

GAO Highlights

Highlights of [GAO-23-105728](#), a report to congressional committees

Why GAO Did This Study

Thousands of chemical substances play an important role in modern life and commerce, but can also present serious risks to human health and the environment. In 2016, Congress amended TSCA to establish new deadlines for reviewing chemicals already in commerce, including an initial set of 10 existing chemicals. It also provided that EPA make a formal determination before new chemicals can be manufactured.

GAO was asked to review EPA's implementation of its chemical review responsibilities under TSCA. This report evaluates the extent to which (1) EPA met selected TSCA deadlines for reviewing existing and new chemicals since June 2016, and (2) EPA engaged in workforce planning for implementing its chemical review responsibilities. GAO reviewed relevant laws, regulations, and workforce planning documents, and collected EPA data on new chemical review times and its workforce. GAO also interviewed EPA officials and representatives from industry and environmental health stakeholder organizations.

What GAO Recommends

GAO recommends that EPA develop a process and timeline to fully align its workforce planning efforts for implementing its TSCA chemical review responsibilities with workforce planning principles. EPA agreed with our recommendation but indicated that insufficiency of resources is the primary factor, among others we noted, for missed deadlines.

View [GAO-23-105728](#). For more information, contact J. Alfredo Gómez at (202) 512-3841 or gomezj@gao.gov.

February 2023

EPA CHEMICAL REVIEWS

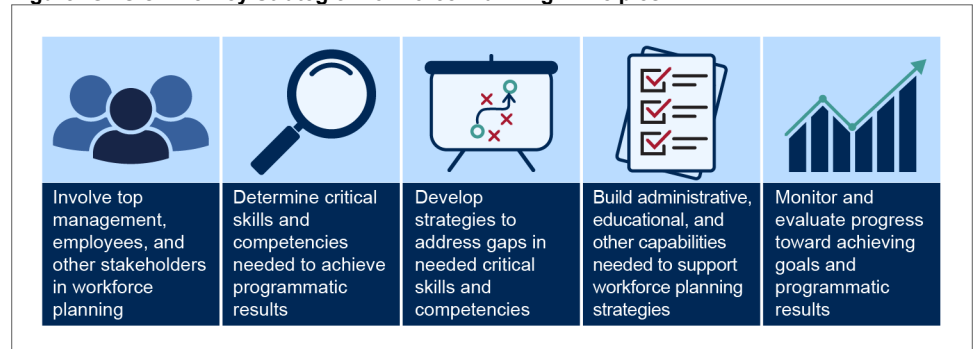
Workforce Planning Gaps Contributed to Missed Deadlines

What GAO Found

Since 2016, the Environmental Protection Agency (EPA) has missed most deadlines for reviewing existing and new chemicals under the Toxic Substances Control Act (TSCA), as amended. Once prioritized, existing chemicals are reviewed in two main phases—risk evaluation and risk management—and TSCA established specific deadlines for each phase. GAO found that EPA completed the first risk evaluation step (i.e., scoping) for the initial 10 existing chemical reviews on time. However, EPA missed all but one subsequent risk evaluation and risk management deadlines for these chemicals. Additionally, TSCA as amended provides that a person may only manufacture a new chemical if such person submits information to EPA and the agency makes an affirmative determination on the risk of injury to health or the environment. However, GAO found that among those pre-manufacture reviews that EPA completed from 2017 through 2022, the agency typically completed the reviews within the 90-day TSCA review period less than 10 percent of the time. EPA missed the chemical review deadlines due in part to several contributing factors and is implementing some related improvements (e.g., modernizing information systems). However, according to EPA, resource constraints, including insufficient staff capacity, remain the primary reason for missed chemical review deadlines.

EPA has engaged in some initial workforce planning activities for its chemical review responsibilities, but significant workforce planning gaps contribute to missed chemical review deadlines. For example, in March 2021, EPA conducted a skills gap assessment, which included hiring targets for mission-critical occupations. However, EPA officials told GAO the assessment no longer reflects current workforce needs, and that EPA has not created a strategic workforce plan to develop long-term strategies for recruiting, developing, and retaining staff. GAO has identified five principles with which federal agencies' strategic workforce planning efforts should align (see figure). EPA officials told GAO that while they agree that these principles are relevant and reasonable for its TSCA workforce planning efforts, they have not developed a process or timeline to fully align such efforts with these principles. Without doing so, EPA will likely continue to struggle to recruit, develop, and retain the workforce it needs to meet TSCA deadlines for completing existing and new chemical reviews.

Figure: GAO's Five Key Strategic Workforce Planning Principles



Source: GAO. | GAO-23-105728