

Commitments to Prioritize Resource Allocation to Improve the New Chemicals Program

Use of Data:

- Formally required to respond to a submitter's request for a meeting with assessors after hazards are identified and prior to going to engineering. A member of the engineering team must be present for the meeting.
- If models are used in place of industry provided data – the EPA is formally required to provide timely justification to a submitter using best available science.
- Revise proposed amendments to CFR § 720.75(d)(3) from “may” to “shall promptly”: If a submitter provides additional testing, studies, reports, other information that EPA determines, upon review, demonstrate that prohibitions or limitations within a section 5e or 5f order are no longer necessary to protect against an unreasonable risk of injury to health or the environment, the EPA **shall promptly** act promptly to modify the existing order.
- Create an administrative petition process that will allow a submitter or another EPA assessor to petition the outcome of a risk evaluation. The review of the determination shall be *de novo* and conducted by three senior scientists who can objectively render a determination based on a simple majority vote within 60 days of receipt of the appeal.
- Incorporate data from New Approach Methodologies into updated review procedures.
- Consider, as a risk factor, the environmental health benefits of a new chemical.
- Allow submitters to distinguish when downstream customer information is either “generic” or “site-specific” on CDX.

Update/Issue Guidance:

Broadly:

- Update or issue new guidance to create robust standard operating procedures that will ensure consistency and improve capacity to onboard new hires.
- Use the updated policies and procedures to restart the sustainable futures program.

Specifically:

- Develop criteria and make available to submitters clarifying when particle size data will be used in preference to conservative models.
- Update the chemical categories document.
- Provide examples and/or guidance describing how the EPA interprets “reasonably foreseen.”
- Clarify with guidance or examples how the EPA will determine when downstream customer information is reasonably foreseen.
- Issue guidance on information EPA requires for engineering assessments to be accepted.
- Provide examples or guidance describing what the EPA considers to be an incomplete application.
- Issue guidance clarifying how pollution prevention information is being used.
- Update the points to consider document.