



TSCA Advisory

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EPA Launches New Chemical Assessment and Management Efforts

On September 24, 2008, EPA announced plans to enhance the **Chemical Assessment and Management Program (“ChAMP”)** by updating the **Toxic Substances Control Act (“TSCA”) Inventory** and by developing a program that challenges the U.S. chemical industry to provide health and safety information on **inorganic high production volume (“HPV”) chemicals**.

EPA created ChAMP to fulfill the United States’ obligations under the August 2007 Security and Prosperity Partnership Summit (“SPP”). The SPP called for North American cooperation on chemicals management and outlined commitments by the United States, Canada, and Mexico to ensure the safe manufacture and use of industrial chemicals. Pursuant to the SPP, the United States agreed to complete prioritization assessments and initiate action on about 6,750 chemicals manufactured or imported into the United States in quantities greater than 25,000 pounds per year. The U.S. commitment encompasses both HPV chemicals (qty. produced/imported \geq 1,000,000 lbs./year) and moderate production volume (“MPV”) chemicals (qty. produced/imported $>$ 25,000 and $<$ 1,000,000 lbs./year).

In an effort to streamline ChAMP (and TSCA generally), EPA plans to “reset” the TSCA Chemical Substance Inventory (“TSCA Inventory”), which now includes more than 83,000 chemicals, many of which EPA believes are no longer being produced in or imported into the United States. EPA currently favors a “clean reset” that would remove chemicals no longer being manufactured or imported, and the Agency plans to contact chemical manufacturers and importers to determine the current commercial status of existing chemicals on the TSCA Inventory. EPA believes that resetting the TSCA Inventory will allow the Agency to focus on chemicals actually in commerce and the potential risks that they present to human health and the environment.

EPA also announced plans to develop an HPV Challenge for inorganic chemicals, which will ask manufacturers and importers of inorganic HPV chemicals to voluntarily release or develop and submit basic data sets to help EPA determine relative hazards and any need for additional testing. EPA plans to collect data and prepare risk-based prioritizations on inorganic HPV chemicals in phases. After completing the HPV Challenge for inorganic chemicals, EPA will address inorganic MPV chemicals. Expanding the HPV Challenge to include inorganic HPV and MPV chemicals will allow EPA to obtain, review, and evaluate hazard and use information on all HPV and MPV chemicals in U.S. commerce.

EPA will encourage participation in the development of these plans by engaging all stakeholders throughout the implementation process. For its part, industry needs to focus on ensuring that all commercially valuable chemicals remain listed on the TSCA Inventory, regardless of their current commercial status. By taking advantage of EPA’s stated commitment to involve stakeholders throughout the implementation process, industry also may be able to help develop a protocol for meeting ChAMP mandates that minimizes business disruption.

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