



The Toxic Substances Control Act (TSCA): Update on EPA Implementation Activities

Jeff Morris, Director
Office of Pollution Prevention and Toxics
U.S. Environmental Protection Agency

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TSCA Amended

- The “Frank R. Lautenberg Chemical Safety for the 21st Century Act” signed June 22, 2016
- Amends and updates the Toxic Substances Control Act of 1976
- Passed by large bipartisan margins in the U.S. House (403 to 12) and unanimously in Senate
- Received support from chemical industry and downstream users of chemicals, NGOs and other stakeholders



Implementation: 1st year Key Milestones

- Final Active/Inactive **Inventory** Reporting Rule required by June 2017
 - ✓ Final Rule Published June 22, 2017
- Final **Prioritization** Process Rule required by June 2017
 - ✓ Final Rule Published June 22, 2017
- Final **Risk Evaluation** Rule required by June 2017
 - ✓ Final Rule Published June 22, 2017
- **Initial 10 Risk Evaluations**
 - ✓ Published First 10 Chemicals for Risk Evaluation
 - ✓ Final Scopes Published June 22, 2017
- **Guidance to Assist Interested Persons in Developing and Submitting Draft Risk Evaluations under the Toxic Substances Control Act**
 - ✓ Guidance Published June 22, 2017
- **Science Advisory Committee** established by June 2017
 - ✓ Charter established, members appointed



TSCA Implementation Milestones

By 2 Years (June 2018)

- ☐ **Publish strategic plan for non-animal testing methodologies**
- ☐ Finalize all necessary policies, procedures and guidance for TSCA implementation
- ☐ Publish guidance re: generic names for chem ID
- ☐ **Receive active/inactive notices from manufacturers and processors (~Oct 2018) and update inventory listings (~Nov 2018)**
- ☐ Propose rule for reviewing all chem ID claims (~Nov 2018)
- ☐ **Propose rule for TSCA user fees (target date early 2018)**

By 3.5 Years (late 2019)

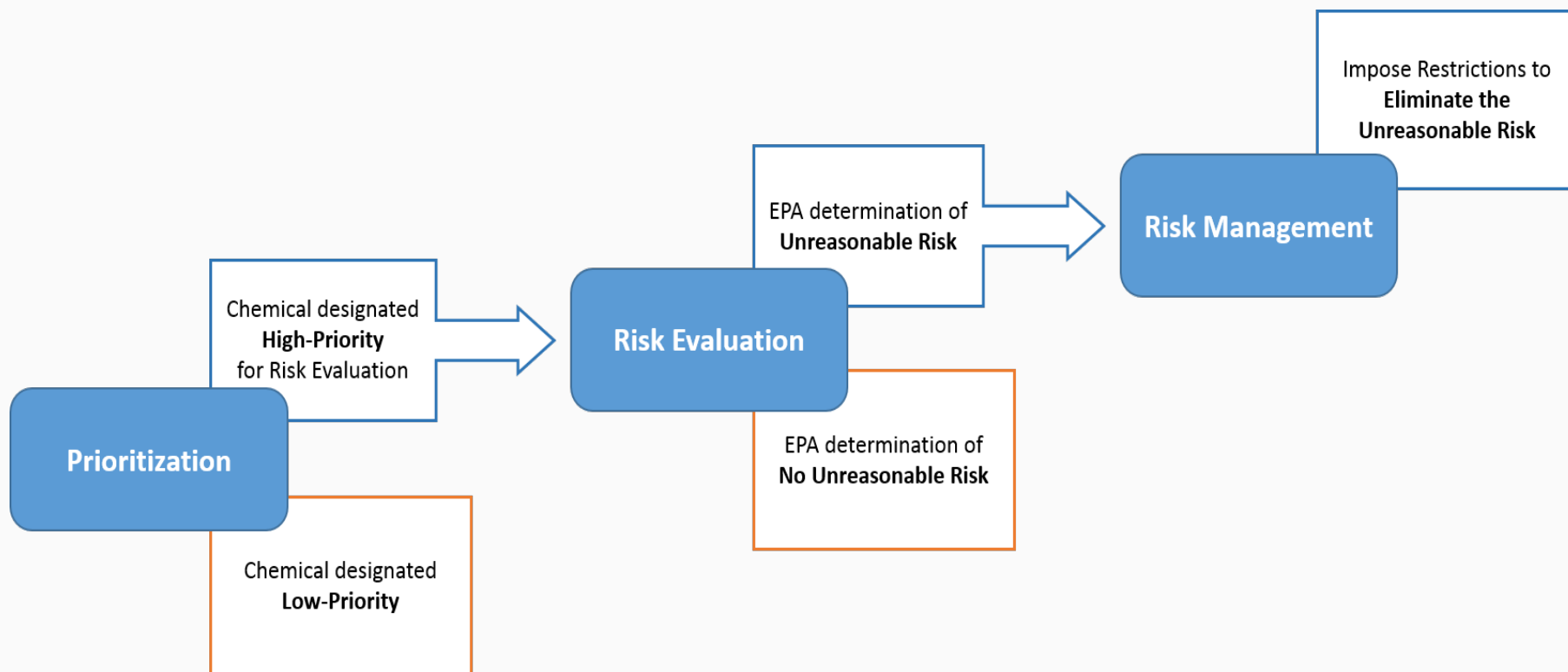
- ☐ **Finalize first 10 risk evaluations;** initiate risk management if warranted
- ☐ Finalize rule for reviewing chem ID claims for active chemicals (~Nov 2019)
- ☐ Designate 20 High-Priority and 20 Low-Priority chemicals (~Dec 2019)
- ☐ Propose risk management rule for certain PBT chemicals (~Dec 2019)

By 5 Years (June 2021)

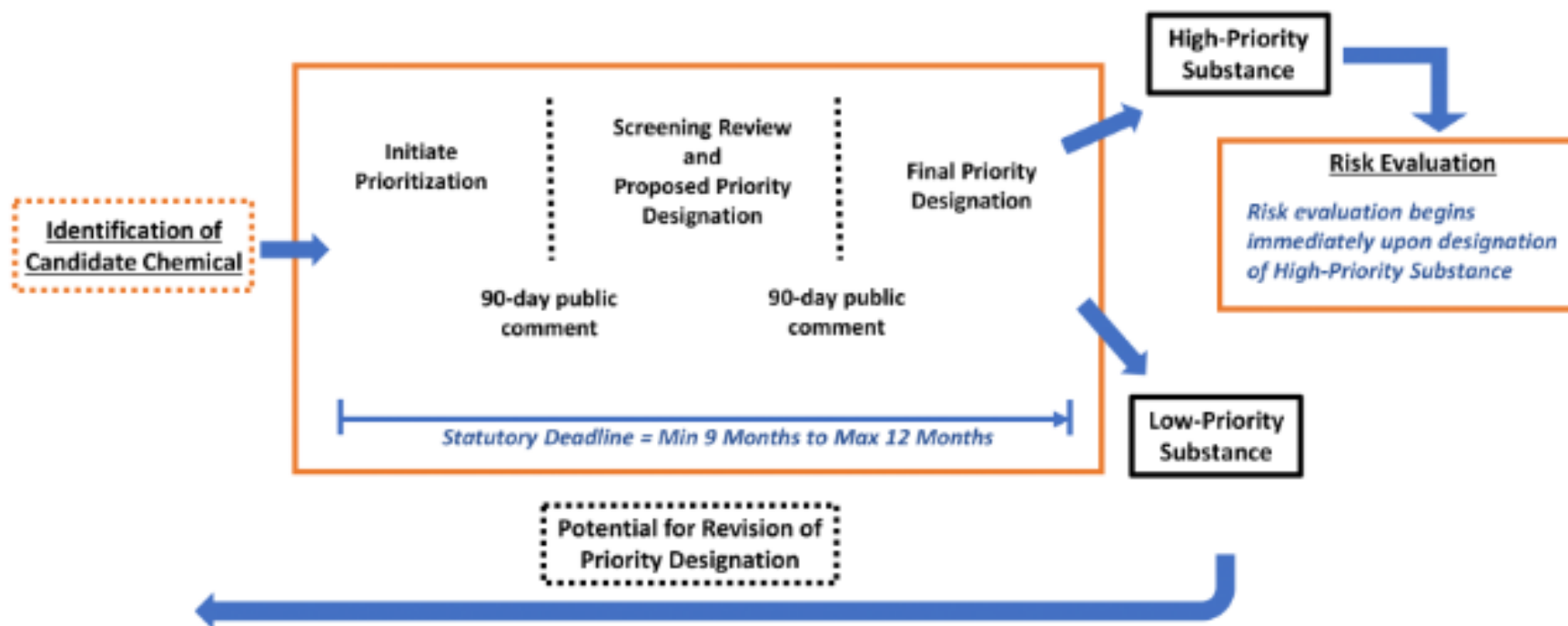
- ☐ Complete review of CBI claims for chem ID
- ☐ Report to Congress on implementation of non-animal testing plan
- ☐ Finalize PBT rule (~December 2020)



New Process for Reviewing Existing Chemicals



Prioritization Process and Timeline





Next-steps: **Prioritization Process**

- Proposed rule included a 'pre-prioritization' process
- Final rule does not include the pre-prioritization process
 - However, EPA will take public comment opportunities to address pre-prioritization activities
 - *EPA held a public meeting December 2017.*



Risk Evaluation Process

- *High-priority* designation triggers risk evaluation process to be completed in 3 – 3.5 years
- For each risk evaluation completed, EPA must designate a new high-priority chemical
- Within 3.5 years, EPA must have EPA-initiated 20 ongoing chemical risk evaluations
 - Additional risk evaluations may come from manufacturer-requests



N-Methylpyrrolidone (NMP)

Status:

- NMP was identified as one of EPA's first 10 chemicals for risk evaluation in December 2016
- Scope document published June 2017
- OPPT continues to engage stakeholders on NMP on issues related to worker exposure

Next Steps:

- Problem Formulation expected May 2018
- Final Risk Evaluation expected December 2019



Per- and poly-fluorinated Substances (PFAS, PFOS, PFOA)

Status:

- EPA announced cross-Agency effort to address PFAS – December 2017
- No current TSCA Prioritization or Risk Evaluation activities
- Significant New Use Rules (SNURs) have been previously issued for hundreds of PFAS chemicals
- PFOA Stewardship Program - ended in 2015
- Petition on PFAS and PFOA – received April 10, 2018



Photo Acid Generators (PAGs)

OPPT continues to engage with lithography chemical suppliers of photo acid generators and semiconductor manufacturers through the Onium Consortium

- Testing needs
- Exposure/release characterization
- New PAG chemical submissions



For More Information

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act>

Contact EPA at

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/forms/assessing-and-managing-chemicals-under-tsca>