



# Issue Brief

## Chemical Management (TSCA)

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### Issue:

The Toxic Substances Control Act (shortened to TSCA and pronounced *tosca*), was written in 1976 and covers the production, use, and disposal of chemicals in the US. It requires chemical companies to provide the EPA with information about the chemicals they make to ensure they do not harm people or the environment when used properly.

### How it affects you:

TSCA needs to be updated. You know it. We know it. Everyone from the EPA to the halls of Congress to other interest groups knows it, too. Over the last 30 years, public confidence in the US regulatory system has waned, and the chemical industry is leading the way toward smart modernization.

Today, the law must go further to keep pace with advancing technology. Congress should mandate a process for the EPA to establish federal, risk-based regulations that are transparent and restore public confidence in the safety of our products. It is critical that Congress act, before state and local legislators arbitrarily ban more chemicals based on politics or unjustified fear, not science.

### Where it stands:

In August of 2009 the American Chemistry Council offered 10 principles for improving and updating TSCA. Our main points are:

- **Chemicals should be safe for their intended use, and TSCA must be responsible for making that determination for high priority chemicals.**
- **High priority chemicals should be tested and evaluated under mainstream scientific principles and overseen by a fully funded EPA.**
- **A modern, effective, and transparent TSCA should encourage technological innovation and inspire public confidence.**

EPA released TSCA modernization principles a month later which tracked closely with ACC's - transparency, science, and a true partnership that will protect the public, our markets, and our jobs.

**Mar 1976:** TSCA is created.

**Aug 2009:** ACC releases 10 principles.

**Sept 2009:** EPA releases principles similar to ACC's.

**April 2010:** Sen. Lautenberg (D-NJ) introduces a legislative proposal. The House Energy and Commerce Committee begins its work.



In April 2010 Senator Lautenberg introduced the Safe Chemicals Act, S. 3209, and Congressmen Waxman and Rush also released a “draft” bill. The proposals include many of the ideas the industry has put forward such as the need to prioritize chemicals for evaluation, a risk-based approach to EPA safety reviews, and a reduction in animal testing. However, there are areas of concern like a decision-making standard may be legally and technically impossible to meet and allowing states to adopt their own regulations.

