

119TH CONGRESS
1ST SESSION

S. _____

To reauthorize the Toxic Substances Control Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To reauthorize the Toxic Substances Control Act, and for
other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Toxic Substances Con-
5 trol Act Fee Reauthorization and Improvement Act of
6 2026”.

7 **SEC. 2. DEFINITIONS.**

8 Section 3 of the Toxic Substances Control Act (15
9 U.S.C. 2602) is amended—

10 (1) by striking paragraph (4) and inserting the
11 following:

1 “(4)(A) The term ‘conditions of use’ means the
2 circumstances, as determined by the Administrator,
3 under which a chemical substance is intended,
4 known, or reasonably foreseen to be manufactured,
5 processed, distributed in commerce, used, or dis-
6 posed of.

7 “(B) The term ‘conditions of use’ does not in-
8 clude merely hypothetical circumstances.

9 “(C) For the Administrator to determine that a
10 condition of use is reasonably foreseen, the Adminis-
11 trator shall have a cognizable basis to foresee that
12 condition of use.

13 “(D) A condition of use that violates any other
14 Federal law (including regulations) or that rep-
15 resents misuse of a substance is not within the
16 meaning of what is reasonably foreseen.

17 “(E) If a submitter provides information that
18 demonstrates broadly applied and effective exposure
19 control measures are routinely used, there shall be
20 a rebuttable presumption that the lack of such
21 measures is not reasonably foreseen.”; and

22 (2) by adding at the end the following:

23 “(18)(A) The term ‘unreasonable risk’ does not
24 include risks that may arise from common, well-un-

1 through “makes a determination” in sub-
2 clause (II) and inserting the following:

3 “(ii) the Administrator shall, within
4 the applicable review period—

5 “(I) conduct a review of the no-
6 tice; and

7 “(II) make a determination”;

8 (2) in paragraph (2)—

9 (A) by striking “(2) A determination” and
10 inserting the following:

11 “(2) SIGNIFICANT NEW USE DETERMINA-
12 TION.—A determination”; and

13 (B) by indenting subparagraphs (A)
14 through (D) appropriately;

15 (3) in paragraph (3)(B)(ii)(I), by striking “may
16 present” and inserting “is more likely than not to
17 present”;

18 (4) by redesignating paragraph (5) as para-
19 graph (7); and

20 (5) by striking paragraph (4) and inserting the
21 following:

22 “(4) MAINTENANCE OF EXISTING PROGRAMS.—

23 “(A) SAFER CHOICE STANDARD AND CRI-
24 TERIA.—

1 “(i) IN GENERAL.—The Administrator
2 shall, at a minimum, continue to maintain
3 and, as necessary, revise, with respect to
4 the Safer Choice Program of the Environ-
5 mental Protection Agency (as in effect on
6 the date of enactment of the Toxic Sub-
7 stances Control Act Fee Reauthorization
8 and Improvement Act of 2026)—

9 “(I) the Master Criteria; and

10 “(II) the functional class criteria
11 described in the document of the En-
12 vironmental Protection Agency enti-
13 tled ‘EPA’s Safer Choice and Design
14 for the Environment (DfE) Standard’
15 and dated August 2024.

16 “(ii) SAVINGS PROVISION.—Nothing
17 in this subparagraph prohibits the Admin-
18 istrator from maintaining, revising, or
19 abolishing, or requires the Administrator
20 to maintain, revise, or abolish, any aspect
21 of the Safer Choice Program of the Envi-
22 ronmental Protection Agency (as in effect
23 on the date of enactment of the Toxic Sub-
24 stances Control Act Fee Reauthorization

1 and Improvement Act of 2026) not de-
2 scribed in clause (i).

3 “(B) SUSTAINABLE FUTURES PROGRAM.—

4 “(i) IN GENERAL.—In accordance
5 with this subparagraph, the Administrator
6 shall maintain a program, similar or iden-
7 tical to the Sustainable Futures Program,
8 under which the Administrator provides
9 training on the policies, procedures, and
10 processes (including applying Environ-
11 mental Protection Agency models and ana-
12 log selection approaches) used during new
13 chemicals review, such that submitters or
14 other stakeholders can reliably perform as-
15 sessments in a manner consistent with En-
16 vironmental Protection Agency approaches,
17 for the purpose of promoting the develop-
18 ment and commercialization of safer
19 chemicals through early risk screening and
20 pollution prevention practices.

21 “(ii) REQUIRED UPDATES.—Not later
22 than 1 year after the date of enactment of
23 the Toxic Substances Control Act Fee Re-
24 authorization and Improvement Act of

1 2026, the Administrator shall, with respect
2 to the program described in clause (i)—

3 “(I) review and, where necessary
4 to align with the best available
5 science, update relevant risk assess-
6 ment models and tools;

7 “(II) establish standard oper-
8 ating procedures for program imple-
9 mentation;

10 “(III) develop training protocols
11 for new chemicals staff; and

12 “(IV) create guidance documents
13 to establish consistent review proce-
14 dures.

15 “(iii) USE OF UPDATED MODELS.—
16 Using the risk assessment models and
17 tools updated under clause (ii)(I), the Ad-
18 ministrator shall, in carrying out the pro-
19 gram described in clause (i)—

20 “(I) provide training workshops
21 on approaches to chemical screening;

22 “(II) make available computer-
23 ized models and tools for risk evalua-
24 tion; and

1 “(III) support chemical devel-
2 opers that have completed training
3 with the that program in conducting
4 preliminary risk assessments for po-
5 tential eligibility under a tier of review
6 under paragraph (5).

7 “(iv) INTEGRATION WITH TIERED RE-
8 VIEW.—In carrying out the program de-
9 scribed in clause (i), the Administrator
10 shall—

11 “(I) ensure that procedures of
12 that program align with the tiers of
13 review established under paragraph
14 (5);

15 “(II) update guidance documents
16 to include criteria for assigning sub-
17 missions to the appropriate tier of re-
18 view under paragraph (5); and

19 “(III) train staff on standardized
20 procedures for determining the appli-
21 cable tier of review under paragraph
22 (5).

23 “(v) REVIEW AND UPDATE.—The Ad-
24 ministrators shall, not less frequently than
25 once every 5 years—

1 “(I) review the effectiveness of
2 the program described in clause (i)
3 and, as necessary, revise that program
4 based on the results of that review;
5 and

6 “(II) update assessment tools
7 and procedures of that program based
8 on new scientific information.

9 “(5) TIERED REVIEW PERIOD.—

10 “(A) ESTABLISHMENT OF TIERS.—In re-
11 viewing notices under paragraph (3), the Ad-
12 ministrators shall establish the following tiers:

13 “(i) A tier for a notice for a new
14 chemical substance or new use that satis-
15 fies the Master Criteria or the functional
16 class criteria described in subclauses (I)
17 and (II), respectively, of paragraph
18 (4)(A)(i) (including any revisions to those
19 criteria).

20 “(ii) A tier for a notice for a chemical
21 substance or new use for which the Admin-
22 istrator has developed established scientific
23 methodology for review, such as—

24 “(I) a category of substantially
25 similar chemical substances identified

1 by the Administrator under subsection
2 (j)(2); and

3 “(II) a category described in the
4 document of the Environmental Pro-
5 tection Agency entitled ‘TSCA New
6 Chemicals Program (NCP) Chemical
7 Categories’ and last substantively re-
8 vised in August 2010 (including any
9 categories created in a subsequent up-
10 date to that document).

11 “(iii) A tier for a notice for a chemical
12 substance or new use that does not meet
13 any of the criteria described in clause (i)
14 or (ii) but—

15 “(I) is intended to serve as a po-
16 tentially safer alternative and is less
17 likely to present an unreasonable risk
18 to human health or the environment
19 relative to an existing chemical sub-
20 stance listed on the inventory pub-
21 lished under section 8(b);

22 “(II) shares functional uses with
23 1 or more existing substances of
24 known or suspected concern; and

1 “(III) demonstrates, based on
2 modeling, screening-level tools (includ-
3 ing an assessment under the program
4 described in paragraph (4)(B)(i)), or
5 other information, the potential to re-
6 duce risk relative to the existing sub-
7 stance for which the chemical sub-
8 stance is intended to serve as an alter-
9 native.

10 “(iv) A tier for a notice for any chem-
11 ical substance or new use that is not de-
12 scribed in any of clauses (i) through (iii).

13 “(B) REVIEW PERIODS.—

14 “(i) FIRST TIER.—With respect to a
15 notice described in subparagraph (A)(i)
16 that is considered complete under sub-
17 section (k), subject to subsection (e), the
18 review period for completing the deter-
19 mination under paragraph (3)(C) shall be
20 the **【XX】**-day period beginning on the
21 date on which the Administrator receives
22 the notice.

23 “(ii) SECOND TIER.—With respect to
24 a notice described in subparagraph (A)(ii)
25 that is considered complete under sub-

1 section (k), subject to subsection (e), the
2 review period for completing the deter-
3 mination under paragraph (3)(C) shall be
4 the **【XX】**-day period beginning on the
5 date on which the Administrator receives
6 the notice.

7 “(iii) THIRD TIER.—With respect to a
8 notice described in subparagraph (A)(iii)
9 that is considered complete under sub-
10 section (k), subject to subsection (e), the
11 review period for completing the deter-
12 mination under paragraph (3)(C) shall be
13 the **【XX】**-day period beginning on the
14 date on which the Administrator receives
15 the notice.

16 “(iv) FOURTH TIER.—With respect to
17 a notice described in subparagraph (A)(iv)
18 that is considered complete under sub-
19 section (k), subject to subsection (e), the
20 review period for completing the deter-
21 mination under paragraph (3)(C) shall be
22 the **【XX】**-day period beginning on the
23 date on which the Administrator receives
24 the notice.

25 “(C) IMPLEMENTATION.—

14

1 of review under subparagraph
2 (A) to which a notice belongs, the
3 submitter of the notice may re-
4 quest an in-person
5 postsubmission meeting with the
6 Administrator, which the Admin-
7 istrator shall convene.

8 “(bb) DETERMINATION.—If
9 a submitter of a notice disagrees
10 with the determination of the Ad-
11 ministrator with respect to the
12 tier of review to which the notice
13 is subject under subparagraph
14 (A), the submitter of the notice
15 may request an in-person
16 postsubmission meeting with the
17 Administrator, which the Admin-
18 istrator shall convene.

19 “(II) WRITTEN EXPLANATION.—
20 If the Administrator disagrees with
21 the designation of a submitter with
22 respect to the tier of review under
23 subparagraph (A) to which a notice
24 belongs, the Administrator shall pro-
25 vide to the submitter a written expla-

1 nation that describes the reasons for
2 the disagreement, which shall conform
3 with the current scientific integrity
4 policy of the Administrator.

5 “(iii) GUIDANCE DEVELOPMENT.—
6 The Administrator shall update relevant
7 policies, procedures, and guidance docu-
8 ments as necessary to carry out this para-
9 graph.

10 “(iv) MAINTENANCE OF MODELS.—
11 The Administrator shall develop and main-
12 tain the assessment models necessary for
13 each tier of review under subparagraph
14 (A).

15 “(v) REVIEW.—Not less frequently
16 than once every 5 years, the Administrator
17 shall review and update the criteria for
18 each tier of review under subparagraph (A)
19 as needed in accordance with the best
20 available science.

21 “(6) COMPARATIVE RISK ASSESSMENT.—

22 “(A) VOLUNTARY PROVISION OF INFORMA-
23 TION.—In submitting a notice under this sub-
24 section, a submitter may voluntarily include in-

1 formation in that notice with respect to pollu-
2 tion prevention and reduced risk benefits.

3 “(B) CONSIDERATION.—In making a de-
4 termination whether a chemical substance or a
5 new use for a chemical substance is more likely
6 than not to present an unreasonable risk to
7 human health or the environment under para-
8 graph (3), the Administrator may consider in-
9 formation voluntarily submitted pursuant to
10 subparagraph (A), including—

11 “(i) whether there is a reduced hazard
12 to human health or the environment;

13 “(ii) the potential benefits to reduce
14 the release or potency of greenhouse gas
15 emissions; and

16 “(iii) the use of waste or renewable
17 resources with respect to non-renewable re-
18 sources.

19 “(C) PROHIBITION.—The Administrator
20 may not consider the lack of provision of the in-
21 formation described in subparagraph (A) to be
22 a detriment in any determination or finding
23 under this section.”.

24 (b) EXTENSION OF REVIEW PERIOD.—Section 5 of
25 the Toxic Substances Control Act (15 U.S.C. 2604) is

1 amended by striking subsection (c) and inserting the fol-
2 lowing:

3 “(c) EXTENSION OF REVIEW PERIOD.—

4 “(1) IN GENERAL.—The Administrator may for
5 good cause extend an applicable review period in ac-
6 cordance with this subsection.

7 “(2) EXTENSION PERIODS.—

8 “(A) FIRST TIER.—With respect to a no-
9 tice described in subparagraph (A)(i) of sub-
10 section (a)(5), the Administrator may extend
11 the review period under subparagraph (B)(i) of
12 that subsection by a period of not more than
13 **[XX]** days.

14 “(B) SECOND TIER.—With respect to a no-
15 tice described in subparagraph (A)(ii) of sub-
16 section (a)(5), the Administrator may extend
17 the review period under subparagraph (B)(ii) of
18 that subsection by a period of not more than
19 **[XX]** days.

20 “(C) THIRD TIER.—With respect to a no-
21 tice described in subparagraph (A)(iii) of sub-
22 section (a)(5), the Administrator may extend
23 the review period under subparagraph (B)(iii)
24 of that subsection by a period of not more than
25 **[XX]** days.

1 “(D) **FOURTH TIER.**—With respect to a
2 notice described in subparagraph (A)(iv) of sub-
3 section (a)(5), the Administrator may extend
4 the review period under subparagraph (B)(iv) of
5 that subsection by a period of not more than
6 **[XX]** days.

7 “(3) **NO SUSPENSION OF REVIEW PERIOD.**—
8 The Administrator shall not request that a sub-
9 mitter suspend an applicable review period, including
10 under section 720.75(b) of title 40, Code of Federal
11 Regulations (as in effect on the date of enactment
12 of the Toxic Substances Control Act Fee Reauthor-
13 ization and Improvement Act of 2026), or similar
14 regulations, to accommodate delays in the review of
15 the Administrator under this subsection.

16 “(4) **APPLICABILITY.**—This subsection shall not
17 apply to an eligible submission described in para-
18 graph (4)(B) of subsection (i) for which an expe-
19 dited review period established by paragraph (5) of
20 that subsection is applied.”.

21 “(c) **REGULATION PENDING DEVELOPMENT OF IN-**
22 **FORMATION.**—Section 5(e)(1)(A)(ii)(I) of the Toxic Sub-
23 stances Control Act (15 U.S.C. 2604(e)(1)(A)(ii)(I)) is
24 amended by striking “may” and inserting “is more likely
25 than not to”.

1 **SEC. 4. PRODUCT STEWARDSHIP.**

2 (a) SENSE OF CONGRESS.—It is the sense of Con-
3 gress that—

4 (1) supply chain stewardship can be effective in
5 promoting the safe manufacture, processing, dis-
6 tribution, and use of substances; and

7 (2) supply chain stewardship is predicated on—

8 (A) an understanding of the health and en-
9 vironmental hazards of the substance;

10 (B) an understanding of the conditions of
11 use during manufacture, processing, distribu-
12 tion, use, and disposal; and

13 (C) clear communication throughout the
14 supply chain of the proper protective measures
15 that must be taken to protect workers, the gen-
16 eral population, and the environment.

17 (b) STEWARDSHIP PATHWAY AUTHORIZATION.—Sec-
18 tion 5(h) of the Toxic Substances Control Act (15 U.S.C.
19 2604(h)) is amended by adding at the end the following:

20 “(11) STEWARDSHIP PATHWAY AUTHORIZA-
21 TION.—

22 “(A) IN GENERAL.—

23 “(i) ESTABLISHMENT OF PROCESS.—
24 The Administrator shall, [by rule or
25 order], establish a process for granting or

1 denying authorizations under the steward-
2 ship pathway under this paragraph.

3 “(ii) DETERMINATION.—The Admin-
4 istrator shall, on receiving a submission for
5 an authorization under the stewardship
6 pathway under this paragraph, grant or
7 deny an authorization by order under the
8 process established under clause (i) to 1 or
9 more persons to manufacture (including
10 import) and distribute in commerce a new
11 chemical substance under the intended
12 conditions of use described in the submis-
13 sion in lieu of the other requirements of
14 this section if the Administrator deter-
15 mines that the manufacture, processing,
16 distribution in commerce, use, or disposal
17 of such chemical substance, or any com-
18 bination of such activities under the spe-
19 cific conditions of use granted by the au-
20 thorization, is not likely to present an un-
21 reasonable risk of injury to health or the
22 environment, including an unreasonable
23 risk to a potentially exposed or susceptible
24 subpopulation identified by the Adminis-

1 trator, under the intended conditions of
2 use described in the submission.

3 “(B) ELIGIBILITY.—A submission for an
4 authorization under the stewardship pathway
5 under this paragraph shall include—

6 “(i) all relevant information necessary
7 to demonstrate that the chemical substance
8 under the conditions of use being author-
9 ized is not likely to present an unreason-
10 able risk described in subparagraph (A)
11 using relevant and applicable assumptions,
12 models, and procedures employed by the
13 Administrator, including under the pro-
14 gram described in subsection (a)(4)(B)(i)
15 or any successor methodology adopted by
16 the Administrator, for reviewing new
17 chemical substances under this section;

18 “(ii) a stewardship implementation
19 plan that—

20 “(I) describes with specificity the
21 intended conditions of use, engineer-
22 ing controls, disposal practices, and
23 any applicable personal protective
24 equipment; and

1 “(II) includes measures for
2 downstream communication, including
3 updates to safety data sheets, han-
4 dling guides, and technical docu-
5 mentation; and

6 “(iii) if applicable, identification of
7 any 1 or more persons other than the per-
8 son making the submission that will be al-
9 lowed to manufacture or process the chem-
10 ical substance pursuant to the authoriza-
11 tion.

12 “(C) REVIEW.—

13 “(i) REVIEW PERIOD.—The review pe-
14 riod for making a determination on a sub-
15 mission for an authorization under the
16 stewardship pathway under this paragraph
17 that is considered complete under sub-
18 section (k) shall be the **[XX]**-day period
19 beginning on the date on which the Admin-
20 istrator receives the submission.

21 “(ii) APPROVAL.—The Administrator
22 shall grant an authorization under the
23 stewardship pathway under this paragraph
24 if the Administrator determines that—

1 “(I) the submission demonstrates
2 that the chemical substance is not
3 likely to present an unreasonable risk
4 described in subparagraph (A)(ii); and

5 “(II) the stewardship implemen-
6 tation plan submitted under subpara-
7 graph (B)(ii) meets the requirements
8 under that subparagraph.

9 “(iii) DISAPPROVAL.—If the Adminis-
10 trator does not make the determinations
11 under clause (ii)—

12 “(I) the Administrator shall iden-
13 tify the specific basis for disapproval,
14 including—

15 “(aa) any additional infor-
16 mation used in the review by the
17 Administrator; and

18 “(bb) any information relat-
19 ing to the likely unreasonable
20 risk for the specific conditions of
21 use; and

22 “(II) the person making the sub-
23 mission may revise or supplement the
24 submission for review and reconsider-
25 ation.

1 “(iv) EXTENSIONS.—

2 “(I) IN GENERAL.—The Admin-
3 istrator—

4 “(aa) may extend the review
5 period established by clause (i)
6 once by not more than **[XX]**
7 days only on a written determina-
8 tion supported by specific evi-
9 dence that the submission raises
10 novel safety issues requiring ad-
11 ditional technical analysis that
12 could not reasonably have been
13 identified during the initial re-
14 view period; and

15 “(bb) may not request or re-
16 quire any further extensions.

17 “(II) APPLICABILITY.—This
18 clause shall not apply to an eligible
19 submission described in paragraph
20 (4)(B) of subsection (i) for which an
21 expedited review period established by
22 paragraph (5)(E) of that subsection is
23 applied.

24 “(v) FAILURE TO ACT.—If the Admin-
25 istrator fails to make a determination

1 under clause (ii) before the deadline estab-
2 lished by clause (i), and no extension has
3 been granted under clause (iv)(I)(aa), the
4 requirements of this subsection shall be
5 deemed to be fulfilled for the conditions of
6 use described in the submission.

7 “(D) ENFORCEMENT AND REVOCATION.—

8 “(i) VIOLATIONS.—A violation of an
9 approved stewardship implementation plan
10 described in subparagraph (B)(ii) by a per-
11 son granted an authorization under the
12 stewardship pathway under this paragraph,
13 or by a recipient contractually bound under
14 subparagraph (G), shall be a prohibited act
15 under section 15 and subject to enforce-
16 ment under section 16.

17 “(ii) REVOCATION.—The Adminis-
18 trator may revoke an authorization under
19 the stewardship pathway under this para-
20 graph only on a determination that—

21 “(I) there has been a material
22 misrepresentation, omission, or fraud
23 in the submission; or

24 “(II) there has been a pattern of
25 significant, willful violations of the ap-

1 proved stewardship implementation
2 plan described in subparagraph (B)(ii)
3 by the person granted the authoriza-
4 tion.

5 “(E) MODIFICATIONS.—A recipient of an
6 authorization under the stewardship pathway
7 under this paragraph may seek to modify the
8 authorization by making an additional submis-
9 sion in accordance with subparagraph (B).

10 “(F) GUIDANCE.—Not later than 270 days
11 after the date of enactment of this paragraph,
12 the Administrator shall issue guidance describ-
13 ing—

14 “(i) the specific data and information
15 elements that constitute a complete sub-
16 mission for the purposes of subparagraph
17 (B)(i), which shall not require data ele-
18 ments beyond those specified in this para-
19 graph unless the Administrator dem-
20 onstrates by clear and convincing evidence
21 that additional elements are necessary to
22 evaluate unreasonable risk under the spe-
23 cific conditions of use described in the sub-
24 mission; and

1 inspection by the Administrator, con-
2 sistent with section 14.

3 “(ii) NONCOMPLIANCE.—If a recipient
4 of a chemical substance for which an au-
5 thorization under the stewardship pathway
6 is granted under this paragraph is found
7 to not comply with the approved steward-
8 ship implementation plan submitted under
9 subparagraph (B)(ii), the persons that
10 manufacture or import the chemical sub-
11 stance—

12 “(I) shall notify the Adminis-
13 trator of the noncompliance;

14 “(II) shall cease distribution to
15 that specific recipient until the recipi-
16 ent documents that the recipient has
17 returned to compliance with the ap-
18 proved stewardship implementation
19 plan; and

20 “(III) may continue distribution
21 to other recipients that remain in
22 compliance with the stewardship im-
23 plementation plan.

24 “(iii) LIABILITY.—If a manufacturer
25 or importer is in compliance with clause (i)

1 and has provided all information required
2 under subparagraph (B)(ii), the manufac-
3 turer or importer shall not be liable for
4 violations by persons with whom the manu-
5 facturer or importer does not have a direct
6 contractual relationship.

7 “(iv) EFFECT.—Nothing in this para-
8 graph limits the Administrator’s authority
9 to enforce compliance directly against any
10 person in possession of a chemical sub-
11 stance that violates an approved steward-
12 ship implementation plan submitted under
13 subparagraph (B)(ii).

14 “(H) EFFECT.—

15 “(i) INVENTORY.—The granting of an
16 authorization under the stewardship path-
17 way under this paragraph shall not have
18 the effect of placing the substance on the
19 list published under section 8(b).

20 “(ii) PROHIBITION.—No person may
21 manufacture, process, distribute in com-
22 merce, use, or dispose of a chemical sub-
23 stance under the conditions of use for
24 which an authorization under the steward-
25 ship pathway is granted under this para-

1 graph except in compliance with the ap-
2 proved stewardship implementation plan
3 submitted under subparagraph (B)(ii).

4 “(iii) PRIVATE CAUSES OF ACTION.—
5 Except as provided in subparagraph
6 (G)(iii), nothing in this section shall con-
7 strain private causes of action for viola-
8 tions of supply chain agreements.

9 “(iv) PREMANUFACTURE NOTICE SUB-
10 MISSION.—Nothing in this paragraph—

11 “(I) prevents a submitter for an
12 authorization under the stewardship
13 pathway under this paragraph from
14 also submitting a notice under sub-
15 section (a) for the same chemical sub-
16 stance; or

17 “(II) alters or removes any re-
18 quirements established by the Admin-
19 istrator or statutory deadlines for a
20 notice under subsection (a).

21 “(v) OTHER CONDITIONS OF USE.—
22 An authorization granted under this para-
23 graph for 1 or more specific conditions of
24 use shall not be construed as a determina-
25 tion by the Administrator regarding the

1 risk of the chemical substance for any
2 other condition of use.”.

3 **SEC. 5. LOW VOLUME AND EXPOSURE AUTHORIZATIONS.**

4 (a) UNREASONABLE RISK.—Section 5(h)(1)(A) of
5 the Toxic Substances Control Act (15 U.S.C.
6 2604(h)(1)(A)) is amended by striking “will not present
7 any unreasonable risk” and inserting “is not likely to
8 present an unreasonable risk”.

9 (b) LOW RELEASE AND LOW EXPOSURE AUTHORIZA-
10 TION.—Section 5(h) of the Toxic Substances Control Act
11 (15 U.S.C. 2604(h)) is amended—

12 (1) by redesignating paragraphs (4), (5), and
13 (6) as paragraphs (8), (9), and (10), respectively;
14 and

15 (2) by inserting after paragraph (3) the fol-
16 lowing:

17 “(4) LOW VOLUME EXEMPTION.—

18 “(A) IN GENERAL.—Subject to paragraph
19 (6), the Administrator may, by rule, exempt the
20 manufacture or processing of a new chemical
21 substance from the requirements of subsections
22 (a) and (b) if—

23 “(i) the new chemical substance is
24 manufactured in quantities of 10,000 kilo-
25 grams or less per year; and

1 “(ii) the Administrator determines
2 that the new chemical substance is not
3 likely to present an unreasonable risk of
4 injury to health or the environment under
5 the conditions of manufacturing, proc-
6 essing, distribution in commerce, use, and
7 disposal described in the request.

8 “(B) REQUEST REQUIREMENTS.—A person
9 that manufactures or processes a chemical sub-
10 stance for which an exemption is sought under
11 this paragraph shall submit to the Adminis-
12 trator a request that includes—

13 “(i) the chemical identity of the chem-
14 ical substance;

15 “(ii) a description of the process for
16 manufacturing and processing the chemical
17 substance, including starting materials;

18 “(iii) a detailed description of the in-
19 tended conditions of use of the chemical
20 substance;

21 “(iv) an estimate of the proposed an-
22 nual production or use quantity of the
23 chemical substance;

24 “(v) information with respect to all
25 known or intended potential human expo-

1 sures to, and releases to the environment
2 of, the chemical substance during all
3 phases of domestic manufacture, proc-
4 essing, and use of the chemical substance
5 during the intended conditions of use; and

6 “(vi) all health and safety studies with
7 respect to the chemical substance in the
8 possession or control of the person submit-
9 ting the request.

10 “(5) LOW RELEASE AND EXPOSURE EXEMP-
11 TION.—

12 “(A) IN GENERAL.—Subject to paragraph
13 (6), the Administrator may, by rule, exempt the
14 manufacture or processing of a new chemical
15 substance from the requirements of subsections
16 (a) and (b) if the Administrator determines
17 that the chemical substance is not likely to
18 present an unreasonable risk of injury to health
19 or the environment under the intended condi-
20 tions of manufacturing, processing, distribution
21 in commerce, use, and disposal described in the
22 request.

23 “(B) REQUEST REQUIREMENTS.—A person
24 that manufactures or processes a chemical sub-
25 stance for which an exemption is sought under

1 this paragraph shall submit to the Adminis-
2 trator a request that includes—

3 “(i) the chemical identity of the chem-
4 ical substance;

5 “(ii) a description of the process for
6 manufacturing and processing the chemical
7 substance, including starting materials;

8 “(iii) a detailed description of the in-
9 tended use of the chemical substance;

10 “(iv) an estimate of the proposed an-
11 nual production or use quantity of the
12 chemical substance;

13 “(v) information with respect to all
14 known or intended potential human expo-
15 sures to, and releases to the environment
16 of, the chemical substance during all
17 phases of domestic manufacture, proc-
18 essing, and use of the chemical substance;
19 and

20 “(vi) all health and safety studies with
21 respect to the chemical substance in the
22 possession or control of the person submit-
23 ting the request.

24 “(C) ELIGIBILITY CONDITIONS.—The Ad-
25 ministrator may only grant a request under

1 subparagraph (B) if that request demonstrates
2 that the chemical substance for which the re-
3 quest is submitted meets the criteria for low en-
4 vironmental release and low human exposure,
5 including—

6 “(i) no dermal or inhalation exposure,
7 after consideration of engineering controls
8 and personal protective equipment;

9 “(ii) no significant drinking water ex-
10 posure, with an estimated average dosage
11 not exceeding 1 milligram per year, as de-
12 termined by ambient surface water con-
13 centrations not exceeding 1 part per bil-
14 lion, unless supported by scientifically valid
15 data justifying a higher concentration, con-
16 sistent with methodologies established
17 under section 721.90 of title 40, Code of
18 Federal Regulations (or a successor regula-
19 tion);

20 “(iii) no surface water concentrations
21 above 1 part per billion according to the
22 methodologies established under sections
23 721.90 and 721.91 of title 40, Code of
24 Federal Regulations (or successor regula-
25 tions), unless supported by scientifically

1 valid data justifying a higher concentra-
2 tion;

3 “(iv) no incineration emissions above
4 an annual average concentration of 1
5 microgram per cubic meter calculated ac-
6 cording to the method described in section
7 723.50(c)(2)(iv) of title 40, Code of Fed-
8 eral Regulations (or a successor regula-
9 tion); and

10 “(v) no releases to land or ground-
11 water, unless negligible migration potential
12 is demonstrated.”.

13 (c) LIMITATION FOR CERTAIN SUBSTANCES.—Sec-
14 tion 5(h) of the Toxic Substances Control Act (15 U.S.C.
15 2604(h)) (as amended by subsection (b)) is amended by
16 inserting after paragraph (5) the following:

17 “(6) PERSISTENT, BIOACCUMULATIVE, AND
18 TOXIC SUBSTANCES AND PFAS.—

19 “(A) DEFINITION OF COVERED SUB-
20 STANCE.—

21 “(i) IN GENERAL.—In this paragraph,
22 the term ‘covered substance’ means a
23 chemical substance that is—

24 “(I) persistent, bioaccumulative,
25 and toxic; or

1 “(II) a per- and poly-fluoroalkyl
2 substance (as defined in section
3 723.50(b) of title 40, Code of Federal
4 Regulations (or a successor regula-
5 tion)).

6 “(ii) EXCLUSION.—The term ‘covered
7 substance’ does not include a substance
8 that is a per- and poly-fluoroalkyl sub-
9 stance (as defined in section 723.50(b) of
10 title 40, Code of Federal Regulations (or a
11 successor regulation)) that has fully
12 fluorinated C8–C14 chains.

13 “(B) ADDITIONAL REQUIREMENTS.—The
14 Administrator may only grant an exemption
15 under paragraph (4) or (5) with respect to a
16 covered substance if the submission dem-
17 onstrates that, under the intended conditions of
18 use described in the request—

19 “(i) the covered substance is manufac-
20 tured, processed, or used in a normally
21 closed system that prevents dermal and in-
22 halation exposure and is operated or over-
23 seen by personnel trained in the use of
24 task-specific personal protective equipment;
25 and

1 “(ii) the covered substance is manu-
2 factured, processed, or used within equip-
3 ment that is designed and assessed by a
4 **【qualified equipment assessor】** to be low
5 risk based on—

6 “(I) applicable industry safety
7 specifications; and

8 “(II) control of chemical emis-
9 sions to the workplace environment so
10 as not to exceed all applicable occupa-
11 tional exposure limits during normal
12 equipment operation and during main-
13 tenance activities, where such occupa-
14 tional exposure limits exist.

15 “(C) PROHIBITION.—The Administrator
16 may not grant any authorization or exemption
17 under this subsection to a chemical substance
18 described in subparagraph (A)(ii).”.

19 (d) DE MINIMIS QUANTITY AUTHORIZATION.—Sec-
20 tion 5(h) of the Toxic Substances Control Act (15 U.S.C.
21 2604(h)) (as amended by subsection (c)) is amended by
22 inserting after paragraph (6) the following:

23 “(7) DE MINIMIS QUANTITY AUTHORIZATION.—

24 “(A) IN GENERAL.—Except as provided in
25 subparagraphs (B) and (C), the Administrator

1 shall exempt from the requirements of sub-
2 section (a) any chemical substance manufac-
3 tured or processed in a quantity of less than
4 500 kilograms per year, subject to the condition
5 that the manufacturer or processor shall notify
6 the Administrator of the specific chemical iden-
7 tity not later than 30 days after commencing
8 manufacture.

9 “(B) INELIGIBLE SUBSTANCES.—A chem-
10 ical substance shall be ineligible for an exemp-
11 tion under subparagraph (A) if the substance—

12 “(i) has 1 or more fully fluorinated
13 atoms;

14 “(ii) is a mercury compound;

15 “(iii) is a lead compound;

16 “(iv) is a cadmium compound;

17 “(v) is a nanomaterial;

18 “(vi) is an aromatic compound with 2
19 or more halogens; or

20 “(vii) is a compound with 3 or more
21 fused aromatic rings.

22 “(C) ADDITIONAL CATEGORIES.—The Ad-
23 ministrator may, by rule, exclude additional cat-
24 egories of chemical substances from eligibility
25 for an exemption under subparagraph (A), sub-

1 ject to the condition that any person that man-
2 ufactures or processes that chemical substance
3 during the 2-year period ending on the date of
4 publication of the rule may continue to manu-
5 facture or process the chemical substance dur-
6 ing the applicable review period of a notice sub-
7 mitted under subsection (a) or (h) if the notice
8 required under subparagraph (A) is submitted
9 within 90 days of that date of publication.”.

10 (e) **TIMELINES.**—Section 5(h) of the Toxic Substance
11 Control Act (15 U.S.C. 2604(h)) is amended, in para-
12 graph (10) (as redesignated by subsection (b)(1))—

13 (1) in the third sentence—

14 (A) by striking “such an application” and
15 inserting “an application under paragraph (1)”;
16 and

17 (B) by striking “The Administrator” and
18 inserting the following:

19 “(iii) **PUBLICATION OF ACTION.**—The
20 Administrator”;

21 (2) in the second sentence—

22 (A) by striking “such application” and in-
23 serting “an application under paragraph (1)”;
24 and

1 (B) by striking “The Administrator” and
2 inserting the following:

3 “(ii) DEADLINE.—The Adminis-
4 trator”;

5 (3) by striking the paragraph designation and
6 all that follows through “the Administrator” in the
7 first sentence and inserting the following:

8 “(10) REVIEW DEADLINES.—

9 “(A) TEST MARKETING.—

10 “(i) PUBLICATION OF APPLICATION.—
11 Immediately upon receipt of an application
12 under paragraph (1), the Administrator”;
13 and

14 (4) by adding at the end the following:

15 “(B) LOW VOLUME AND LOW RELEASE
16 AND EXPOSURE EXEMPTIONS.—

17 “(i) IN GENERAL.—Except as pro-
18 vided in clause (ii), the Administrator shall
19 act on a request submitted under para-
20 graph (4) or (5) not later than **[XX]** days
21 after the date of receipt of the request.

22 “(ii) PERSISTENT, BIOACCUMULATIVE,
23 AND TOXIC SUBSTANCES AND PFAS.—If
24 the chemical substance for which a request
25 is submitted under paragraph (4) or (5) is

1 a covered substance (as defined in para-
2 graph (6)(A)), the Administrator shall act
3 on the request or notice not later than
4 **[XX]** days after the date of receipt of the
5 request.

6 “(iii) EXTENSIONS.—

7 “(I) IN GENERAL.—The Admin-
8 istrator may for good cause extend
9 the review period described in clause
10 (i) once for **[XX]** days.

11 “(II) PBT/PFAS.—The Admin-
12 istrator may for good cause extend
13 the review period described in clause
14 (ii) once for **[XX]** days.”.

15 **SEC. 6. THIRD-PARTY ASSESSORS.**

16 Section 5 of the Toxic Substances Control Act (15
17 U.S.C. 2604) is amended—

18 (1) by redesignating subsection (i) as subsection
19 (l); and

20 (2) by inserting after subsection (h) the fol-
21 lowing:

22 “(i) THIRD-PARTY ASSESSORS.—

23 “(1) ESTABLISHMENT.—Not later than 18
24 months after the date of enactment of the Toxic
25 Substances Control Act Fee Reauthorization and

1 Improvement Act of 2026, the Administrator shall
2 establish a program to accredit third-party assessors
3 to review submissions under this section.

4 “(2) SCOPE OF REVIEW.—An accredited third-
5 party assessor may, at the election of the submitter,
6 conduct 1 or both of the following reviews with re-
7 spect to a submission under this section:

8 “(A) COMPLETENESS REVIEW.—A review
9 of the submission to determine whether the sub-
10 mission addresses all applicable data and infor-
11 mation elements described in guidance issued
12 by the Administrator under subsection (k) for
13 the applicable submission type.

14 “(B) RISK ASSESSMENT REVIEW.—A re-
15 view of any risk assessment included in the sub-
16 mission to determine whether the risk assess-
17 ment was conducted using assumptions, models,
18 and procedures employed by the Administrator,
19 including under the program described in sub-
20 section (a)(4)(B)(i) or any successor method-
21 ology adopted by the Administrator.

22 “(3) ACCREDITATION.—The Administrator
23 shall establish requirements for accreditation under
24 this subsection, which shall include, at a minimum—

1 “(A) demonstrated proficiency in the use
2 of risk assessment models and tools employed
3 by the Administrator;

4 “(B) independence from the submitter
5 whose submission is under review;

6 “(C) compliance with the requirements of
7 section 14 with respect to confidential business
8 information; and

9 “(D) such other criteria as the Adminis-
10 trator determines appropriate.

11 “(4) EFFECT OF THIRD-PARTY REVIEW.—

12 “(A) COMPLETENESS.—

13 “(i) IN GENERAL.—A submission
14 under this section accompanied by a com-
15 pleteness review under paragraph (2)(A)
16 that determines the submission addresses
17 all applicable elements shall be presumed
18 complete for purposes of subsection (k).

19 “(ii) REBUTTAL.—The Administrator
20 may rebut the presumption described in
21 clause (i) only by issuing a deficiency no-
22 tice under subsection (k)(4) not later than
23 **[XX]** days after the date of receipt of the
24 submission.

1 “(iii) LIMITATION.—With respect to a
2 submission described in clause (i), the Ad-
3 ministration may not issue more than 1
4 deficiency notice under subsection (k)(4).

5 “(iv) RELATION TO REVIEW PE-
6 RIOD.—With respect to a submission de-
7 scribed in clause (i), the applicable review
8 period under this section shall begin on the
9 date on which the Administrator receives
10 the submission, unless a deficiency notice
11 is issued under subsection (k)(4), in which
12 case the review period shall be tolled in ac-
13 cordance with subparagraph (C) of that
14 subsection.

15 “(B) RISK ASSESSMENT.—A submission
16 under this section accompanied by a risk as-
17 sessment review under paragraph (2)(B) that
18 determines the risk assessment was conducted
19 in accordance with the assumptions, models,
20 and procedures of the Administrator shall be el-
21 igible for the expedited review periods estab-
22 lished by paragraph (5).

23 “(C) DUAL CERTIFICATION.—

24 “(i) IN GENERAL.—A submission
25 under this section that is accompanied by

1 both a completeness review under para-
2 graph (2)(A) and a risk assessment review
3 under paragraph (2)(B) shall be subject to
4 subparagraphs (A) and (B).

5 “(ii) FAILURE TO ACT.—If the Ad-
6 ministrator does not complete the applica-
7 ble determination within the expedited re-
8 view period established by paragraph (5)
9 with respect to a submission described in
10 clause (i), the submitter may, not earlier
11 than **[XX]** days after providing written
12 notice to the Administrator, commence
13 manufacture of the chemical substance,
14 subject to—

15 “(I) the specific conditions of use
16 described in the submission, including
17 engineering controls, personal protec-
18 tive equipment, disposal practices, and
19 exposure parameters;

20 “(II) any restrictions on volume,
21 duration, facility, or use identified in
22 the submission; and

23 “(III) a requirement to cease
24 manufacture on notification by the

1 Administrator of a determination
2 under subsection (e) or (f).

3 “(D) ENFORCEMENT OF POST-COMMENCE-
4 MENT CONDITIONS.—

5 “(i) ENFORCEMENT.—

6 “(I) IN GENERAL.—The condi-
7 tions described in subclauses (I)
8 through (III) of subparagraph (C)(ii)
9 shall be enforceable in the same man-
10 ner as the terms of an order issued
11 under subsection (e).

12 “(II) VIOLATIONS.—A violation
13 of any such condition shall be a pro-
14 hibited act under section 15 and sub-
15 ject to enforcement under section 16.

16 “(ii) RETENTION OF AUTHORITY.—
17 Nothing in subparagraph (C) limits the au-
18 thority of the Administrator—

19 “(I) to complete the applicable
20 determination with respect to a sub-
21 mission described in subparagraph
22 (C)(i); or

23 “(II) to act under subsection (e)
24 or (f) based on information not avail-
25 able to the third-party assessor at the

1 time of the review under paragraph
2 (2).

3 “(5) EXPEDITED REVIEW PERIODS.—The fol-
4 lowing review periods shall apply to eligible submis-
5 sions described in paragraph (4)(B):

6 “(A) FIRST TIER.—With respect to a no-
7 tice described in subsection (a)(5)(A)(i) that is
8 considered complete under subsection (k), the
9 review period for completing the determination
10 under subsection (a)(3)(C) shall be the **[XX]**-
11 day period beginning on the date on which the
12 Administrator receives the notice.

13 “(B) SECOND TIER.—With respect to a no-
14 tice described in subsection (a)(5)(A)(ii) that is
15 considered complete under subsection (k), the
16 review period for completing the determination
17 under subsection (a)(3)(C) shall be the **[XX]**-
18 day period beginning on the date on which the
19 Administrator receives the notice.

20 “(C) THIRD TIER.—With respect to a no-
21 tice described in subsection (a)(5)(A)(iii) that is
22 considered complete under subsection (k), the
23 review period for completing the determination
24 under subsection (a)(3)(C) shall be the **[XX]**-

1 day period beginning on the date on which the
2 Administrator receives the notice.

3 “(D) FOURTH TIER.—With respect to a
4 notice described in subsection (a)(5)(A)(iv) that
5 is considered complete under subsection (k), the
6 review period for completing the determination
7 under subsection (a)(3)(C) shall be the **[XX]**-
8 day period beginning on the date on which the
9 Administrator receives the notice.

10 “(E) STEWARDSHIP PATHWAY AUTHORIZA-
11 TIONS.—With respect to a submission for an
12 authorization under the stewardship pathway
13 under subsection (h)(11), the review period for
14 completing the determination under subpara-
15 graph (C)(i) of that subsection shall be the
16 **[XX]**-day period beginning on the date on
17 which the Administrator receives the submis-
18 sion.

19 “(F) LOW VOLUME AND LOW RELEASE
20 AND EXPOSURE EXEMPTIONS.—

21 “(i) IN GENERAL.—With respect to a
22 request submitted under paragraph (4) or
23 (5) of subsection (h), the review period for
24 completing the determination under such
25 paragraph shall be the **[XX]**-day period

1 beginning on the date on which the Admin-
2 istrator receives the submission.

3 “(ii) PERSISTENT, BIOACCUMULATIVE,
4 AND TOXIC SUBSTANCES AND PFAS.—If
5 the chemical substance for which a request
6 is submitted under paragraph (4) or (5) of
7 subsection (h) is a covered substance (as
8 defined in paragraph (6)(A) of that sub-
9 section), the review period for completing
10 the determination under paragraph (4) or
11 (5), as applicable, of that subsection shall
12 be the **[XX]**-day period beginning on the
13 date on which the Administrator receives
14 the submission.

15 “(6) REVOCATION.—The Administrator may re-
16 voke the accreditation of a third-party assessor
17 under this subsection for cause, including a pattern
18 of deficient reviews or failure to comply with the re-
19 quirements of this subsection.

20 “(7) REGULATIONS.—Not later than **[1 year /**
21 **18 months]** after the date of enactment of the Toxic
22 Substances Control Act Fee Reauthorization and
23 Improvement Act of 2026, the Administrator shall
24 promulgate regulations to carry out this subsection,
25 which shall include—

1 “(A) criteria and procedures for accredita-
2 tion and revocation under this subsection;

3 “(B) standards for the conduct of reviews
4 under paragraph (2); and

5 “(C) fees for accreditation, which shall be
6 deposited in the fund established under section
7 26(b)(3)(A).

8 “(8) COSTS.—The costs of a review conducted
9 by an accredited third-party assessor under this sub-
10 section—

11 “(A) shall be borne by the submitter; and

12 “(B) shall not be subject to the fee author-
13 ity under section 26(b).”.

14 **SEC. 7. CERTAIN TYPES OF CHEMICAL SUBSTANCES.**

15 Section 5 of the Toxic Substances Control Act (15
16 U.S.C. 2604) is amended by inserting after subsection (i)
17 (as added by section 6(2)) the following:

18 “(j) CERTAIN TYPES OF CHEMICAL SUBSTANCES.—

19 “(1) IN GENERAL.—The Administrator shall,
20 where notices have been submitted for multiple new
21 chemical substances that are substantially similar to
22 one another and pose a substantially similar hazard,
23 identify and implement streamlined and standard-
24 ized ways to review, determine risk, and protect
25 against unreasonable risk for such types of sub-

1 stances in order to increase efficiency and encourage
2 innovation.

3 “(2) INTEGRATION WITH TIERED REVIEW.—A
4 notice for a new chemical substance that falls within
5 a category identified by the Administrator under
6 paragraph (1) shall be eligible for assignment to the
7 tier of review under subsection (a)(5)(A)(ii) applica-
8 ble to chemical substances for which the Adminis-
9 trator has developed established scientific method-
10 ology for review.”.

11 **SEC. 8. COMPLETENESS STANDARD.**

12 Section 5 of the Toxic Substances Control Act (15
13 U.S.C. 2604) is amended by inserting after subsection (j)
14 (as added by section 7) the following:

15 “(k) COMPLETENESS STANDARD.—

16 “(1) IN GENERAL.—Not later than **[XX]** days
17 after receipt of a submission under this section, the
18 Administrator shall determine if the submission is
19 complete.

20 “(2) GUIDANCE.—

21 “(A) IN GENERAL.—Not later than 270
22 days after the date of enactment of this sub-
23 section, the Administrator shall issue guidance
24 describing the specific data and information ele-
25 ments that constitute a complete submission for

1 each of the following types of submissions
2 under this section:

3 “(i) Premanufacture notices under
4 subsection (a).

5 “(ii) Requests for exemptions sub-
6 mitted under paragraphs (4) and (5) of
7 subsection (h).

8 “(iii) Submissions for authorizations
9 under the stewardship pathway under sub-
10 section (h)(11).

11 “(B) REQUIREMENTS.—

12 “(i) IN GENERAL.—The guidance
13 under subparagraph (A) shall identify, for
14 each submission type described in that
15 subparagraph, the categories of hazard, ex-
16 posure, use, and comparative information
17 required to enable the Administrator to
18 make a determination under this section.

19 “(ii) STEWARDSHIP PATHWAY AU-
20 THORIZATIONS.—In addition to the re-
21 quirements described in clause (i), the
22 guidance under subparagraph (A) for a
23 submission described in clause (iii) of that
24 subparagraph shall require a submission—

1 “(I) to address all applicable ele-
2 ments described in subsection
3 (h)(11)(B); and

4 “(II) to conform to guidance
5 issued under subsection (h)(11)(F)
6 and implementing regulations.

7 “(3) LIMITATIONS ON REQUIRED DATA ELE-
8 MENTS.—

9 “(A) IN GENERAL.—With respect to any
10 submission under this section, the Adminis-
11 trator may not require any data elements be-
12 yond those specified in this section, unless the
13 Administrator provides a written determination
14 based on substantial evidence that such addi-
15 tional data elements are necessary to make a
16 determination under this section.

17 “(B) REQUESTS FOR ADDITIONAL DATA
18 ELEMENTS.—If the Administrator requests
19 data related to a condition of use not described
20 in a submission under this section, including a
21 reasonably foreseeable condition of use, the
22 written determination shall explicitly identify
23 the factual basis for why such use is reasonably
24 foreseeable.

25 “(4) DEFICIENCY NOTICES.—

1 “(A) IN GENERAL.—Not later than **[XX]**
2 calendar days after receipt of a submission
3 under this section, the Administrator may issue
4 to the submitter a written deficiency notice
5 identifying with specificity each information ele-
6 ment required in the guidance issued under
7 paragraph (2) that is missing or materially de-
8 ficient.

9 “(B) REQUIREMENTS.—A deficiency notice
10 issued under subparagraph (A) shall—

11 “(i) identify the specific data or infor-
12 mation element from the guidance that the
13 submission fails to address;

14 “(ii) explain why that element is nec-
15 essary for the applicable review; and

16 “(iii) describe what would constitute a
17 sufficient response.

18 “(C) REVIEW PERIOD.—

19 “(i) IN GENERAL.—The review period
20 applicable to a submission under this sec-
21 tion shall be tolled during the period begin-
22 ning on the date on which a deficiency no-
23 tice is issued under subparagraph (A) and
24 ending on the date on which the submitter

1 provides the data or information described
2 in subparagraph (B)(i).

3 “(ii) RESUMPTION OF REVIEW PE-
4 RIOD.—On the date on which the sub-
5 mitter provides data or information de-
6 scribed in subparagraph (B)(i), the appli-
7 cable review period shall resume with the
8 number of days remaining on the day the
9 period described in clause (i) began.

10 “(D) SUPPLEMENTAL DEFICIENCY NO-
11 TICE.—

12 “(i) IN GENERAL.—If, after the
13 **[XX]**-day period described in subpara-
14 graph (A), the Administrator discovers a
15 material omission in a submission under
16 this section directly related to an informa-
17 tion element required in the guidance
18 issued under paragraph (2) that could not
19 reasonably have been identified within that
20 **[XX]**-day period, the Administrator may
21 issue to the submitter a written supple-
22 mental deficiency notice not later than
23 **[XX]** calendar days after discovering that
24 omission.

1 “(ii) REQUIREMENTS.—A supple-
2 mental deficiency notice issued under
3 clause (i) shall contain—

4 “(I) the information described in
5 subparagraph (B); and

6 “(II) a description of why the
7 omission could not reasonably have
8 been identified during the **[XX]**-day
9 period described in subparagraph (A).

10 “(iii) REVIEW PERIOD.—The review
11 period applicable to a submission under
12 this section shall not be tolled on the
13 issuance of a supplemental deficiency no-
14 tice under clause (i).

15 “(E) EFFECT OF NONISSUANCE.—

16 “(i) IN GENERAL.—If the Adminis-
17 trator does not issue a deficiency notice
18 under this paragraph with respect to a
19 submission under this section within the
20 **[XX]**-day period described in subpara-
21 graph (A)—

22 “(I) subject to subparagraph (D),
23 the submission shall be considered
24 complete; and

1 “(II) the applicable review period
2 shall not be tolled for completeness-re-
3 lated reasons.

4 “(ii) INADEQUATE NOTICE.—A defi-
5 ciency notice issued under subparagraph
6 (A) that does not satisfy the requirements
7 described in subparagraph (B) shall be
8 treated as if the deficiency notice had not
9 been issued.

10 “(5) RELATION TO REVIEW PERIOD.—With re-
11 spect to a submission under this section—

12 “(A) the applicable review period under
13 this section shall begin on the date on which
14 the Administrator receives the submission; and

15 “(B) except as provided in paragraph
16 (4)(C), the applicable review period under this
17 section shall run concurrently with the period of
18 determining completeness under this sub-
19 section.”.

20 **SEC. 9. PEER REVIEW.**

21 Section 6(b)(4)(F) of the Toxic Substances Control
22 Act (15 U.S.C. 2605(b)(4)(F)) is amended—

23 (1) in clause (iv), by striking “and” at the end;

24 (2) by redesignating clause (v) as clause (vi);

25 and

1 (3) by inserting after clause (iv) the following:

2 “(v) submit the risk evaluation for
3 peer review by the Science Advisory Com-
4 mittee on Chemicals in accordance with
5 section 26(o)(5); and”.

6 **SEC. 10. EQUIVALENCY.**

7 (a) IN GENERAL.—Section 8(b)(3) of the Toxic Sub-
8 stances Control Act (15 U.S.C. 2607(b)(3)) is amended
9 by adding at the end the following:

10 “(C) EQUIVALENCY.—

11 “(i) IN GENERAL.—A chemical sub-
12 stance shall be considered equivalent to a
13 substance of unknown or variable composi-
14 tion, complex reaction product, or biologi-
15 cal material appearing as an active sub-
16 stance on the list described under para-
17 graph (1) on a determination by the manu-
18 facturer or processor that, without regard
19 to feedstock, such chemical substance uses
20 the same process descriptors and fits with-
21 in the same—

22 “(I) predominant carbon-number
23 ranges;

24 “(II) approximate boiling ranges;

25 and

1 “(III) other relevant information
2 found in the Chemical Name and
3 Chemical Substance Definition, if
4 present.

5 “(ii) RULE OF CONSTRUCTION.—For
6 purposes of clause (i), the raw material
7 source term in the substance name or sup-
8 plementary definition shall be considered
9 as an example term and not a requirement
10 for determining the status of a substance
11 on the list under paragraph (1) for chem-
12 ical substances, including alternative-
13 source process streams.

14 “(iii) DEFINITION.—In this subpara-
15 graph, the term ‘substance of unknown or
16 variable composition, complex reaction
17 product, or biological material’ means a
18 Class 2 chemical substance with no definite
19 molecular formula representation and par-
20 tial structural diagrams or no structural
21 diagrams.”.

22 **SEC. 11. CITIZENS’ PETITIONS.**

23 Section 21 of the Toxic Substances Control Act (15
24 U.S.C. 2620) is amended—

25 (1) in subsection (a)—

1 (A) by striking “rule under section 4, 6, or
2 8 or” and inserting “rule under section 4 or 8,
3 the commencement of a risk evaluation under
4 section 6(b), or the issuance, amendment, or re-
5 peal of”; and

6 (B) by striking “5(e) or (f)” and inserting
7 “subsection (e) or (f) of section 5”; and
8 (2) in subsection (b)—

9 (A) in paragraph (1)—

10 (i) by striking “(1) Such petition”
11 and inserting the following:

12 “(1) FILING OF PETITION.—A petition under
13 subsection (a)”;

14 (ii) by striking “rule under section 4,
15 6, or 8 or an order under section 4 or 5(e)
16 or (f)” and inserting “rule under section 4
17 or 8, commence a risk evaluation under
18 section 6(b), or issue, amend, or repeal an
19 order under section 4 or subsection (e) or
20 (f) of section 5”;

21 (B) in paragraph (2)—

22 (i) by striking “(2) The Adminis-
23 trator” and inserting the following:

24 “(2) HEARING; INVESTIGATION.—The Adminis-
25 trator”;

1 (ii) by striking “such petition” and in-
2 serting “a petition under subsection (a)”;
3 (C) in paragraph (3)—

4 (i) by striking “(3) Within 90” and
5 inserting the following:

6 “(3) GRANT OR DENIAL.—Within 90”;

7 (ii) in the second sentence, by striking
8 “6,” and inserting “6(b),”; and

9 (iii) by inserting after the second sen-
10 tence the following: “The Administrator
11 may only grant the petition if the petition
12 demonstrates by clear and convincing evi-
13 dence that undertaking the action de-
14 scribed in the petition is necessary.”;

15 (D) in paragraph (4)—

16 (i) by striking the paragraph designa-
17 tion and all that follows through “If the
18 Administrator” in the first sentence of
19 subparagraph (A) and inserting the fol-
20 lowing:

21 “(4) CIVIL ACTION.—

22 “(A) IN GENERAL.—If the Administrator”;

23 (ii) in subparagraph (A), in the first
24 sentence, by striking “to compel the Ad-
25 ministrator to initiate a rulemaking pro-

1 ceeding as requested in the petition” and
2 inserting “to require the Administrator to
3 reconsider the denial of the petition”;

4 (iii) by striking subparagraph (B) and
5 inserting the following:

6 “(B) PROCEDURES.—

7 “(i) IN GENERAL.—In an action
8 under subparagraph (A) respecting a peti-
9 tion to initiate a proceeding to issue a rule
10 under section 4 or 6, commence a risk
11 evaluation under section 6(b), or issue,
12 amend, or repeal an order under section 4
13 or subsection (e) or (f) of section 5, the pe-
14 titioner shall be provided an opportunity to
15 request a court to require the Adminis-
16 trator to reconsider the denial of the peti-
17 tion.

18 “(ii) STANDARD OF EVIDENCE.—A
19 court may only require the Administrator
20 to reconsider the denial of a petition de-
21 scribed in clause (i) if the petition dem-
22 onstrates, by clear and convincing evi-
23 dence, that—

1 “(I) the requested action is nec-
2 essary to protect health or the envi-
3 ronment; and

4 “(II) the denial of the petition
5 was inconsistent with the purposes of
6 this Act.

7 “(iii) DE NOVO PROCEEDING.—A
8 court shall review a denial of a petition de-
9 scribed in clause (i) in a de novo pro-
10 ceeding.”; and

11 (iv) in subparagraph (C)—

12 (I) by striking “(C) The court”
13 and inserting the following:

14 “(C) COSTS OF SUIT.—The court”; and

15 (II) in the second sentence, by
16 striking “to review such an order”
17 and inserting “to require reconsider-
18 ation of the denial of a petition de-
19 scribed in subparagraph (B)(i)”; and

20 (E) in paragraph (5), by striking “(5) The
21 remedies” and inserting the following:

22 “(5) REMEDIES.—The remedies”.

23 **SEC. 12. ADMINISTRATION OF THE ACT.**

24 Section 26 of the Toxic Substances Control Act (15
25 U.S.C. 2625) is amended—

1 (1) in subsection (b)(6), by striking “10 years”
2 and inserting “20 years”;

3 (2) in subsection (h)—

4 (A) in paragraph (4), by striking “and” at
5 the end;

6 (B) in paragraph (5), by striking the pe-
7 riod at the end and inserting a semicolon; and

8 (C) by adding at the end the following:

9 “(6) the extent to which any draft or final sci-
10 entific assessment or risk evaluation developed by
11 the Administrator is consistent with the scientific
12 standards described in this subsection and sub-
13 section (i) when relied on by the Administrator; and

14 “(7) the comments and expertise of other Fed-
15 eral agencies following a robust and formal inter-
16 agency review process, including the Department of
17 Defense, the Department of Energy, the Occupa-
18 tional Safety and Health Administration, and the
19 Department of Agriculture.”; and

20 (3) in subsection (o), by adding at the end the
21 following:

22 “(5) COMMITTEE REVIEW.—

23 “(A) IN GENERAL.—In reviewing a risk
24 evaluation conducted under section 6, the Com-

1 mittee shall conduct a complete in-person peer
2 review.

3 “(B) REQUIREMENTS.—In conducting a
4 peer review under subparagraph (A), the Com-
5 mittee shall—

6 “(i) allow reviewers a minimum of
7 **【XX】** days to conduct peer reviews; and

8 “(ii) ensure a thorough review of the
9 risk evaluations, including—

10 “(I) the underlying science relied
11 on by the Administrator and in mak-
12 ing the risk determinations of the Ad-
13 ministrator; and

14 “(II) the quality and scientific
15 veracity of any draft or final scientific
16 assessment relied on by the Adminis-
17 trator in conducting the risk evalua-
18 tions.”.

19 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

20 There is authorized to be appropriated to carry out
21 this Act and the amendments made by this Act **【\$XXXX】**
22 for each of fiscal years 2027 through 2031.