

JOIN THE AMERICAN CHEMISTRY COUNCIL'S 1,3-BUTADIENE CONSORTIUM LED BY THE ACC CENTER FOR CHEMICAL SAFETY



ISSUE

On March 21, 2019, the United States Environmental Protection Agency announced 20 candidates as high priority for risk evaluations under the Toxic Substances Control Act (TSCA).

Prioritization is an important part of the updated TSCA because it is the first step in EPA's process to evaluate the safety of existing chemicals. It is a risk-based screening process for designating chemicals as low or high priority for TSCA risk evaluations. The process is required by law to be transparent and science-based during which stakeholders have the opportunity to provide reasonably available safety and health data and other relevant information to EPA about the priority candidates.

EPA has nominated 1,3-butadiene as a high-priority candidate for possible risk evaluation. It is important to note that — as EPA has said — designation as a high priority candidate “does not constitute a finding of risk” and should not be cause for concern. A high priority designation simply means the agency has nominated the chemical substance for further risk evaluation.



WHAT THIS MEANS FOR 1, 3-BUTADIENE STAKEHOLDERS

The prioritization process provides two opportunities for stakeholders to submit relevant information and comments to EPA:

- The first 90-day comment period initiates the prioritization process. It provides the opportunity for any stakeholders to provide relevant information (e.g., potential hazard, use and exposure information) about a chemical that EPA identifies as a potential candidate as either low or high priority for risk evaluation.
- The second 90-day comment period provides the public the opportunity to comment on EPA's proposed designation of a chemical as a high or low priority for risk evaluation.

If a chemical is ultimately designated as a high priority chemical, there are other opportunities to provide EPA additional information during the risk evaluation process.

The risk evaluations conducted under EPA's TSCA program can have significant cost and regulatory implications to **manufacturers, importers, and users** of a chemical identified as a high priority for risk evaluation.

The implications of a 1,3-butadiene TSCA risk evaluation include requirements for manufacturers and importers to pay a total **\$1.35 million fee** for EPA to conduct the evaluation.



THE TSCA RISK EVALUATION PROCESS IS COMPREHENSIVE

The TSCA risk evaluation process can take up to three and a half years and involves evaluations of the relevant hazards, exposures and conditions of use of a chemical.

If 1,3-butadiene receives a final designation as a high priority chemical, stakeholders will need to meet an aggressive timeline to initiate, complete, and submit any relevant **scientific research and data needed for the risk evaluation**.



KEY DATES

- **March 21, 2019:** 20 high and 20 low priority candidates announced.
- First 90-day comment period underway through **June 19, 2019:** interested stakeholders can submit information/comments on candidate chemicals to EPA.
- Between **June and December 2019:** EPA will propose its designation of high priority chemicals; initiate a second 90-day comment period; and reach a final designation of high priorities that will trigger the risk evaluations.
 - This second comment period provides an opportunity for ACC, its panels and/or consortia to provide EPA with additional relevant information that may be useful to EPA during the prioritization process and during the preparation of the draft scoping documents.
 - Identification of Manufacturers/Importers Subject to TSCA Risk Evaluation Fees
 - Preliminary list will be published at the time of final designation (**Dec. 2019**)
 - 30-day comment period to allow for corrections
 - Final list of manufacturers and importers published by **July 2020**; concurrent with final scope document
- Between **March – June 2020:** EPA will provide draft scoping documents for risk evaluations of the high priority chemicals; accept comments; and prepare final scoping documents.
- Between **July 2020 – December 2022:** EPA will conduct its assessments and provide draft risk evaluations for those chemicals; the drafts will undergo peer review; comments will be accepted; and final risk evaluations will be completed.
- Between **2023 –2026:** Risk management rules will be proposed (if necessary); comments will be solicited; and any final rules released.



WE STRONGLY ENCOURAGE YOUR ORGANIZATION TO JOIN THE 1, 3-BUTADIENE CONSORTIUM

As a 1,3-butadiene stakeholder, you play a critical role in ensuring its safe and sustainable use. Whether a manufacturer, importer, or user of this product, your organization may be impacted if the chemical is ultimately determined by the EPA to present an unreasonable risk.

The ACC Olefins Panel is **actively engaged in developing science** that improves the understanding of 1,3-butadiene hazards and has ongoing projects that will improve the understanding of risks due to potential 1,3-butadiene exposure.

In an effort to **share costs, promote efficiency, and speak with a single, powerful voice** to address a pending TSCA risk evaluation, the ACC Olefins Panel is forming a **consortium to collaborate** on the development of comments, develop relevant data, and actively engage with EPA to discuss the TSCA risk evaluation. On or about December 22, 2019, a three and a half year statutory deadline for completing a risk evaluation may begin. The **ACC 1,3-butadiene TSCA risk evaluation consortium** will continue to provide information to the agency during the risk evaluation period.



TO JOIN THE CONSORTIUM OR OBTAIN MORE INFORMATION, CONTACT THE ACC CENTER FOR CHEMICAL SAFETY

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