

HOW IS EPA HANDLING PBT CHEMICALS UNDER THE NEW TOXIC SUBSTANCES CONTROL ACT (TSCA)?

Updated TSCA directs the U.S. Environmental Protection Agency (EPA) to take expedited action to limit PBT (persistent, bioaccumulative and toxic) chemicals, with no risk evaluation required, within 4.5 years of the law's enactment.¹

WHAT ARE PBTs AND WHY ARE THEY A PROBLEM?

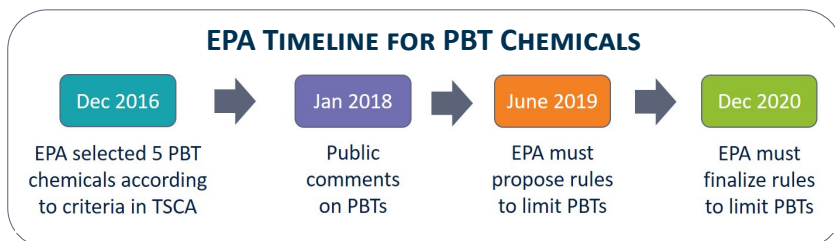
Chemicals with PBT properties are the “worst of the worst” — once released, they pose global health threats for decades.² Examples of PBTs include the ‘Silent Spring’ pesticide DDT and the industrial chemicals PCBs (polychlorinated biphenyls).



WHAT DOES TSCA REQUIRE EPA TO DO ABOUT PBTs?

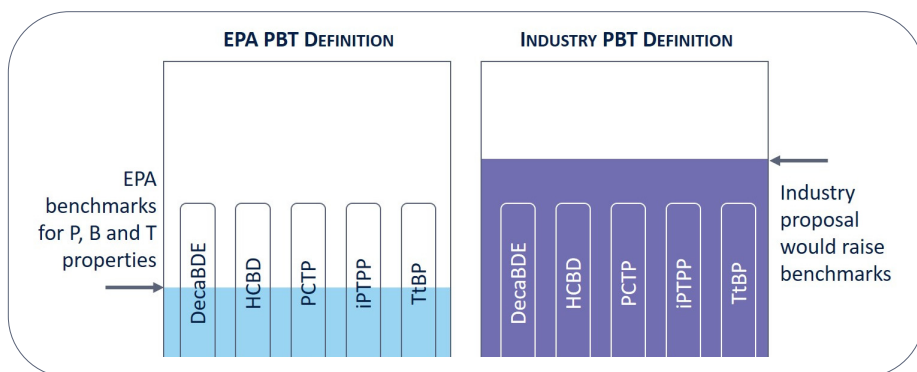
In Dec 2016, EPA selected 5 PBT chemicals according to the criteria set forth in TSCA:

- Decabromodiphenyl ethers (DecaBDE)
- Hexachlorobutadiene (HCBD)
- Pentachlorothiophenol (PCTP)
- Phenol, isopropylated, phosphate (3:1) (iPTPP)
- 2,4,6-Tris(tert-butyl) phenol (TtBP)



Current science supports the PBT criteria defined in TSCA³, which are well-established in domestic and international regulatory science.^{4,5}

Yet, **industry is urging EPA to change the criteria for a PBT so none of these chemicals would qualify**, even though two are already globally banned by 180 countries as PBTs under the Stockholm Convention.

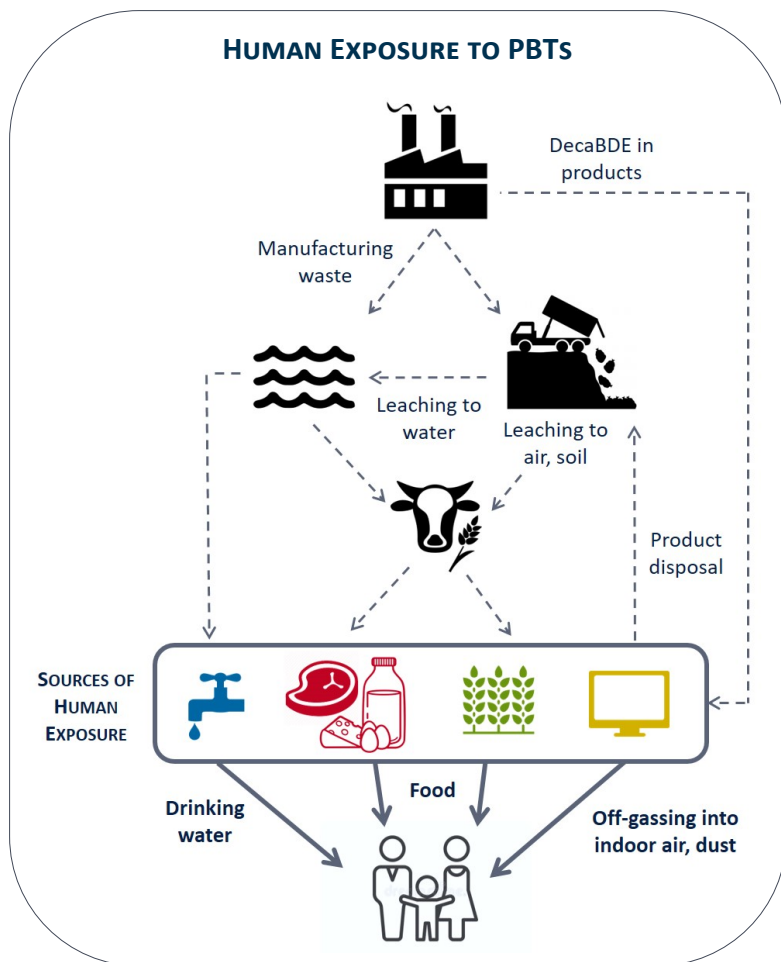


HOW SHOULD EPA HANDLE PBTs TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT?

Domestic manufacturing of some PBT chemicals like DecaBDE has declined⁶; however scientists estimate that over **150 million pounds of DecaBDE remains in products in people's homes, offices, and schools**.⁷ These products will continue to expose families for decades.

Further, PBTs persist in the environment and move up the food chain, so exposure via food and water will also continue for decades as people dispose of more and more PBT-containing products in landfills.⁸ Ceasing manufacture is not enough. To reduce human exposure, EPA must address all conditions of use of PBTs, including chemicals contained within already existing products, their recycling and disposal.

Existing products, recycling and disposal will result in ongoing human exposures to PBTs even if manufacturing ceases



RECOMMENDATIONS

- **EPA should not change its PBT criteria in response to industry pressure.** EPA's PBT definition is supported by current science and consistent with well-established criteria used in domestic and international regulatory science.
- **EPA should move forward and meet all statutory deadlines for the 5 selected PBT chemicals.**
- **EPA should use its TSCA authority to eliminate all routes and pathways of exposure to PBT chemicals, including recycling and disposal, to protect human health.**

REFERENCES

- ¹ 15 U.S.C. § 2605(h), also known as TSCA 6(h)
- ² Stockholm Convention (2008) What are POPs? Available: <http://chm.pops.int/TheConvention/ThePOPs/tabid/673/Default.aspx>
- ³ US EPA (Feb 2012) TSCA Work Plan Chemicals: Methods Document, pg. 15
- ⁴ Federal Register, Vol 64, No 213. Nov 4, 1999. EPA: Category for Persistent, Bioaccumulative, and Toxic New Chemical Substances.
- ⁵ Stockholm Convention on Persistent Organic Pollutants, Annex D. Information Requirements and Screening Criteria. Available: <http://chm.pops.int/Portals/0/download.aspx?d=UNEP-POPS-COP-CONVTEXT-D.En.pdf>
- ⁶ US EPA (August 2017) Preliminary Information on Manufacturing, Processing, Distribution, Use, and Disposal: Decabromodiphenyl Ethers.
- ⁷ Abbasi G, Buser AM, Soehl A, Murray MW, Diamond ML. Stocks and Flows of PBDEs in Products from Use to Waste in the U.S. and Canada from 1970 to 2020. Environ Sci Technol. 2015 Feb 3;49(3):1521–8.
- ⁸ Harrad S, Diamond ML. New Directions: Exposure to polybrominated diphenyl ethers (PBDEs) and polychlorinated biphenyls (PCBs): Current and future scenarios. Atmos Environ. 2006 Feb;40(6):1187–8.