

## Submitted Electronically to: Docket Identification (ID) Number EPA-HQ-OPPT-2015-0744 via regulations.gov

September 2, 2025

Katherine Sleasman, Office of Program Support (7602M)  
Office of Chemical Safety and Pollution Prevention  
Environmental Protection Agency  
1200 Pennsylvania Ave., N.W.  
Washington, DC 20460-0001

### **Re: American Chemistry Council Comments on Agency Information Collection Activities; Proposals, Submissions, and Approvals: Notification of Substantial Risk of Injury to Health and the Environment Under TSCA Section 8(e) (Renewal); EPA-HQ-OPPT-2015-0744**

Dear Ms. Sleasman:

The American Chemistry Council (ACC)<sup>1</sup> appreciates the opportunity to provide comments on the U.S. Environmental Protection Agency's (EPA) July 2, 2025, proposed renewal of the Information Collection Request (ICR) related to the notification of substantial risk of injury to health and the environment under Section 8(e) of the Toxic Substances Control Act (TSCA).

ACC represents member companies that manufacture, distribute, process, import, use, and dispose of chemical substances regulated under TSCA. Our members are subject to the statutory and regulatory requirements of TSCA Section 8(e) and are committed to supporting transparency and consistency in EPA's data collection and risk management processes.

As EPA is considering renewing the current ICR, ACC urges the Agency to ensure that the revised collection: (1) Accurately reflects the cost and burden to U.S. businesses; (2) Utilizes submitted data transparently and effectively; and (3) Improves the functionality of electronic submission systems to reduce administrative burden. ACC offers the following comments and recommendations for EPA's consideration prior to finalizing the ICR renewal.

#### **EPA's Burden and Cost Estimate Methodology**

EPA states its burden and cost estimates are robust, reasonable, and its practices have withstood reviews by the Office of Management and Budget (OMB) through ICR renewals. ACC believes that EPA should consult those stakeholders most likely to be impacted directly by the obligations imposed by TSCA Section 8(e) (i.e., chemical manufacturers and processors).

<sup>1</sup> The American Chemistry Council's mission is to advocate for the people, policy, and products of chemistry that make the United States the global leader in innovation and manufacturing. To achieve this, we: Champion science-based policy solutions across all levels of government; Drive continuous performance improvement to protect employees and communities through Responsible Care®; Foster the development of sustainability practices throughout ACC member companies; and Communicate authentically with communities about challenges and solutions for a safer, healthier and more sustainable way of life. Our vision is a world made better by chemistry, where people live happier, healthier, and more prosperous lives, safely and sustainably—for generations to come.

### Utilization of Data Collected

ACC encourages the Agency to use data submitted under TSCA 8(e) to evaluate whether risk management decisions for new chemicals were scientifically justified and aligned with actual exposure and hazard information. This approach strengthens EPA's decision-making and helps ensure that regulatory actions on new chemicals remain appropriate and effective in protecting human health and the environment.

ACC supports the annual review of submitted 8(e) data and recommends the following enhancements to the process:

#### Benefits of Annual Reviews:

1. **Improve Regulatory Decision-Making:** Identify patterns of overly conservative or insufficiently protective decisions and adjust future practices accordingly.
2. **Promote Efficiency:** Reassess whether existing restrictions remain scientifically justified based on new data.
3. **Enhance Transparency and Accountability:** Promote a data-driven approach for refining the New Chemicals review process.
4. **Prevent Overregulation:** Avoid unnecessary barriers to innovation by removing outdated or unsupported restrictions.
5. **Support Science-Based Regulation:** Integrate real-world exposure data into future risk assessments, reducing reliance on models and assumptions.

#### Recommendations:

- **Establish an Annual Review Process:** Systematically evaluate the previous year's 8(e) submissions against past new chemical determinations.
- **Develop a Mechanism for Regulatory Adjustments:** Create a streamlined process for industry to request modifications to SNURs or consent orders based on new data.
- **Increase Transparency:** Publish annual summary reports detailing findings and any regulatory changes.
- **Stakeholder Engagement:** Provide opportunities for submitters to offer input on the alignment of past decisions with current scientific evidence.

An annual review process will improve the scientific integrity and efficiency of EPA's New Chemicals Program and help ensure that regulatory decisions remain grounded in current data.

### Improve the Electronic Submission Processes

The submission of TSCA 8(e) data is conducted through EPA's Central Data Exchange (CDX). ACC has previously identified persistent technical issues with CDX and continues to encourage the Agency to completely overhaul the system. ACC commends the Trump Administration and Congress for allocating \$17 million in funding to improve EPA IT systems and is optimistic that the system will receive the necessary resources in the coming months and years.

ACC appreciates the opportunity to provide these comments and encourages the Agency to incorporate this feedback prior to finalizing the ICR. Enhancing stakeholder engagement, improving data utilization, and modernizing submission systems will strengthen the effectiveness and efficiency of EPA's chemical risk management framework. Please contact me by phone: 202-249-6705 or email: [caroline\\_tuckhorn@americanchemistry.com](mailto:caroline_tuckhorn@americanchemistry.com) with any questions.

Sincerely

*Caroline Tuckhorn*

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