



# **Opportunities for States/Regions to Align Work with Amended Toxic Substances Control Act (TSCA)**



**Region 10 Roundtable  
October 2 – 3, 2018**

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Pollution Prevention

U.S. Environmental Protection Agency



## Goals for Today

- Brief review of the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act
- P2 and TSCA
  - What are current efforts?
- Opportunities for P2/TSCA collaboration and alignment

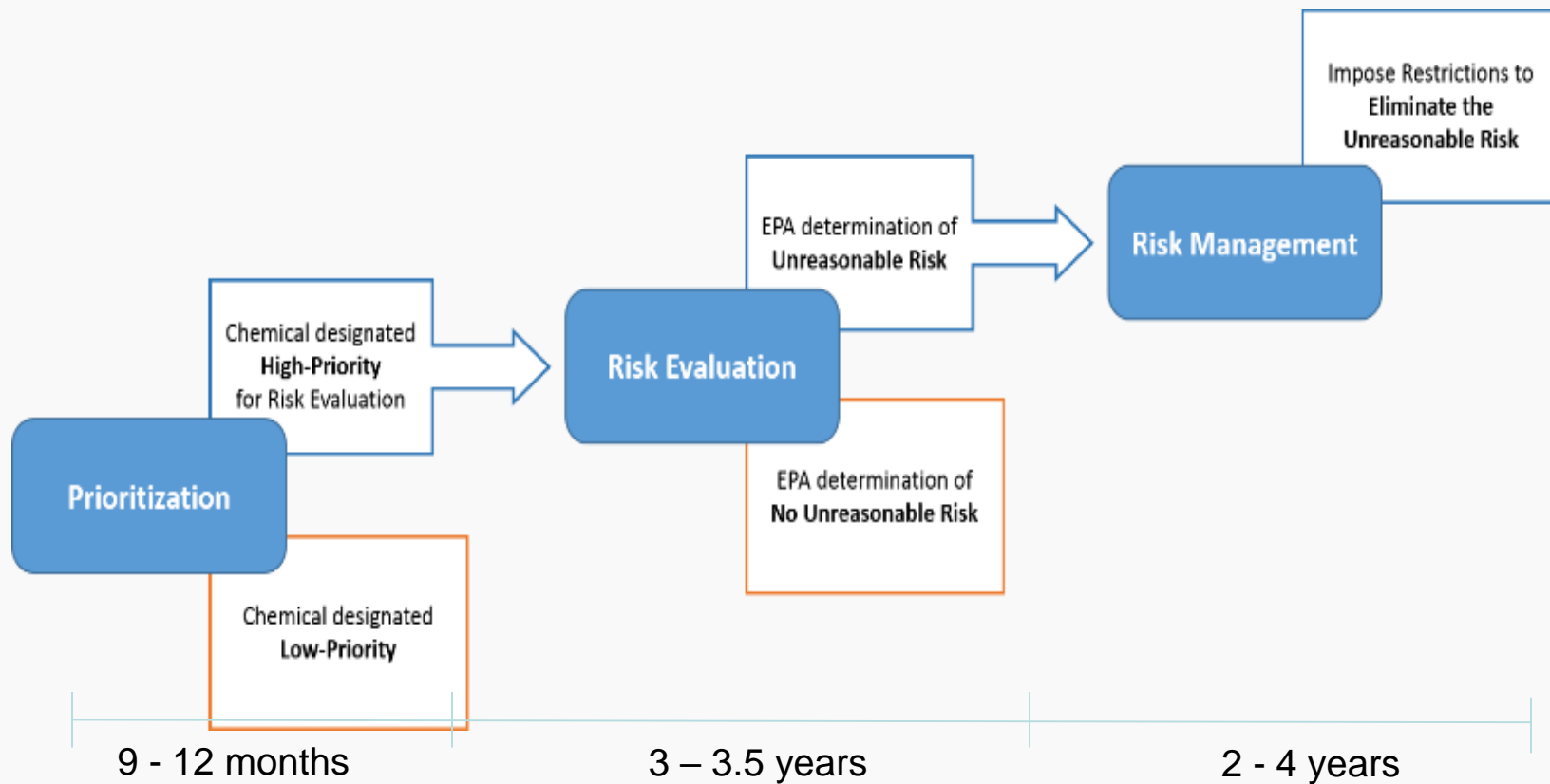


# The New Chemical Safety Law

- The “Frank R. Lautenberg Chemical Safety for the 21st Century Act” was signed by the President going into immediate effect on 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



# Evaluating Risks of Existing Chemicals





# Initial Chemicals

- EPA identified the initial 10 chemicals and formally initiated risk evaluations on December 19, 2016

## The First 10 Chemicals

- Trichloroethylene (TCE)
- Tetrachloroethylene (Perc)
- Methylene Chloride (DCM)
- N-Methylpyrrolidone (NMP)
- 1 Bromopropane (N-Propyl Bromide)
- Carbon Tetrachloride
- Cyclic Aliphatic Bromide Cluster HBCD
- 1,4 Dioxane
- Pigment Violet 29
- Asbestos

## PBTs (persistent, bioaccumulative and toxic)

- Decabromodiphenyl ether (decaBDE)
- Hexachlorobutadiene (HCBD)
- Pentachlorothiophenol (PCTP)
- Phenol, Isopropylated Phosphate (3:1) (PIP (3:1))
- 2,4, 6-tris(tert-butyl) phenol



## Important Dates

- Problem Formulation documents were published on June 1, 2018
  - Refines the scope, specifically the conditions of use considered in the risk evaluation
  - Public comments were due by August 18, 2018
- Draft Risk Evaluations – now underway
  - Risk evaluations will determine which uses of a chemical present an unreasonable risk of injury to health or the environment
  - Each draft risk evaluation will be peer reviewed
  - At least 30-day public comment period
- EPA expects to publish final Risk Evaluations by December **2019**

For updates: monitor this [TSCA webpage](#) (link)



# Where are they now?

- Tetrachloroethylene (PERC)
  - [Problem Formulation](#)  
Comment period closed 8/17/18.
  - Draft risk evaluation is underway now.
  - Docket: Sign up for notifications on per: [EPA-HQ-OPPT-2016-0732](#)
  - Contact: Tyler Lloyd  
202.564.4016,  
Lloyd.tyler@epa.gov
- Methylene Chloride - Moving on two tracks:
  - Paint Strippers: intend to send final rule for OMB review
  - Other DCM uses:
    - [Problem Formulation](#)
    - Risk Evaluation Underway
  - Docket: Sign up for notifications on Methylene Chloride Docket <[EPA-HQ-OPPT-2016-0742](#)>
  - Contact: Ana Corado  
202.564.0140



## P2/TSCA connection and opportunities

- P2 Grant NEA on TSCA: *Business-Based Pollution Prevention Solutions Supporting Toxic Substances Control Act (TSCA) Priorities and Chemical Safety*
- Many Examples of P2 for Priority Chemicals
  - MeCl in parts cleaning
  - Perc in dry cleaning
  - TCE in spot cleaning
- See March 29 2018 webinar slides and full recording at:  
<https://www.epa.gov/p2/fy18-19-pollution-prevention-grant-program-webinars>





## TSCA Issues for State / Local Consideration

- Two-way collaboration on Data:
  - TSCA **NEEDS** data on chemical uses, alternatives, compliance issues → States, others can provide
  - TSCA **HAS** data that States and locals can use
    - New TSCA supports access to **Confidential Business Information** with states, tribal, local governments
    - **TRI** and **Chemical Data Reporting**; scoping documents
- Preemption of state activities on chemicals



# Additional Information

- Contacts:
  - Kat Compton, 206-553-0290, [Compton.Kathleen@epa.gov](mailto:Compton.Kathleen@epa.gov)
  - Eileen Sheehan, 415-972-3287, [Sheehan.Eileen@epa.gov](mailto:Sheehan.Eileen@epa.gov) (on detail to EPA HQ)
- EPA Website
  - EPA's TSCA Implementation Activities website at <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act>
- Dockets ([www.regulations.gov](http://www.regulations.gov))
  - Example of a docket for one of first 10 chemicals: Trichloroethylene
    - Trichloroethylene; TSCA Review and Scoping: [EPA-HQ-OPPT-2016-0737](https://www.regulations.gov/docket/EPA-HQ-OPPT-2016-0737)
    - TCE Rulemaking under TSCA Section 6(a) for Use of TCE in Vapor Degreasing: [EPA-HQ-OPPT-2016-0387](https://www.regulations.gov/docket/EPA-HQ-OPPT-2016-0387)
    - Rulemaking under TSCA Section 6(a) for Use of TCE in Aerosol Degreasing and Spot Cleaning in Dry Cleaning Facilities: [EPA-HQ-OPPT-2016-0163](https://www.regulations.gov/docket/EPA-HQ-OPPT-2016-0163)
    - Significant New Use Rule (SNUR) for TCE in Consumer Products: [EPA-HQ-OPPT-2014-0697](https://www.regulations.gov/docket/EPA-HQ-OPPT-2014-0697)
    - TCE Workshop (July 29-30, 2014): [EPA-HQ-OPPT-2014-0327](https://www.regulations.gov/docket/EPA-HQ-OPPT-2014-0327)
    - TCE Risk Assessment (2014): [EPA-HQ-OPPT-2012-0723](https://www.regulations.gov/docket/EPA-HQ-OPPT-2012-0723)