



**U.S. SENATE COMMITTEE on  
ENVIRONMENT & PUBLIC WORKS**  
CHAIRMAN SHELLEY MOORE CAPITO

Summary of “*The Toxic Substances Control Act Fee Reauthorization and Improvement Act*” Discussion Draft

The Toxic Substances Control Act (TSCA) governs how the Environmental Protection Agency (EPA) regulates the use and manufacture of new and existing chemicals. When TSCA was signed into law, Congress intended TSCA to protect public health and the environment while also recognizing the societal benefit and economic opportunity associated with chemical use.

Since TSCA was signed into law 50 years ago, the EPA’s approval process for new chemicals has not been substantively improved. The current process is both uncertain and costly, hindering America’s economic competitiveness by discouraging the development and commercialization of new, innovative chemicals.

The “*Toxic Substances Control Act Fee Reauthorization and Improvement Act*” discussion draft will make targeted reforms to the EPA’s new chemical approval process to:

- **Establish Clear Rules to Make the EPA’s Chemical Review Process Safe and Efficient**
  - Clarify EPA’s legal standards by defining the key terms that govern risk evaluation
  - Require EPA to publish clear guidance for what is considered a complete submission so companies understand information necessary for review upfront
  - Codify and strengthen the Sustainable Futures Program to train developers on EPA’s screening models so submitters and assessors are working from the same set of tools, for faster, more transparent, and more consistent reviews
  
- **Prioritize Resources Where the Science is Hardest**
  - Establish four review tiers that better allocate EPA’s resources by separating well-known chemistries from new and novel chemistries
  - Tailor the tier structure based on pre-established scientific understanding of specific chemical categories and properties
  - Allow companies to utilize EPA-accredited third-party assessors to enable private companies to pay for independent certifications prior to EPA submission, facilitating an expedited review schedule
  
- **Make Chemical Review Process More Predictable**
  - Create a “stewardship pathway” for manufacturers to conduct upfront safety assessments using EPA methodologies and commit to enforceable supply chain obligations
  - Limit EPA’s assessment to chemicals’ intended uses under this pathway, ensuring the Agency retains oversight of possible future alternative uses
  
- **Enable Key Sectors to Compete in the Global Marketplace**
  - Establish tailored review pathways for chemicals critical to research and development
  - Streamline reviews for specialty chemicals used in semiconductor fabrication and other essential manufacturing role, with eligibility tied to meeting strict safety requirements.