

TSCA Actions - December 2020

December 23, 2020

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Season's Greetings to our WELL Readers. In today's blog, we summarize the tremendous amount of TSCA activity this month – with more to come.

What a C8 or longer PFAS surface coating is meant to be.

The draft guidance was released on December 10 to lay out EPA's interpretation of covered products under the final Significant New Use Rule (SNUR) issued back in July that banned the manufacture and import of most if not all long-chain per- and polyfluoroalkyl substances (PFAS), including imported articles. There is only a 30-day comment period for this guidance (Dkt. EPA-HQ-OPPT-2020-0621).

The SIXTH AND SEVENTH final RE's.

As this blog was going to press, EPA issued the latest final risk evaluation for NMP, which followed closely on the heels of the perchloroethylene final risk evaluation that was released on the 14th of December.

Final rules banning most uses of FIVE PBTs.

The final rules were released on December 22. Once the Federal Register notice is officially published, it will be illegal to manufacture (including import), process and/or distribute these chemicals in commerce in all but a very small number of products.

FOUR new manufacturer RE requests.

The announcement came out on December 8. These requests cover four chemical substances as a category - the octahydro-tetramethyl-

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naphthalenyl-ethanone chemical category (OTNE). These are all fragrance ingredients.

Lead levels to safeguard children's health.

The final rule was announced on December 21. It lowers the clearance levels for the amount of lead that can remain in dust on floors and windowsills after covered lead abatement activities. EPA's new clearance levels are 10 micrograms (μg) of lead in dust per square foot (ft^2) for floor dust and $100 \mu\text{g}/\text{ft}^2$ for windowsill dust, significantly lower than the previous levels of $40 \mu\text{g}/\text{ft}^2$ for floor dust and $250 \mu\text{g}/\text{ft}^2$ for windowsill dust.

Proposed Amendments to the TSCA Fees Rule.

On December 21, EPA issued a proposed rule to amend the original 2018 TSCA Fees Rule. The proposed changes would narrow the scope of the fees for some companies, increase fees for others, and add new categories of fees. EPA will accept public comments on the proposal for 45 days in docket EPA-HQ-OPPT-2020-0493.

More Peer Review of the FIRST RE, Pigment Violet 29.

Who knew that evaluating the color purple was going to be such a tremendous amount of work for. . . well, everyone? This RE offers a cautionary message to industry because of the number of twists, turns and travails associated with EPA's review thus far. Peer review comments on the latest draft risk evaluation were released on December 21.