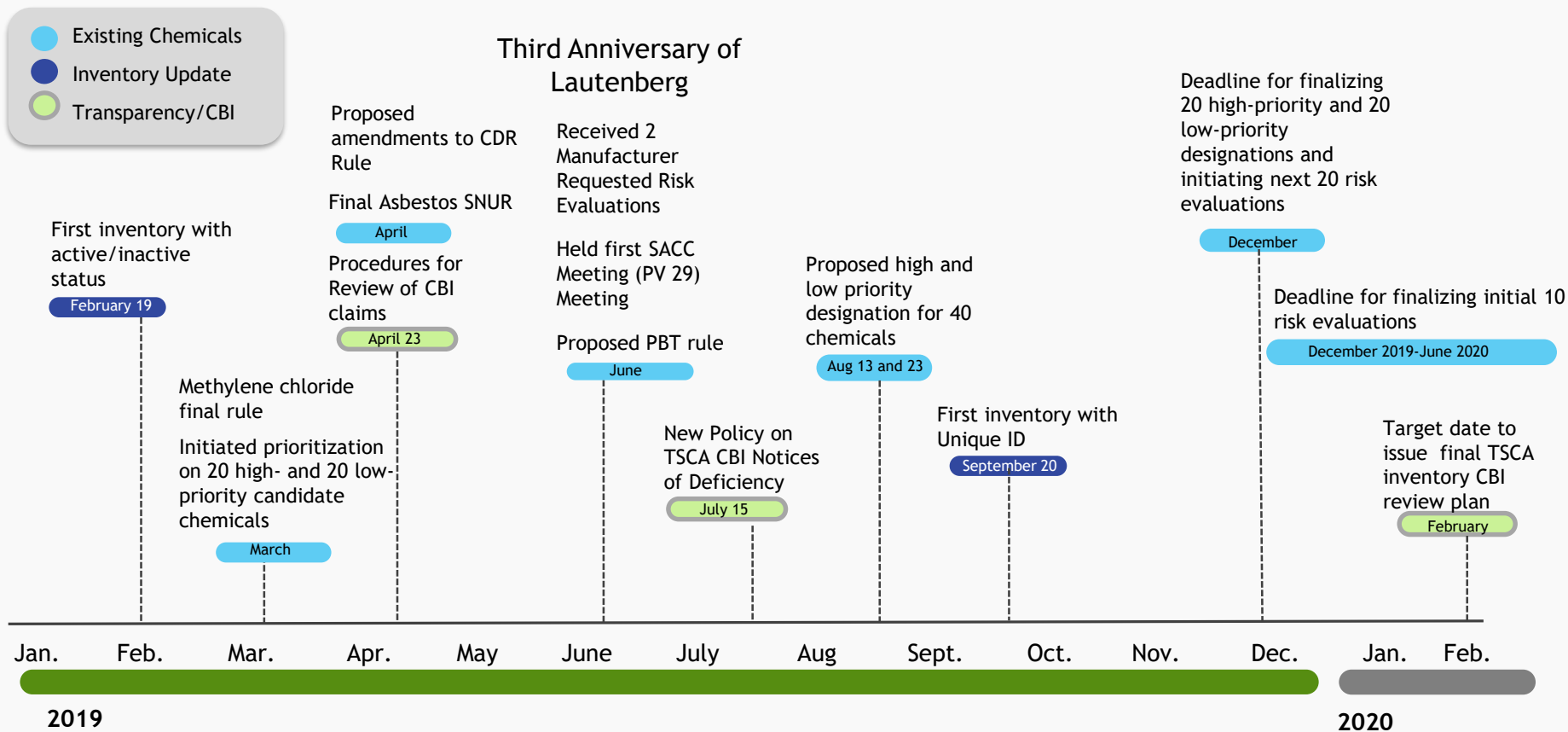
- Mandatory duty on EPA to evaluate existing chemicals – clear and enforceable deadlines
- Chemical assessment is risk-based; without consideration of costs or other non-risk factors
- Must consider risks to potentially exposed or susceptible subpopulations determined to be relevant to the evaluation
- Unreasonable risks identified in risk evaluation must be addressed
- Expanded authority to more quickly require development of chemical information when needed

TSCA Milestones: 2016-2018

- Existing Chemicals
- Fee Program
- Alternatives
- Inventory Update
- Mercury
- Transparency/CBI



TSCA Milestones: 2019 and beyond



Going Forward



Risk Evaluations

- The Agency will use the scientific advice, information and recommendations from the SACC, as well as public comments, to inform the final risk evaluations.
- **PV-29**
 - Public Comment period ended July 10, 2019.
- **HBCD and 1,4-Dioxane**
 - Public comment period ended August 28, 2019.
- **1-Bromopropane**
 - SACC Meeting September 10-12, 2019
 - Public comment period ends October 11, 2019.
- **6 Risk Evaluations**

Prioritization

- EPA must begin risk evaluations on 20 high priority chemicals and designate 20 chemicals as low priority by December 22, 2019.
- Draft dossiers for substances designated as high- and low-priority published in the Federal Register for 90-day public comment
 - Low-Priority: August 13, 2019 → November 13, 2019
 - High-Priority: August 23, 2019 → November 21, 2019
 - Also published *Approach Document for Screening Hazard Information for both Low- and High-Priority Substances Under TSCA*
- EPA will issue draft scopes for public comment prior to issuing the statutorily required final scopes 6 months after initiating the risk evaluation.
- Issuance of scopes triggers “pause” preemption.

New Chemicals

- EPA must make an affirmative finding on new chemicals or significant new uses of existing chemicals, before those chemicals can enter the market.
- Reviews underway at time of enactment were considered “resubmitted” and review period restarted; additional notices continued to be received.
- Current focus: Continue to improve processes to meet requirements in law.
 - Issues raised by stakeholders
 - Worker protection
 - Reasonably foreseen conditions of use
 - How much information can be made publicly available

Social Media



TSCA Overview:

*Ensuring the Safety of Chemicals
in our Everyday Lives*



<https://www.youtube.com/watch?v=q3khHQytzco>

QUESTIONS

