OCSPP TSCA IMPLEMENTATION POINTS

June 1st Actions Released:

- **Problem Formulations.** The problem formulation documents refine the scope of risk evaluations for the first ten chemicals selected under the amended Toxic Substances Control Act (TSCA). This is an important interim step prior to completing and publishing the final risk evaluations by December 2019. They clarify the chemical uses that EPA expects to evaluate and describe how EPA expects to conduct the evaluations. EPA is accepting comments until **July 26, 2018**.
- EPA will now focus efforts on robust hazard and exposure assessments that will be consistent with the scientific requirements in the statute and the risk evaluation framework rule. We plan to finalize the risk evaluations by late 2019.
- **Systematic Review.** EPA's systematic review approach document will guide EPA's selection and review of studies and provide transparency for the evaluation scientific information. EPA is accepting comments until **July 26, 2018.**
- **Asbestos SNUR**. EPA is proposing a SNUR for certain uses of asbestos (including asbestos-containing goods) that would require manufacturers/importers to receive approval before starting/resuming asbestos manufacturing, importing or processing. This review process would provide EPA with the opportunity to evaluate the intended use and, when necessary, prohibit or limit the use. EPA is accepting comments until **August 10, 2018.**

June 22nd Actions Released: On the two-year anniversary of the amendments to TSCA, EPA met its statutory responsibilities to release the following guidance and policy, and announced a lead action:

- **Dust-Lead Hazard Standards.** EPA proposed new standards for lead in dust for floors and window sills and proposed to maintain the definition of lead-based paint. The standards are more protective and reflect the best available science on the human health effects of lead. Comments are being accepted until **August 16, 2018**.
- **Finalized strategy to reduce animal testing.** The strategy promotes the development and implementation of alternative test methods and strategies to reduce, refine, or replace vertebrate animal testing.
- **Final rule on reporting mercury manufacturing and imports.** The information to be collected will be used to develop future inventories of mercury and mercury-containing product supply, use, and trade in the United States.
- **Guidance for state, tribal, and local governments, and medical personnel and emergency responders on sharing confidential business information (CBI).** These guidances specify the process that will enable other governmental entities and medical and emergency personnel to request CBI.
- **Policy and procedures for assigning unique identifiers to better publicly track information on chemicals while protecting CBI.** An identifier will be applied to a substance, whose identity is protected as CBI, and to related information allowing the public to connect information related to the same substance.
- **Guidance on structurally descriptive generic names.** This guidance will allow EPA to share more information with the public about the structure of substances while protecting the confidential elements of the substance's specific chemical identity. EPA is accepting comments until **August 10, 2018.**

OCSPP PESTICIDE TALKING POINTS

Worker Protection Standard (WPS) and Certification of Pesticide Applicators (CPA) Rules

- In response to stakeholder concerns, in December 2017, EPA released a Federal Register Notice to initiate the process to revise certain requirements in the WPS and CPA rules including minimum age, designated representatives, and application exclusion zones, and the minimum age requirement for certified applicators.
- On June 15, 2018, EPA sent proposed revisions to the WPS and CPA rules to OMB for review. Following OMB review, EPA will send the proposed revisions to the appropriate congressional committees and USDA for review. These reviews are part of the normal FIFRA rulemaking process.
- By the end of FY 2018, EPA expects to publish a Notice of Proposed Rulemaking to solicit public input on proposed revisions to the WPS and CPA rules.

PRIA

- The expiration date of PRIA 3 is specified in the law as September 30, 2017, but was extended through September 30, 2018, by the FY 18 Omnibus Appropriations Budget.
- On June 28, 2018, the Senate passed a 5-year extension of PRIA along with limits on changes to pesticides worker protection rules for three years. The amended bill now goes back to the House to be reconciled with the original bill passed on March 20, 2017.
- EPA strongly supports PRIA 4. PRIA 4 is supported by a coalition of divergent interests and it facilitates market access of pesticides, benefitting both the pesticide and agricultural industries.

Chlorpyrifos

- In March 2017, EPA denied a petition requesting that EPA revoke all tolerances and cancel all chlorpyrifos registrations. USDA supported this decision. The petition denial initiated the objections phase of the petition process provided under the Federal Food, Drug, and Cosmetic Act (FFDCA). FFDCA requires the EPA to respond to the objections "as soon as practicable".
- Petitioners have brought new litigation in the 9th Circuit (*LULAC v. Pruitt*) directly challenging the March 2017 denial order. As stated in oral arguments on July 9, 2018, EPA intends to respond to the objections within a year, a timeframe that is consistent with precedent.
- The Agency has concluded that despite several years of study and external peer review by experts on EPA's FIFRA Scientific Advisory Panel, the science addressing potential neurodevelopmental effects of chlorpyrifos requires further evaluation. As part of registration review (required to completed by 2022), EPA will continue to review the science addressing neurodevelopmental effects of chlorpyrifos. Once completed, a Human Health Risk Assessment will be published for a 60-day public comment period.
- Chlorpyrifos is an organophosphate (OP) pesticide, therefore, consistent with the FFDCA, the agency must also update the organophosphate cumulative assessment completed in 2006.