

Public Submission: EPA-HQ-OPPT-2007-0716-0007.1

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EPA-HQ-OPPT-2007-0716-0007.1

**Public Submission****Public Submission Title** Comment attachment submitted by Kathleen M. Roberts, Senior Director, Regulatory and Technical Affairs, American Chemistry Council (ACC)**Views** **Add Comments****How To Comment****Document Title** Comment submitted by Kathleen M. Roberts, Senior Director, Regulatory and Technical Affairs, American Chemistry Council (ACC)**Other Identifier****Abstract****Document Type** PUBLIC SUBMISSIONS**Document Sub-Type** Public Comment**CFR Citation****Source Citation****Authors****Author Date** 01/14/2008**Postmark Date** 01/14/2008**Media** Electronic**Page Count** 1**Start/End Page** 1/1**Effective Date****OMB Control# (ICR)****Receipt Date** 01/14/2008**Document Legacy ID****RIN****FR Volume Number****FR Document Number****FR Publish Date** 01/15/2008**Comment Start Date** 11/14/2007**Comment End Date** 01/14/2008**Submitter Information****Comment Tracking Number** 8039a571**General Comment****Comment** Please see attached comments from the American Chemistry Council**Print****Close**



VIA ELECTRONIC SUBMISSION

January 14, 2008

Document Control Office  
Office of Pollution Prevention and Toxics  
Environmental Protection Agency  
Mail Code 7407T  
1200 Pennsylvania Ave NW  
Washington, DC 20460

Re: Information Collection Request – TSCA Section 4 Test Rules, Consent Orders,  
Test Rule Exemptions, and Voluntary Data Submission  
(EPA ICR No. 1139.08, OMB Control No. 2070-0033, November 14, 2007)

Dear Sir or Madam:

The American Chemistry Council (ACC) is pleased to submit these comments on the Information Collection Request (ICR) for Section 4 test rules and related test programs under the Toxic Substances Control Act (TSCA).

The American Chemistry Council's member companies manufacture, distribute, process, import, use and dispose of chemical substances regulated under TSCA. As such, they are obligated to respond to a Section 4 test rule for their chemicals. Consequently, the Council's members are directly affected by and have a significant interest in this ICR.

ACC is supportive of the Environmental Protection Agency's (EPA's) appropriate and prudent reliance on its authorities provided under Section 4 to address identified data needs. For example, ACC encourages EPA to exercise its authority under Section 4 to address data needs for those high production volume (HPV) chemicals that have not been committed to under the industry's HPV Challenge. Likewise, for those chemicals that have been sponsored, but for which little to no progress has been made, EPA should consider utilizing Section 4 to ensure that needed information is brought forward. Furthermore, ACC recognizes that EPA may need additional information generated in order to successfully achieve its chemical risk evaluation objectives put forward in the August 2007 Montebello Agreement<sup>1</sup> and will exercise its authorities under Section 4.

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<sup>1</sup> On August 21, 2007, the U.S., Canada and Mexico announced a regional partnership in Montebello, Quebec, at the Security and Prosperity Partnership of North America Leaders' Summit. As part of the regional agreement, the three countries' top environmental officials agreed that their agencies would coordinate efforts to assess and take action on industrial chemicals. The United States, by 2012, will complete risk characterizations and take action, as needed, on more than 9,000 chemicals produced above 25,000 pounds per year.



ACC would support such efforts as part of a risk-based, sound science chemical evaluation program.

With the need to address the HPV chemicals and the anticipated work under Montebello, we expect that EPA will likely be issuing more Section 4 test rules than it has in recent years and that ACC members could be impacted. We note that the burden associated with responding to these rulemakings is not insignificant. Thus, while we believe the work EPA will be doing under Montebello is vital and we recognize the industry's responsibility to participate in this important program, ACC cautions EPA to use test rules prudently in an effort to generate only that data needed to complete the chemical risk evaluations.

If you have any questions on the Council's comments or recommendations, please feel free to contact me at 703-741-5222.

Sincerely,



Kathleen M. Roberts  
Senior Director  
Regulatory and Technical Affairs