

ALERT

EPA Releases Cornerstone TSCA Implementation Rules

June 23, 2017

Yesterday afternoon, on the first anniversary of the 2016 TSCA amendments, EPA released the suite of cornerstone “framework” rules and guidance documents that will shape the regulation of chemicals in the U.S. for the next few decades. These actions mark the culmination of a dramatic change in the way chemicals are regulated, and industries and manufacturers need to be aware of EPA's actions.

Among the host of actions EPA took, perhaps the most important are EPA's approval of three separate foundational rules to implement the new framework for examining the uses of existing chemicals in commerce. A summary of each is provided at the links below.

- **Prioritization Process Rule**

This framework rule governs the process by which EPA will identify and select chemicals as “high priority” chemicals requiring review and potential regulation. This framework process is critical for understanding which chemicals will potentially be subject to regulation first. A more in depth summary is available [here](#).

- **Risk Evaluation Process Rule & Guidance**

This framework rule governs the process by which EPA will conduct the complete risk evaluation of those chemicals identified as “high priority” during the prioritization process. This framework process is critical for understanding how chemicals which go into review will be analyzed for potential restrictions. A more in depth summary is available [here](#).

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Practice Areas

Environment & Product Regulation
Toxic Substances Control Act (TSCA)

- **Inventory Reset Rule**

This framework rule implements the process by which EPA will identify those “active” chemicals which are currently in use in the United States, and which chemicals are no longer active. This rule has an immediate impact for many companies that are required to start reporting chemicals they have introduced into commerce over the last ten years to EPA as soon as this rule appears in the Federal Register. A more in depth summary is available [**here**](#).

EPA also released the “scope” documents for the first ten chemicals that will be undergoing risk evaluation to meet the statutory deadline of six months for doing so. Not only are these scope documents critical to industries that use those chemicals, but the lessons learned from these scope documents will shape the scoping for all future chemicals. A more in depth summary is available [**here**](#).