Regulatory Alert: New TSCA Reform Bill Signed into Law
June 28, 2016

The U.S. House and the Senate in 2015 collaborated to create a new Toxic Substances Control Act (TCSA) Reform Bill (Frank Launtenberg Chemical Safety for the 21st Century Act). The new legislation was sent to President Obama in early June and he signed the Act into law June 22. The new law became effective on the day the President signed it.

This marks the first update or amendment of the TSCA since its original enactment in 1976 to regulate chemical substances and mixtures in commerce.

The Environmental Protection Agency (EPA) said the new law includes a number of improvements to TSCA including:

- a mandatory requirement for the EPA to systematically prioritize and evaluate existing chemicals on a specific and enforceable schedule; it is important to note that the most immediate effects of this new law will be on the new chemicals review process
- a requirement for the EPA to evaluate the safety of chemicals based purely on the health risks they pose
- increased public transparency for chemical information
- the authority for the EPA to collect up to $25 million a year in user fees from chemical manufacturers and processors to pay for the improvements.

Before collecting fees, EPA is required to publish a proposed rule, obtain public comment, address the comments, and then finalize the rule. Prior to proposing a rule, EPA will consult with parties subject to the fees, as required by the act. The Agency plans to begin this process in the coming weeks.

EPA believes that input from interested stakeholders and the public are critical to successful implementation of the new law. In the coming weeks, EPA plans to begin making information available on opportunities to learn more about the changes in the new law and how and when specific stakeholder engagement will begin to take place. The EPA communication effort with trade could include briefings, webinars, public meetings, and defined comment periods.

This revised TSCA Reform Bill gives the EPA greater authority to identify chemicals as posing a risk, request additional information or testing, and impose restrictions or outright bans.

Timeline for Implementation: Immediate
References:

Full text of the Frank R. Lautenberg Chemical Safety for the 21st Century Act


Highlights of the key provisions of the Act

https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/highlights-key-provisions-frank-r-lautenberg-chemical

FAQ pertaining to the Act