

ALERT

New Challenges for Manufacturers and Importers: TSCA Reform

WHY COMPANIES OTHER THAN CHEMICAL MANUFACTURERS MUST PAY ATTENTION TO EPA'S NEW "LAUTENBERG ACT" TSCA AUTHORITY

May 26, 2016

Few companies outside the chemical industry have been paying close attention to development of the Lautenberg Act, which will make major amendments to the EPA-enforced Toxic Substances Control Act. This legislation almost certainly will be signed by President Obama within the next two weeks. It will have a major impact not only on chemical manufacturers, but on companies who use chemicals in manufacturing products and who import products. This webinar will be specifically tailored to helping companies that do not produce or distribute chemicals to get ahead of the curve about what the new bill means for them.

Register for this upcoming webinar on June 14, 2016 at 12 PM EDT.

The new legislation requires EPA to develop regulations that will impose substantial new costs and regulatory burdens on companies in virtually every industry. Those regulations will require companies to:

1. Pay fees to support EPA efforts to develop rules evaluating chemical safety and governing the use of chemicals in the production of products;
2. Perform studies (or share with others in the cost of performing studies) to evaluate the risks associated with the use of chemicals in products;
3. Report a range of information to EPA; and
4. Respond to proposals to restrict or ban the sale of their products in the U.S.

Authors

David B. Weinberg
Senior Counsel
202.719.7102
dweinberg@wiley.law

Practice Areas

Environment & Product Regulation
Toxic Substances Control Act (TSCA)

EPA's first significant rulemaking obligation under the new law will be to prioritize chemicals (and the products containing them) for evaluation and regulation. But this is only the tip of the iceberg. The new statute also mandates that EPA initiate half a dozen other major rulemakings and make a larger number of other significant policy decisions. Most of these also could affect product manufacturers and importers.

On the other hand, the new statute also presents opportunities for product manufacturers and importers. For example, rules to be developed under it will provide a vehicle for cutting off state efforts to ban or limit product use. But yet-to-be developed regulations will define the scope of those protections.

Any company that has had to comply with requirements of the European REACH program, any of the EU's chemical- and product-specific Directives, or the California Safer Consumer Products program will have some sense of the potential impact of this new statute.

Wiley Rein's Environment, Safety and Product Stewardship teams have considerable experience in addressing these issues and have been following closely the development of the Lautenberg Act. On June 14 at 12 pm EDT, we will present a complimentary, one hour webinar providing an overview of the new statute's provisions that could impact companies that are not chemical manufacturers and the forthcoming opportunities to influence implementation of those provisions. We invite you to attend.

To register for this webinar, please [click here](#).