Washington, D.C. — American Fuel & Petrochemical Manufacturers **(AFPM) Senior Vice President of Government Relations and Policy Geoff Moody** issued the following statement on draft text from the House Energy and Commerce Committee which would implement reforms to the Toxic Substances Control Act (TSCA):

> *"AFPM welcomes the Energy and Commerce Committee's draft legislation reauthorizing TSCA fees and making needed updates to the law. A decade of experience with previous reforms has clearly demonstrated that the law could be better crafted to manage risk while ensuring innovative chemicals needed for modern society are available and produced here in the United States. We look forward to reviewing the draft text and engaging Congress as this process continues."* ***– Geoff Moody, AFPM Senior Vice President of Government Relations and Policy***

Five reforms to improve TSCA

In 2026, Congress will be asked to reauthorize EPA's ability to collect fees from companies subject to TSCA. Congress should take this opportunity to make these five essential reforms:

1. **Require EPA to assess risk based on real-world exposure conditions.** Focus EPA reviews on how a chemical is likely to be used in a specific, real-world situation. Direct the agency to base any necessary regulations meant to manage risks on practical considerations, including unintended consequences of blocking a chemical's use.
2. **Enforce TSCA new chemical and new use review deadlines.** If EPA doesn't make a decision or ask for more information within the review timeline set in the statute, new chemicals and uses should not be held hostage.
3. **Streamline the universe of chemicals subject to TSCA review.** Exempt "impurities" and "byproducts," which occur in low-to-negligible concentrations, from individual TSCA risk evaluations and risk management actions.
4. **Waive TSCA reviews for chemicals equivalent to those already in commerce.** EPA shouldn't require new reviews for chemicals indistinguishable from those already on the TSCA Inventory. They're fundamentally the same chemical, even if manufactured differently.
5. **Require EPA to acknowledge and defer to other regulating agencies and policies in TSCA reviews.** EPA should not ignore other federal authorities and policies (e.g., OSHA or the Risk Management Program) when assessing chemical risk and potential new regulation.

Relevant data:

Read more about TSCA, lessons from the 2016 amendments and the opportunity for further reforms in 2026 in this AFPM resource: TSCA in 2026: Understanding and reforming the Toxic Substances Control Act.

- Prior to the last TSCA amendments in 2016, ~20% of chemicals submitted for TSCA review were

deemed to pose “unreasonable risk.” Today, it’s closer to 85%.

- In 2016, EPA completed 65% of its TSCA reviews on time, and 95% within 180 days. According to the Government Accountability Office in 2022, ZERO TSCA reviews were completed on time.
- Since 2016, EPA’s TSCA fee revenue has grown 14-fold, while reviews have slowed significantly and approvals have ground to a halt.

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Media Contact:

Ericka Perryman

media@afpm.org

202.457.0480

About AFPM:

The American Fuel & Petrochemical Manufacturers (AFPM) is the leading trade association representing the makers of the fuels that keep us moving, the petrochemicals that are the essential building blocks for modern life, and the midstream companies that get our feedstocks and products where they need to go. We make the products that make life better, safer and more sustainable — we make progress.

Topics

Toxic Substances Control Act (TSCA)