



Dear Subscriber,

We are pleased to enclose the Winter 2022 Update for your 6-volume TSCA Compliance Guide and Online Service.™

This update contains:

- 1) **Revisions to Mercury Inventory Reporting Rule.** On November 2, 2021, EPA announced revisions to the 2018 Mercury Inventory Reporting Rule which requires reporting from persons who manufacture or import mercury, or otherwise deliberately use mercury in the manufacturing process. The revision is in response to a June 2020 Second Circuit decision (*Natural Resources Defense Council, Inc., State of Vermont v. United States Environmental Protection Agency*, Docket Nos. 18-2121-ag; 18-2670-ag) vacating the previously enacted exemption for companies that imported pre-assembled products containing a mercury added component. The Court found that the exemption lacked a reasonable explanation. The revised rule will require reporting from companies that import pre-assembled products that contain a mercury-added component. The revised rule became effective December 8, 2021. The deadline for reporting 2021 data under the revised rule is July 1, 2022. The updated language is reflected in 40 CFR 713.7(b)(2). See 86 FR 61708.
- 2) **Civil Monetary Penalty Inflation Adjustment.** On January 11, 2022, EPA announced a final rule adjusting the maximum and minimum statutory civil monetary penalty amounts under the statutes EPA administers. The new amount, listed in the third column of Table 1 of 40 CFR 19.4, will apply to all civil monetary penalties assessed on or after January 12, 2022, for violations that occurred after November 2, 2015. The new maximum penalty is \$43,611 per violation, per day. See 87 FR 1678. The text of Introduction, pages 16 & 17, has been updated to reflect this development.

Please also note these recent EPA activities:

**PFAS Toxicity Guidelines.** On October 25, 2021, EPA stated that substances marketed as newer and safer types of PFAS may still be a risk to human health and clarified the level of exposure considered dangerous to human health. This branch of PFAS, also known as GenX chemicals, were initially created to replace older PFAS which were known to be toxic. The EPA's findings were released as a part of the human health toxicity assessment for hexafluoropropylene oxide, or

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HFPO, dimer acid and its ammonium salt. Of note, the final oral chronic reference dose, the amount that is considered safe to consume orally, for GenX chemicals was determined to be 0.000003 mg/kg per day. This is less than half of the 2018 draft assessment, which has set the limit at 0.000008 mg/kg per day.

- **Chemical Review Process Audit.** On October 26, 2021, EPA’s Office of Inspector General (OIG) released a project notification memorandum on OIG’s plan to begin fieldwork on an audit of EPA’s process for conducting reviews of new chemicals under TSCA. Their objective is to determine the extent to which EPA uses and complies with applicable records management requirements, quality assurance requirements, and employee performance standards to review and approve new chemicals under TSCA to manage human health and environmental risks. The anticipated benefits of this audit are improved operational efficiency and greater protections for human health and the environment. More information can be obtained from [https://www.epa.gov/system/files/documents/2021-10/epaig\\_notificationmemo\\_10-26-21\\_tasca.pdf](https://www.epa.gov/system/files/documents/2021-10/epaig_notificationmemo_10-26-21_tasca.pdf).
- **Section 21 Petition Denials.** On October 29, 2021, and November 17, 2021, EPA denied TSCA section 21 petitions submitted in August of 2021. As addressed in the October 2021 update, TSCA Section 21 permits any person to petition EPA to initiate rulemaking, amendment, or rescission proceedings. The petitions filed in August pertain to cigarettes and cosmetics. As to the cigarette petition, EPA found that cigarettes are not a product capable of being regulated under TSCA section 6(a), and thus the petitioner failed to meet his burden under TSCA section 6(a) and section 21(b)(1), because TSCA section 3(2)(B), which defines chemical substances, explicitly excludes tobacco or tobacco products. EPA similarly denied the cosmetics petition because TSCA section (3)(2)(B) explicitly excludes cosmetics from the definition of chemical substances regulated by TSCA. *See* 86 FR 59931; 86 FR 64129.
- **EPA Information Collection Activities.** On November 2, 2021, EPA announced it will submit an updated information collection request (ICR) to the Office of Management and Budget (OMB). The request is titled “Generic Clearance for TSCA Section 4 Test Rules, Test Orders, Enforceable Consent Agreements (ECAs), Voluntary Data Submissions, and Exemptions from Testing Requirements” and is an update to a previously approved ICR. The previously approved ICR is titled “User Guide for submitting TSCA Section 4 Test Order Information” and covers the information collection activities of EPA related to the submission of information pursuant to TSCA section 4. The approval of this new ICR will result in the previously approved ICR being discontinued. *See* 86 FR 60460.
- **Lead RRP Rule FQ Withdrawal.** On November 4, 2021, EPA announced its intention to withdraw two frequently asked questions (FQ) concerning property management companies and their compliance responsibilities under TSCA’s Lead Renovation, Repair, and Painting (RRP) Rule. EPA specifically intends to withdraw FQ 23002-13650 and 23002-

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18348. EPA solicited public comment on this proposed withdrawal because of the public interest in this action. Comments can be viewed on Docket EPA–HQ–OECA–2021–0763. See 86 FR 60812.

- **OIG Annual Report.** On November 15, 2021, EPA’s OIG released its annual report. This report summarizes what upcoming management and performance challenges the agency expects to face in the 2022 Fiscal Year. The seven top challenges OIG identified in this report as agency wide responsibilities include: (1) Mitigating the Causes and Adapting to the Impacts of Climate Change, (2) Integrating and Leading Environmental Justice Across the Agency and Government, (3) Ensuring the Safe Use of Chemicals, (4) Safeguarding Scientific Integrity Principles, (5) Ensuring Information Technology and Systems are Protected Against Cyberthreats, (6) Managing Infrastructure Funding and Business Operations, and (7) Enforcing Environmental Laws and Regulations. More information can be obtained from [https://www.epa.gov/system/files/documents/2021-11/certified\\_epaoig\\_20211112-22-n-0004.pdf](https://www.epa.gov/system/files/documents/2021-11/certified_epaoig_20211112-22-n-0004.pdf)
- **NASEM Peer Review.** On November 30, 2021, EPA announced the release of the National Academies of Sciences, Engineering, and Medicine’s (NASEM) external peer review report of the Office of Research and Development (ORD) Staff Handbook for Developing Integrated Risk Information System (IRIS) Assessments (IRIS Handbook). The IRIS Handbook provides guidance to scientists performing IRIS assessments in an effort to foster consistency and enhance transparency about the assessment process. The Review Report found that while EPA faces many challenges in implementing the methods of the IRIS assessments, the program’s progress is encouraging. The committee included recommendations in the report for the continued transparency of the IRIS assessment process and clarity of operational instructions. More information can be obtained from <https://www.epa.gov/newsreleases/national-academies-sciences-engineering-and-medicine-releases-peer-review-report>.
- **Reopening of Dockets.** On December 9, 2021, EPA reopened the dockets for 20 high-priority chemicals. EPA is reopening the dockets to receive use, hazard, exposure, and other relevant information to inform EPA’s risk evaluations. The chemicals and their dockets are p-Dichlorobenzene (PA-HQ-OPPT-2018-0446), 1,2-Dichloroethane (EPA-HQ-OPPT-2018-0427), trans-1,2-dichloroethylene (EPA-HQ-OPPT-2018-0465), o-Dichlorobenzene (EPA-HQ-OPPT-2018-0444), 1,1,2-Trichloroethane (EPA-HQ-OPPT-2018-0421), 1,2-Dichloropropane (EPA-HQ-OPPT-2018-0428), 1,1-Dichloroethane (EPA-HQ-OPPT-2018-0426), Dibutyl phthalate (1,2-Benzene-dicarboxylic acid, 1,2- dibutyl ester) (EPA-HQ-OPPT-2018-0503), Butyl benzyl phthalate - 1,2- Benzene- dicarboxylic acid, 1-butyl 2(phenylmethyl) ester (EPA-HQ-OPPT-2018-0501), Di-ethylhexyl phthalate - (1,2- Benzene- dicarboxylic acid, 1,2- bis(2-ethylhexyl) ester) (EPA-HQ-OPPT-2018-0433), Di-isobutyl phthalate- (1,2-Benzene- dicarboxylic acid, 1,2- bis- (2methylpropyl) ester)

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(EPA-HQ-OPPT-2018-0434), Dicyclohexyl phthalate (EPA-HQ-OPPT-2018-0504), 4,4'-(1-Methylethylidene)bis [2, 6-dibromophenol] (TBBPA) (EPA-HQ-OPPT-2018-0462), Tris(2-chloroethyl) phosphate (TCEP) (EPA-HQ-OPPT-2018-0476), Phosphoric acid, triphenyl ester (TPP) (EPA-HQ-OPPT-2018-0458), Ethylene dibromide (EPA-HQ-OPPT-2018-0488), 1,3-Butadiene (EPA-HQ-OPPT-2018-0451), 1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopent a [g]-2-benzopyran (HHCB) (EPA-HQ-OPPT-2018-0430), Formaldehyde (EPA-HQ-OPPT-2018-0438), and Phthalic anhydride (EPA-HQ-OPPT-2018-045). All comments and information must be submitted to EPA by June 9, 2022. More information can be obtained from <https://www.regulations.gov/document/EPA-HQ-OPPT-2018-0438-0074>

- **Fall 2021 Unified Agenda.** On December 10, 2021, the Fall 2021 Unified Agenda of Regulatory and Deregulatory Actions was released by the Office of Information and Regulatory Affairs. This agenda reports on the short-term and long-term actions administrative agencies plan to pursue. The following rules are currently being prepared by EPA's Office of Chemical Safety and Pollution Prevention (OCSPP) under the TSCA:
  - **Tiered Data Reporting to Inform Prioritization, Risk Evaluation, and Risk Management Under TSCA:** In July 2022, EPA plans to publish a notice of proposed rulemaking (NPRM) to establish additional reporting requirements under TSCA section 8(a). The new reporting requirements will be based upon the chemicals status in the risk evaluation process. The additional reporting requirements will be related to occupational, environmental, and consumer exposure information. A final rule is expected to be released by the EPA in March 2023. More information can be obtained from <https://www.reginfo.gov/public/do/eAgendaViewRule?publd=202110&RIN=2070-AK62>
  - **Revisions to the TSCA Fees Rule:** In January 2021, EPA proposed three new fee categories (a Bona Fide Intent to Manufacture of Import Notice, a Notice of Commencement of Manufacture or Import, and an additional fee associated with test orders) to update the 2018 TSCA Fees Rule. Multiple exemptions for entities subject to certain fee triggering activities have been made by the EPA. EPA has decided to prepare a supplemental proposal after receiving public comments concerned with the exemptions in their January 2021 proposal. The supplemental NPRM is scheduled to be issued in February 2022 by EPA. More information can be obtained from <https://www.reginfo.gov/public/do/eAgendaViewRule?publd=202110&RIN=2070-AK64>
  - **New Chemicals Procedural Regulations to Reflect the Lautenberg Amendments to TSCA:** In September 2022, EPA is expected to issue a NPRM revising the new chemical procedural regulations in 20 C.F.R. 720 to increase the efficiency of the review process and to align the process with new statutory requirements from the 2016 Lautenberg amendments. This revision is intended to reduce both

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unnecessary rework during risk assessments and the length of time chemicals are under review. More information can be obtained from

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2070-AK65>

- **Procedures for Submitting Information Subject to Business Confidentiality Claims Under TSCA:** In April 2022, EPA is expected to issue a NPRM proposing new and amended rules under TSCA concerning the assertion and maintenance of claims of business confidentiality (CBI). The new and amended rules concern procedures for submitting and supporting substantiation requirements, exemptions, electronic reporting enhancements, and maintenance or withdrawal of confidentiality claims. Other considerations include if the proposed rule should elaborate on EPA's procedures for reviewing and communicating with TSCA submitters about confidentiality claims. More information can be obtained from <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2070-AK68>
- **Rulemaking Under TSCA Section (6a):**
  - **Cyclic Aliphatic Bromide Cluster (HBCD):** In September 2022, EPA is expected to issue an NPRM to address unreasonable risks of injury to health or the environment following a TSCA Section 6 risk evaluation for HBCD. A final rule is expected to be issued by EPA in May 2024. More information can be obtained from <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2070-AK71>
  - **1-Bromopropane:** In October 2022, EPA is expected to issue an NPRM to address unreasonable risks of injury to health or the environment following a TSCA Section 6 risk evaluation for 1-bromopropane. A final rule is expected to be issued by EPA in May 2024. More information can be obtained from <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2070-AK73>
  - **Carbon Tetrachloride:** In October 2022, EPA is expected to issue an NPRM to address unreasonable risks of injury to health or the environment following a TSCA Section 6 risk evaluation for carbon tetrachloride. A final rule is expected to be issued by EPA in June 2024. More information can be obtained from <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2070-AK82>
  - **Trichloroethylene (TCE):** In October 2022, EPA is expected to issue an NPRM to address unreasonable risks of injury to health or the environment following a TSCA Section 6 risk evaluation for TCE. A final rule is expected to be issued by EPA in June 2024. More information can be obtained from

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<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2070-AK83>

- **Asbestos (Part 1: Chrysotile Asbestos):** In April 2022, EPA is expected to issue an NPRM to address unreasonable risks of injury to health or the environment following a TSCA Section 6 risk evaluation for chrysotile asbestos. A final rule is expected to be issued by EPA in November 2023. More information can be obtained from <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2070-AK86>
- **Reconsideration of Procedures for Chemical Risk Evaluation Under the Amended TSCA:** In September 2022, EPA intends to issue a NPRM reconsidering the final rule for Procedures for Chemical Risk Evaluation Under Amended TSCA, previously established on July 20, 2017. The reconsideration will comply with new executive orders (EO) regarding the advancement of racial equity and support for underserved communities through the federal government (EO 13895), the protection of public health and the environment and restoring science to tackle the climate crisis (EO 13990), tackling the climate crisis abroad (EO 14008), and other Administration priorities. More information can be obtained from <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2070-AK90>
- **Regulation of Persistent, Bioaccumulative, and Toxic (PBT) Chemicals Under TSCA Section 6(h) Phenol, Isopropylated Phosphate (3:1) (PIP (3:1)); Further Compliance Date Extension:** In October 2021, EPA proposed amendments to the TSCA regulations applicable to PIP (3:1) extending the compliance date until October 31, 2024, for processing, distribution in commerce, and the associated recordkeeping requirements, for manufactures, processors, and distributors. This proposed amendment follows a final rule issued on March 8, 2021, extending the compliance deadline until March 8, 2022. A final rule is expected to be issued by EPA in March 2022. More information can be obtained from <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2070-AK95>
- **TSCA Section 8(a) Reporting and Recordkeeping Requirements for Asbestos:** In March 2022, EPA intends to issue a NPRM to manufactures, importers, and processors of asbestos and mixtures and articles containing asbestos, requiring the reporting of certain information to EPA. The reported information would be used by EPA in consideration of new asbestos regulations. EPA plans to issue the final rule in November 2022. More information can be obtained from <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2070-AK99>
- **Rulemaking in the Final Stage by OCSPP under TSCA:**
  - **SNUR Updates.** In September 2022, EPA intends to issue a final rule on proposed amendments to the regulations governing significant new use

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rules and TSCA section 5 notices. These changes are intended to align the Occupational Safety and Health Administration (OHS) regulations at 9 C.F.R. Section 1910.1200 with EPA regulations. More information can be obtained from

<https://www.federalregister.gov/documents/2016/07/28/2016-15005/significant-new-uses-of-chemical-substances-updates-to-the-hazard-communication-program-and>

- **OIG Oversight Plan.** On December 14, 2021, EPA’s OIG announced the availability of its 2022 Oversight Plan. The plan is the EPA OIG’s guide for the audits, evaluations, and other oversight engagements that fulfill the mission of the U.S. Chemical Safety and Hazard Investigation Board (CSB). The proposed projects within the plan include auditing the EPA’s Management of New Chemical Risk Assessments Conducted under TSCA and evaluating EPA’s Progress to Identify Key Regulatory Stakeholders for TSCA Existing Chemical Risk Management. Other ongoing projects concerning safeguarding scientific integrity principles include evaluating EPA’s Changes to Final Perfluoroalkyl Carboxylate and Perfluoroalkyl Sulfonate Significant New Use Rules. More information can be obtained from <https://www.epa.gov/office-inspector-general/report-fiscal-year-2022-oversight-plan>
- **Proposed Chrysotile Asbestos Rulemaking.** On December 16, 2021, EPA submitted a proposed rulemaking under TSCA Section 6(a) on Asbestos (Part 1: Chrysotile Asbestos) to the Office of Management and Budget (OMB). This rulemaking was necessary to address unreasonable risks identified in the TSCA section 6(b) final risk evaluation. The proposed rule has not yet been published in the Federal Register.
- **Draft TSCA Systematic Review Protocol.** On December 20, 2021, EPA announced the availability of the Draft Systematic Review Protocol Supporting TSCA Risk Evaluations for Chemical Substances. The Draft Protocol includes revisions on the review process for selecting scientific studies that inform TSCA chemical risk evaluations and aims to ensure EPA uses the best tools available under TSCA to protect human health and the environment. These key recommendations come from the public, the Science Advisory Committee on Chemicals (SACC), and the National Academies of Sciences, Engineering, and Medicine (NASEM). Additional details related to specific chemical risk evaluations have been made available in the appendices. The Draft Protocol will undergo peer review at a meeting of SACC on April 19-21, 2022. Public comments for the peer review can be viewed on Docket No. EPA-HQ-OPPT-2021-0414. See 86 FR 71891. More information can be obtained from <https://www.epa.gov/tsca-peer-review/peer-review-draft-tsca-systematic-review-protocol>

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- **EPA Information Collection Activities.** On December 24, 2021, EPA announced its plan to submit a request to renew and consolidate two ICRs to the OMB. The two ICRs are being combined because they collect substantially similar information. The consolidated ICR is titled “TSCA Section 5 Reporting and Recordkeeping for Premanufacture Review of New Chemical Substances and Significant New Use Rules for New and Existing Chemical Substances”. See 86 FR 73277.
- **PFAS Testing Orders.** On December 28, 2021, EPA announced it was granting a renewed petition under TSCA section 21 from six North Carolina public health and environmental justice organizations to compel companies to conduct testing of certain PFAS. EPA plans to require companies manufacturing PFAS to provide EPA with toxicity data and information on certain categories of PFAS. TSCA section 4 authorizes EPA to require recipients of test orders to conduct and fund studies, and EPA expects to use this authority for this select group of PFAS. This initial round of test orders will encompass 30 of the 54 PFAS chemicals identified in the petition. EPA is evaluating the need for test orders for the remaining 24 chemicals. More information can be obtained from <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-21#54>
- **HBCD Risk Determination Revision.** On December 29, 2021, EPA announced the availability of a draft revision to the risk determination for Cyclic Aliphatic Bromide Cluster (HBCD) risk evaluation. This revision was developed in accordance with the Biden Administration’s pledge to revisit the first ten TSCA risk evaluations in light of the Administration’s updated priorities, including analyzing the risk evaluation for environmental justice concerns and scientific integrity. The draft revision makes a revised determination of unreasonable risk for HBCD as a whole chemical substance. Further, as previously promised by the Biden Administration, the revised risk determination does not assume that workers will always wear personal protective equipment. Comments can be viewed on Docket EPA–HQ–OPPT–2019–0237. See 86 FR 74082.
- **Asbestos Draft Scope of Risk Evaluation.** On December 29, 2021, EPA announced the availability of the draft scope Risk Evaluation for Asbestos Part 2: Supplemental Evaluation Including Legacy Uses and Associated Disposals of Asbestos. This risk evaluation will evaluate conditions of use excluded from the Part 1 risk evaluation completed in December of 2020. This draft scope embodies the policy changes EPA announced in June of 2021, including consideration of exposures from air and water, and potential exposure to fenceline communities. Comments can be viewed and submitted on Docket EPA-HQ-OPPT-2021-0254. The comment period is open until March 1, 2022. EPA plans to publish the final risk evaluation for Asbestos Part 2, by December 1, 2024.
- **TSCA Section 8(e) Reports Lawsuit.** On January 5, 2022, Public Employees for Environmental Responsibility (PEER) filed a lawsuit in the Federal District Court for the

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District of Columbia to compel EPA to disclose reports submitted pursuant to TSCA section 8(e). Section 8(e) of TSCA states that “[a]ny person who manufactures, imports, processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment shall immediately inform the [EPA] Administrator of such information unless such person has actual knowledge that the Administrator has been adequately informed of such information.” EPA had published these reports publicly prior to 2019 but has not done so since. PEER had previously filed a Freedom of Information Act request for the TSCA section 8(e) reports and EPA policies regarding the public disclosure of those reports. On February 3, 2022, EPA announced it had resumed publishing notices of substantial risks provided by companies under TSCA section 8(e) to the ChemView database.

- **TSCA Settlement Agreement.** On January 8, 2022, EPA announced it had lodged a proposed stipulation and settlement in the litigation titled *United States of America v. SYG Realities, L.L.C., All Year Management NY, Inc., and All Year Management, L.L.C.*, Case No. 22–CV–14. The United States brought this lawsuit for violations of several TSCA provisions, including the RRP rule. The proposed stipulation and settlement is available at <https://www.justice.gov/enrd/consent-decrees>. See 87 FR 1186.
- **OSTP Scientific Integrity Report.** On January 11, 2022, the White House Office of Science and Technology Policy (OSTP) released the Scientific Integrity Task Force’s report on protecting the integrity of government science. The Report aims to ensure that science is conducted, managed, communicated, and used in ways that preserve its accuracy and objectivity, and protect it from suppression, manipulation, and inappropriate influence. The Task Force added five additional principles to the existing Six Principles of Scientific Integrity identified by the Obama Administration. The new principles include: (1) Dissent, (2) Whole of Government, (3) Science at the policy table, (4) Transparency in sharing science, and (5) Accountability. OSTP plans to develop regular assessment and improvement of these policies and practices moving forward. Agency leadership plans to work closely with OSTP to deploy and adhere to their framework. More information can be obtained from [https://www.whitehouse.gov/wp-content/uploads/2022/01/01-22-Protecting the Integrity of Government Science.pdf](https://www.whitehouse.gov/wp-content/uploads/2022/01/01-22-Protecting%20the%20Integrity%20of%20Government%20Science.pdf)
- **CBI Claims Rule.** On January 20, 2022, EPA submitted a proposed rule to OMB concerning the procedures for submitting to EPA information subject to confidential business information (CBI) designations under TSCA. The rule would address the procedures by which businesses submit and maintain the CBI designation. The proposed rule will contain both new provisions and amendments to existing rules. The proposed rule has not yet been published in the Federal Register.

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- **Draft TSCA Screening Level Approach.** On January 21, 2022, EPA released for public comment the Draft TSCA Screening Level Approach for Assessing Exposures to Fenceline Communities. Under the Trump Administration, the first ten risk evaluations under TSCA excluded air, water, and disposal exposure assessments to the general public. This decision was reversed in June of 2021, and as a result, EPA developed version 1.0 of a screening methodology to understand the risks of the previous policy on fenceline communities. The new screening level methodology will undergo public and peer review, including by the SACC, to modify the draft as appropriate. Peer review will take place during a public meeting on March 15-17, 2022. Instructions to register are available on the SACC website. Public comments are being accepted until March 22, 2022, on Docket No. EPA-HQ-OPPT-2021-0415. More information can be obtained here <https://www.epa.gov/tsca-peer-review>. See 87 FR 3294.
  
- **Climate Friendly New Chemical Review.** On January 21, 2022, EPA announced new efforts to streamline the review of “new chemicals displacing greenhouse gas emitting transportation fuels” under TSCA. This effort supports mandates under both EPA’s Renewable Fuels Standard (RFS) program and their 2021 Climate Adaptation Action Plan. The announcement mentions that EPA has received over 30 biofuel premanufacture notices (PMNs) that collectively describe plans for close to 800 million gallons per year of production of advanced biofuels. These PNMs could contribute to annual volume mandates under the RFS program and help support the goals of energy security through increasing domestic production within the United States. The announcement also includes:
  - **New Chemicals Division Integrated Approach to Biofuels:** The New Chemicals Division (NCD) formed a team dedicated to collaborating on the review of PMN’s for biobased or waste-derived feedstocks used to make transportation fuel substitutes. The goal was to use the best available science while creating a consistent and efficient review process. As a result, the NCD developed a standardized process for the way biofuels are reviewed. For risk management actions, NCD will apply mitigation measures to address any potential for unreasonable risk identified within TSCA consent orders and Significant New Use Rules (SNURs).
  - **Outreach and Training:** OCSPP is launching an outreach and training meeting for interested stakeholders. The meeting overviewed the biofuels sector to review TSCA requirements, outlined the streamlined approaches for risk assessments and risk management actions, and provided information on how to navigate the new chemicals PMN process. The first meeting was held on February 9, 2022. Additional trainings may be held based on stakeholder interest and feedback.
  
- **EPA CBI Information Collection Activities.** On January 22, 2022, EPA announced availability of an ICR EPA plans to submit to the OMB. The request is titled “Request for Contractor Access to TSCA Confidential Business Information (CBI)” and is a renewal of

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an existing ICR. Prior to submitting the ICR to OMB, EPA is soliciting public comments on Docket EPA-HQ-OPPT-2017-0318. Comments are due before March 25, 2022. See 87 FR 3533.

- **TSCA Section 8(7)(a) PFAS Rule Panel.** On February 2, 2022, EPA announced it was inviting small businesses, governments, and non-profit organizations to participate in a panel focused on the Agency’s development of a rule requiring reporting and recordkeeping for PFAS. EPA proposed the rule in June of 2021 and the public comment period closed in September of 2021. In response to comments received, EPA is interested in reconvening the panel. More information can be obtained from <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-8a7-reporting-and-recordkeeping>.

If there are any questions about these or any other environmental compliance matters, please feel free to contact us. We are here to assist you as part of your subscription.

Best regards,



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