

Why GAO Did This Study

In 1976, Congress passed TSCA to provide EPA with the authority to obtain more information on chemicals and to regulate those chemicals that EPA determines pose unreasonable risks of injury to human health or the environment. GAO has reported that EPA has found much of TSCA difficult to implement—hampering the agency’s ability to obtain certain chemical data or place limits on chemicals. Of the thousands of chemicals listed for commercial use in the United States, EPA has used its authority to limit or ban five chemicals since TSCA was enacted. In 2009, EPA announced TSCA reform principles to inform ongoing efforts in Congress to strengthen the act. At that time, EPA also initiated a new approach for managing toxic chemicals with the goal of ensuring the safety of chemicals using its existing authorities.

GAO was asked to evaluate EPA’s efforts to strengthen its management of chemicals. This report determines the extent to which (1) EPA has made progress implementing its new approach and (2) EPA’s new approach positions it to achieve its goal of ensuring the safety of chemicals. GAO examined agency documents and TSCA rulemaking and interviewed agency officials and stakeholders from industry and environmental organizations.

What GAO Recommends

GAO recommends, among other things, that EPA develop strategies that address challenges impeding its ability to ensure chemical safety and identify the resources needed to so. EPA neither agreed nor disagreed with GAO’s recommendations.

View [GAO-13-249](#). For more information, contact David Trimble at (202) 512-3841 or trimbled@gao.gov.

TOXIC SUBSTANCES

EPA Has Increased Efforts to Assess and Control Chemicals but Could Strengthen Its Approach

What GAO Found

Since 2009, the Environmental Protection Agency (EPA) has made progress implementing its new approach to managing toxic chemicals under its existing Toxic Substances Control Act (TSCA) authority; particularly by increasing efforts to obtain chemical toxicity and exposure data and initiating chemical risk assessments—which EPA uses, along with other information, to decide what regulatory or other actions, if any, are warranted. The results of EPA’s data collection activities, in most cases, have yet to be realized, and it may take several years before EPA obtains much of the data it is seeking. Also, EPA has not pursued some opportunities to obtain chemical data that companies submit to foreign governments or to obtain data from chemical processors that prepare chemical substances after their manufacture for distribution in commerce—some of which could help support the agency’s risk assessment activities. Of the 83 chemicals EPA has prioritized for risk assessment, it initiated 7 assessments in 2012 and plans to start 18 additional assessments in 2013 and 2014. However, it may take several years to complete these initial risk assessments and, at the agency’s current pace, over a decade to complete all 83, especially as EPA does not have the toxicity and exposure data needed for 58 of the 83 chemicals prioritized for risk assessment. In addition to its risk assessment activity, EPA has initiated other actions—such as increasing review of certain new uses of chemicals—that may discourage the use of these chemicals, but it is too early to tell whether these actions will reduce chemical risks.

It is unclear whether EPA’s new approach to managing chemicals within its existing TSCA authorities will position the agency to achieve its goal of ensuring the safety of chemicals. EPA officials said that the agency’s new approach, summarized in its 2012 *Existing Chemicals Program Strategy*, is intended to guide EPA’s efforts to assess and control chemicals in the coming years. However, EPA’s strategy, which largely focuses on describing activities EPA has already begun, does not include leading federal strategic planning practices that could help guide its effort. Specifically, EPA has not defined strategies that address challenges—many of which are rooted in TSCA’s regulatory framework—that may impede EPA’s ability to meet its long-term goal of ensuring chemical safety. Specifically, EPA has not clearly articulated how it will address challenges associated with obtaining toxicity and exposure data needed for risk assessments and placing limits on or banning chemicals under existing TSCA authorities. In addition, EPA’s strategy does not describe the resources needed to execute its new approach. For example, EPA’s strategy does not identify roles and responsibilities of key staff or offices or identify staffing levels or costs associated with conducting the activities under its new approach. Without a plan that incorporates leading strategic planning practices, EPA cannot be assured that its new approach to managing chemicals, as described in its *Existing Chemicals Program Strategy*, will provide a framework to effectively guide its effort. Consequently, EPA could be investing valuable resources, time, and effort without being certain that its efforts will bring the agency closer to achieving its goal of ensuring the safety of chemicals.