



Ask the 3Expert

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“What is the status of TSCA Reform in the United States?”

In the evening of 23 June 2015, the U.S. House of the Representatives passed the TSCA Modernization Act of 2015 (H.R. 2576) in its effort to reform the Toxic Substances Control Act (TSCA). The overwhelming approval (398-1 vote) of the bill is historically the broadest bipartisan support for environmental legislation, and was the first time the full House has voted on TSCA reform. H.R. 2576 is sponsored by the House Environment and the Economy Subcommittee Chairman John Shimkus (R-IL), Subcommittee Ranking Member Paul Tonko (D-NY), Full Committee Chairman Fred Upton (R-MI), and Ranking Member Frank Pallone, Jr. (D-NJ). Key provisions of H.R. 2576 include establishing that the Environmental Protection Agency’s (EPA) chemical safety assessment will be based on scientific data only (as opposed to considering the ‘economic burden’); reducing the regulatory burden on restricting or prohibiting industrial chemicals; a more nationally uniform regulatory framework for chemical control; requiring chemical regulations that protect “vulnerable subpopulations” such as pregnant women and infants; providing EPA more power to collect new chemical safety data; and making it tougher for companies to claim and retain confidential business information on chemical data. The Senate’s TSCA reform measure, Frank R. Lautenberg Chemical Safety for the 21st Century Act, (S. 697) is more expansive and contentious than the House’s and has a number of notable differences. The key differences in the Senate bill include a revised new chemical safety assessment scheme before the chemical may be introduced in commerce; a requirement that EPA prioritize chemicals into high- and low-priority categories; and establishing a federal green chemistry research and development program. S. 697 is expected to be on the Senate floor in July 2015.

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