Response to Comments Received on Points to Consider Posted for Comment November 2017					
Comment #	**Commenter**	**Topic**	**Type**	**Comment**	**Response**
General/Overview Comments					
1	Ecolab	General	Process	Appreciate transparency willingness to reach out to stakeholders; borrows from SF and is a valuable guidance document; reinforces importance of doing your homework.	EPA agrees; thank you for the comment.
2	Ecolab	General	Editorial	It would be beneficial if the draft document referenced the EPA Interpretive Assistance Documents (SF Training Materials) for both Polymers and Discrete Organics. These guidance docs are a great resource and help to provide “rules of thumb” when assessing new substances.	References to the Sustainable Futures Interpretative Guidance are included in the PtC document. [No change made to PtC]
3	P&G	General	Editorial	Section 1 Purpose and Background Overview of NCR Process diagram - suggest depicting communication points between EPA and PMN submitter.	The communication points between EPA and submitter is addressed in Section VII: Post-Submission Communication. EPA is currently considering changes to the NCR process in which additional communication opportunites will be considered.
4	ACC2	General	Editorial	Section I.2. PAGE 2 This is also a good place to note that submitters should address category and structural alerts and may need to bring additional information forward. - "Specific details" and "additional information."	Section I provides high-level overview of the TSCA section 5 process and requirements. Assessment details such as structural alerts and chemical categories are addressed later in the documet (Section 3) within the context of the pertinent assessment component. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
5	Ecolab & ACC2	General	Process	Our understanding is that the agency breaks up a submission into various pieces and only hands out specific info to those reviewing their area of expertise. Often we lose time going back and forth with the agency, providing information to individuals that had initially been included in the original submission. This valuable info can drastically change the outcome of a reviewer's decision if they default to worst case. How does a company ensure that all the information they provide to the agency in a PMN gets to all the necessary individuals reviewing a submission the first time? Somewhat related to the previous bullet. With a large amount of data submitted, it is more likely that a key piece of information may not make it into the hands of the right reviewer, negatively impacting the assessment. Is it possible for companies to provide too much information?	All EPA staff involved in a PMN review have access to all information submitted; the entire submission package is housed in a CBI secured IT system. However, because there are few information/file 'structure' requirements for submissions (other than the PMN form), it can be an inefficient effort to identify all pertinent information within the short review timeframe. Hence, EPA acknowledges that in some instances data or information may not be initially identified. EPA has on-going efforts to better manage PMN submission information. It is very helpful if submitters would structure and label the information they submit in an informative way, e.g., separate different data streams or tests into separate files and label them descriptively, i.e., acute Daphnid test.pdf or manufacturing process diagram.pdf, etc. This type of structure and labelling would enhance EPA's ability to quickly identify the available information for each of the analyses in the PMN risk assessment. For large data submissions, companies should consider providing a summary/list of the information and how they view the provided information as being relevant to different parts of the risk assessment.
6	ACC2	General	Process	How does a submitter ensure that information provided by the submitter to EPA at some point in the process is getting shared with other relevant decision-makers? Can EPA describe how the information provided to the Agency is compiled into a single file?	All EPA staff involved in a PMN review have access to all information submitted; the entire submission package is housed in a CBI secured IT system. A 'single' file is not compiled per se. Each analyst accesses the data relevant to their analysis to create a report (e.g., exposure, ecotox, health, etc.); these reports provide the basis for the risk assessment. [Process question; No change made/requested to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
7	Covestro	General	Process	Timeline to get a chemical to market can be critical. Customers may show an interest to a chemical, but will continue their application development and select a different product if that chemical will not be available in a timely fashion. The development of the information which is recommended in the attached will take, at a minimum, an extra year to develop. This will have a significant impact on the ability of US companies to bring new chemicals to market. We may need to submit PMN's earlier, without having definitive information on exactly how the customer will be using the chemical. We may also need to submit PMNs on multiple chemicals instead of the best option, as this may reduce the timeline to market.	The PtC document is meant to be a brief overview of the New Chemicals review process, highlighting specific points where assumptions are made and may be able to be refined by more case- or chemical- specific data. The points to consider is not a list of requested or required data, information or testing. EPA encourages pre-submission meetings and is committed to providing as much guidance and advice that it can during pre-notice meetings. [No change made/requested to PtC]
8	Covestro	General	Process	Section III.E. It would be interesting to understand how EPA conducts an open literature search, especially in context of foreseeable uses.	In general for new chemicals, EPA looks to Chemidplus (NLM), JCheck (NITE-Japan) and other large databases for information on chemical analogs for new chemical submissions. In terms of foreseeable uses, the sources of information include previous PMN submissions and chemical abstract service (CAS) publications. https://chem.nlm.nih.gov/chemidplus/ http://www.safe.nite.go.jp/jcheck/top.action [No change made to PtC]
9	Covestro	General	Process	Section III.F.iii.Need to know location on submission, and type of data requested (e.g., SF form, or other assessments).	Any type of data or information can be provided as attachments to the submission; there is a place on the PMN form to list attachments on page 12. [Question answered; No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
10	ACC, Other	General	Process	Can a submitter request in the PMN cover letter (at the time of PMN submission) that if an engineering and/or exposure report is generated during the 90-day PMN review, submitter would like to receive a copy of the report after it's sanitized by EPA? Would EPA consider in-advance request for engineering/exposure report? [EPA] Should automatically provide submitter with engineering, risk assessment and other reports including Focus group notes within 5 working days of finalization. This will facilitate discussions.	Currently the submitter can request a copy of these reports from the project manager. EPA notes that we generally will not share these reports until they have been completed and QC'd (i.e., preliminary reports are considered deliberative and subject to change). EPA is currently considering changes to the NCR process in which additional communication opportunites wll be considered. [No change made/requested to PtC]
11	ACC, Dow	General	Process	The document indicates on pages ##11 and 17 regarding review of "…other information, such as a review by another international agency…." Does this mean that we can submit a review done by Canada for an NSN for the same substance for consideration? Also, If REACh data is available, and we are not a registrant, can we summarize the data for the PMN substance (or a surrogate chemical) and indicate that the data is part of a consortium; therefore, we don't have access to the full reports?	Yes, the Canadian material could be included but a full PMN submission would still be required. Indication of availability of data submitted under REACH is also useful; however, EPA has no way of accessing anything other than the robust summaries in the ECHA database; hence, depending on the level of review deemed necessary the robust summary may or may not suffice for the intended purpose.; [Question answered; PtC provides similar information]

Comment #	Commenter	Topic	Type	Comment	Response
12		General	Process	When PMN is similar to previous PMN substances can submission be streamlined by assigning same review team.	For certain chemistries or analyses, this approach may be taken. OPPT has adopted an approach used by our sister office, OPP, wherein discipline experts participate in discipline-specific Technical Teams with the aim of facilitating transfer of technical knowledge, peer review, and team-based developement/evolution of methods and approaches. This approach also aims to provide consistency across assessments, thereby allowing OPPT to leverage all avaialble staff for PMN review. [Question answered; no change made to PtC]
13	Via public meeting/UCSF, EWG, EDF	General	Process	The draft Points to Consider document was initially only shared with industry in a way that was not transparent. a. EPA is encouraged to release the original document along with the redline version documenting all changes that were made before its full release. All stakeholders and the public should have equal opportunity to provide input.	EPA posted the draft document that was sent to industry submitters to pilot to our website. A second draft docment that reflects changes made in response to comments from industry and internal EPA comments, and a redline version of the document to illustrate changes. [Requested documents posted to Docket: https://www.regulations.gov/document?D=EPA-HQ-OPPT-2017-0585-0047]
14	Via public meeting/BIO	General	Process	MCANs have not been addressed in the Draft Points to Consider document, and EPA should provide clarification on how these reviews will be addressed.	This is correct. Due to the different nature of data and information for submitting MCANs, EPA provides guidance on preparing MCANs in a separate document. See https://www.epa.gov/sites/production/files/2015-08/documents/biotech_points_to_consider.pdf. [Question answered; no change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
15	Ecolab	General	Regulatory	Since TSCA reform, has there been any regulatory relief with a combined TME and PMN with a full P2 assessment for a graduate of Sustainable Futures?	Companies that take the training and graduate from Sustainable Futures become eligible for an expedited EPA premanufacture review. EPA has received a combined PMN and TME submission since TSCA was amended. In addition, EPA continues to receive submission that include P2 Assessments conducted by graduates of Sustainable Futures. [Question answered; no change made to PtC]
16	P&G	General	Regulatory	Section 1 Purpose and Background First para - does LVE also include TME?	The first paragraph of PtC mentions exemption notices and provides one example exemption; TME is also a type of exemption notice. The guidance provided in PtC document is applicable to exemption notices. [No change made to PtC]
17	Via public meeting/SOCMA	General	Regulatory	The Points to Consider document does not adequately differentiate between exemption applications and PMNs. The Section 5(h) process should stay distinct and should be governed by their unique statutory language. EPA's Jeff Morris confirmed this at the December 6th meeting, but in practice, industry has been told informally that low volume (LVE) and low release/low exposure (LoREX) exemptions are not viable post- Lautenberg, and they should instead submit a PMN.	Most, if not all of the technical analyses conducted for a PMN are are the same for LVE and LoRex notice. Hence, most of the Points to Consider document could be useful for submitters that are considering either type of submission. [No change made to PtC]
18	Ecolab	General	Technical	Would there be value in providing a list of EPA default "worst-case" assumptions for various key endpoints when conducting the risk assessment?	The PtC document is meant to be a brief overview of the New Chemicals review process, highlighting specific points where assumptions are made and may be able to be refined by more case- or chemical- specific data. Section III includes assumptions and default parameters within the context of each of the component analyses. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
19	Dow	General	Technical	EPA should use a tiered assessment framework that is risk-based, not hazard-based.	EPA's new chemical assessments are risk- based. A risk assessment, which includes consideration of both exposure and hazards for all relevant exposure pathways and receptors pathways, is conducted for each new chemical submission. Both exposure (e.g., no or limited) and hazard (no or low) may be considered in planning what level of effort needs to be applied in conducting the risk assessment; e.g., for certain processing or use scenarios there may be no need for assessing inhalation exposures or if there will be no releases to water, there may be no need for assessing aquatic receptors. [Clarification provided; No change made to PtC]
20	Dow	General	Technical	All chemicals present hazards but a safe set of use conditions can generally be defined.	This is the purpose of conducting the risk assessment and risk management components of New Chemicals review. [No change made to PtC]
21	Dow	General	Technical	EPA must make an effort to help incorporate alternative and mechanistic approaches and not be satisfied with only mentioning these approaches.	The PtC mentions alternative approaches multiple times. EPA is working to develop a Strategic Plan for reducing and replacing vertebrate animals in testing, which will be accomplished using alternative methods. This Strategy has been the topic of two public meetings and will be published June 22, 2018. https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/alternative-test-methods-and-strategies-reduce

Comment #	Commenter	Topic	Type	Comment	Response
22	Via public meeting/HSUS			The Points to Consider document does not adequately address the mandate to reduce vertebrate animal testing.	EPA notes that the New Chemicals Program has been using alternative methods such as computational/predictive toxicology tools and categories/read-across for decades; demonstrating we have willingness and experience using alternative approaches in a risk assessment context. [No change made to PtC; alternative testing and links to test guidelines for in-vitro methods are already in PtC] https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/alternative-test-methods-and-strategies-reduce
23	Via public meeting/ACC, NCC	General	Technical	Points to Consider should provide additional guidance on choice of analogs. The Points to Consider should provide additional guidance on: robust summaries of studies vs. full studies; analog choice; example scenarios where testing might typically be required; a rationale for measured vs. modeled data; structural alerts; and substantiation for suggested engineering and exposure controls.	The PtC document is meant to be a brief overview of the New Chemicals review process, highlighting specific points where assumptions are made and can be refined by more case- or chemical-specific data. It is not meant to replace nor update the more detailed Sustainable Futures P2 Framework Manual nor incorporate the detailed information in the New Chemicals Program New Chemical Category. Rather, the PtC provides references to EPA's Analog Identification Methodology (AIM) and to OECD guidance on categrories and read-across which discuss this topic in detail. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
24	Via public meeting/API	General	Technical	EPA should provide additional guidance and examples regarding review of UVCBs in the New Chemical Review Program. For example, Section III of the Points to Consider document should explain how EPA is handling UVCBs in terms of predicted physical-chemical properties, toxicity, bioaccumulation, and other characteristics. Further, EPA should clarify its process for selecting analogues for exposure and risk evaluation. EPA should be transparent regarding what analogues it uses and how it uses them.	To provide detailed guidance regarding a particular class of chemicals is beyond the scope of the PtC. EPA is continually evolving scientific approaches for assessing chemicals, including participation in international efforts to improve assessment of UVCBs. The PtC references EPA's process for analog identification, i.e.. EPA's Analog Identification Methodology (AIM) tool, New Chemicals Program Chemical Categories document and the OECD Guidance on Grouping of chemicals as the guiding principles for analog identification and read-across. [No change made to PtC; beyond the scope of PtC]
25	Covestro	Regulatory	Regulatory	Section III.F.i. Does this mean that EPA want to know the global inventory status for each PMN substance, or the submissions for inclusion to an international inventory which has been submitted by the submitter?	Not necessarily - however, If the submitter has possession of information on the chemical substance that it has already submitted to other organizations, that information should be submitted to the EPA. An indication of being present on other inventories is not relevant to risk assessment unless that connects to information developed for the chemical or use. [Question answered; no change made to PtC]
26	Ecolab	General	Editorial	Would there be value in providing generic examples of what a “good” PMN submission would look like with all the key information the agency would need to make decision?	The PtC document is meant to be a brief overview of the New Chemicals review process, highlighting specific points where assumptions are made and may be able to be refined by more case- or chemical- specific data. Examples of PMNs exist in the Sustainable Futures training materials which are referenced in the PtC. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
27	P&G	General	Editorial	Section 1 Purpose and Background First para - footnote 2 - suggest including as text not footnote, given its importance (reasonably foreseen, intended uses).	The Points to Consider document intends to advise submitters on how to develop notices and what types of information EPA can use in developing the risk assessment for the intended use identified in the PMN. EPA welcomes any information that submitters can provide about forseeable conditions of use, but understands that submitters may have limited information regarding reasonably foreseen uses. [No change made to PtC]
Comments on Chemical Identity					
28	P&G	Chemical Identity	Editorial	Section II.A. Footnote 4: Suggest bolding text to place more emphasis on the importance of the chemical categories document. Make it clear that testing recommended by chemical categories document. Also suggest including reference to "TSCA Section 5(e) Exposure-Based Policy: Testing" and placing emphasis on the guidance therein.	EPA appreciates comment. EPA notes that the testing provided in the New Chemicals Program Chemical Categories document are provided for transparency and for proving insight as to what types of testing may potentially be useful for chemicals within the category. However, these tests are not required and the need for further testing of a new chemical is made on a case-by-case basis. [No change made to PtC]
29	Dow	Chemical Identity		Section II A. EPA should consider updating the Chemical Categories document with new categories (e.g., lung effects).	EPA's recent focus has been on developing new Chemical Categories to aid in assessingcategories of chemicals that have been increasingly submitted to EPA and for which exisitng categories do not exists, i.e., EPA has strategically focused efforts on current chemistries and assessment needs. EPA expects to publish these new chemical categories soon. [No change made to PtC; comment is about New Chemical Categories document, not PtC]
Comments on Production, Import & Use Information					
30	P&G	Uses	Editorial	Section II.B. Recommend emphasizing importance of Use Information for a risk-based review.	The importance of use information is provided in section IIB and throughout section E. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
31	ACC2	Uses	Technical	Can additional guidance on how EPA determines foreseeable uses be provided? These uses will drive the non-order SNUR process and some basic understanding of how EPA is reaching those decisions would be helpful.	Section II.B. provides the Irequirements found at 40CFR 720.45. The sources of foreseeable use information include, for example, previous PMN submissions in the CBI database and chemical abstract service (CAS) publications. [No change made to PtC]
32	Covestro	Uses	Technical	Section III.F.i. Again, how to address foreseeable uses for particle size?	EPA welcomes any information that submitters can provide about forseeable conditions of use. If it is anticipated that a particulate chemical can or cannot be made with differing particle sizes, that information would be useful for EPA to know, and foreseen uses. [Question answered; No change made to PtC]
Comments on Pre-Notice Consultation					
33	Covestro, P & G	Pre-Notice Consultation	Technical	Section III.A. Will EPA be prepared to discuss topics like poorly soluble chemicals, polymers, if respirable particles are an issue, etc. Section III.C. Will EPA provide guidance for how to measure properties for polymers, UVCBs? For example, water solubility, log P.	Yes, EPA is prepared to discuss and provide guidance for measuring and testing chemicals, especially difficult-to-test substances. However these discussions are often best conducted on a case-by- case basis. EPA encourages submitters to request a pre-notice meeting if they are unclear about what types of information should be submitted. [Question answered; No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
34	ACC2	Pre-Notice Consultation	Process	Section III.A. It would be helpful if EPA can, in the context of a pre-submission consultation, identify any missing information considered necessary for the review. The consultation is also an important opportunity to understand where there are potential areas of concern from the Agency's perspective (e.g., hazard and exposure), testing strategies that might be expected for a complete Agency review, and whether the substance falls in a category of concern. This is particularly important for so that submitters can ensure they've addressed those areas as much as possible. This guidance document certainly helps. The reasonably foreseen uses is an example of where discussion/feedback from the Agency would be helpful in the pre-submission process.	EPA is committed to providing as much guidance and advice that it can during pre-notice meetings. The more knowldege/information submitters can bring to the meeting about thier chemistries, manufacturing processes and uses of their chemicals, the more productive the meeting is likely to be. However, it must be realized that EPA will not have conducted the evaluation for the new chemical prior to its' submission; hence, every specific scenario cannot be anticipated. [Comment; No change made/requested to PtC]
35	ACC2	Pre-Notice Consultation	Process	Section III. A. One risk is that the Points to Consider document simply becomes a useful checklist, and that the pre-submission dialogue becomes less valuable to EPA or the submitter.	EPA encourages pre-submission meetings and is committed to providing as much guidance and advice that it can during pre-notice meetings. [Comment; No change made/requested to PtC]
36	ACC2	Pre-Notice Consultation	Process	Section III. A. Can this be made shorter and more certain? Even a response/confirmation of request within one week would be better than an uncertain 2-4 period. Moreover, a 2-4 week period may not provide much incentive for a submitter to avail themselves of the pre- consultation meeting if they are trying to meet	EPA understands the need for timely responses and are working toward developing an efficient process for pre-notice communications. [Question; No change made/requested to PtC]
37	ACC2	Pre-Notice Consultation	Process	Section III. A. Would be helpful to address how these discussions/meetings reflect confidentiality considerations? Are all these discussions considered confidential by definition?	EPA will treat information as CBI if the company claims it as CBI. These discussions won't necessarily be considered confidential unless the company requests that they be treated as CBI. Once a company submits a new chemical notification, if it refers to the prenotice information and claims that information as confidential, CBI substantiation requirements apply. [Question; No change made/requested to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
38		Pre-Notice Consultation	Process	Prenotice submission process: Helpful to review submission packages for missing information, testing strategies, category concerns, etc.	EPA agrees. In general, EPA strives to do so as part of the current pre-notice process. [No change made to PtC]
Comments on Initial Chemistry Review					
39	ACC2	Chemistry	Editorial	Section III. C. Suggest footnoting to the flag or an example of its use on the Inventory.	The 'NOTE' provides explanation of flags and their use on the inventory. [No change made]
40	Covestro & ACC & others	Chemistry	Process	EPA needs to provide information on polymers. The use of modelling is most appropriate for discreet chemicals, and not polymers. Will the agency be recommending a method(s) for the aerosolized droplet size? (There seems to be a lack of guidance/methods for this type of test)	EPA encourages submitters to request a pre-notice meeting if they are unclear about what types of information should be submitted. [No change made to PtC; detailed guidance for specific chemical classes is beyond the scope of PtC.]
41	Covestro	Chemistry	Technical	Section III.F.ii. What kind of information? Concentration of new substance? What else? Where is this placed on the PMN form?	Any type of information can be submitted as an appendix to a notice. EPA encourages the submitter to use descriptive titles for such attachments. EPA encourages submitters to request a pre-notice meeting if they are unclear about what types of information should be submitted and where on the form that information may be placed. [No change made to PtC; PtC recommends pre-notice meetings for specific questions]
42	P&G	Chemistry	Technical	Section III.C. RE: Concentration of dissociated (ionized)… Assume you refer to pKa? Will a measurement or modeled prediction (e.g., ACD Labs) suffice for pKa?	While high quality measured data are preferred, EPA will accept modeled predictions if the structure is considered to be well described by that model (i.e., the new chemical is within the applicability domain of the model and documentation of this is provided) and the model is in the public domain. EPA does routinely use ACD labs. High quality measured values are preferred. [Question answered; No change made to PtC; this topic is covered in the environmental fate section of the PtC]

Comment #	Commenter	Topic	Type	Comment	Response
43	P&G	Chemistry	Technical	Section III.C. RE: measured values for p-chem properties, etc.: Suggest providing context that this information is used to predict environmental fate of the PMN substance.	EPA uses measured p-chem values to aid in modeling and to provide information for analog selection. Measured p-chem values are also frequently used for both EPISuite and ECOSAR. [No change made to PtC; this statement already appears in the subsequent section of the PtC]
44	Dow	Chemistry		Section III C. CRSS - re: absence of particle size distribution, assume respirable: There are industry data and accepted practices on certain spray applications such as consumer spray cleaners that indicate such sprays generate non- respirable. Agency should consider this.	It would be helpful for industry to provide the referenced data to EPA with the new chemical submission. EPA periodically incorporates information of this type into assessment practices including worker and consumer exposure assessment parameters. [No change made to PtC; insufficient information provided to support a change]
Comments on Human Health Hazard/Toxicity					
45	Dow	Human Haz/Tox		Section IIIDi For relevant routes of exposure there are accepted methods that allow for extrapolation between routes.	EPA does extrapolate between exposure routes in PMN risk assessments. [No change made to PtC; exposure route considerations already in PtC]
46	Dow	Human Haz/Tox		Section IIIDi RE: consideration of metabolic pathways, species sensitivities and mechanisms - would like more details. Would AOPs be helpful? MOA data on analogs sufficient?	It is difficult to make a categorical statement on this, but certainly EPA would consider these types of information when included in submissions when adequately explained and supported. [No changes made to PtC; assessment comment beyond scope of PtC]
47	Dow	Human Haz/Tox		Section IIIDi Re: selection of analogs - provide sufficient justification. Recognize CBI concerns.	The PtC provides references to EPA's Analog Identification Methodology (AIM) and to OECD guidance on categrories and read-across which discuss this topic in detail. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
48	Dow	Human Haz/Tox		Section IIIDi states that we "require information on short-term and long-term exposure" Notes that the data should be generated according to the type/length of application .	The text is meant to convey that the information is required to conduct a risk assessment, not that EPA requires this information from the submitter. In cases where specific information is not provided by the submitter, EPA will use assumptions/default parameters. EPA assessments do consider conditions of use and exposures resulting from them, including duration, magnitude, frequency. [Text in PtC changed to make clear that data generation is not required]
49	ACC2, Ecolab, P&G	Human Health Haz/Tox	Process	Section III. D. iii. Suggest aligning the human health toxicity cutoffs with GHS, which would also simplify hazard evaluations and communications by submitters to multiple audiences. Section III.D.i. How are the human health score of (low = 1, moderate = 2, or high = 3) derived? A table similar to the ecotox hazard/toxicity section (iii) with LD50 or NOAEL/LOAEL values would be helpful identifying key studies endpoints submitters should look for. Leveraging GHS classification criteria would be preferable Section III.D.1. There is a good explanation of how a score is determined in the Env. Fate and effects section. A similar description would be helpful in this section.	The PtC document is meant to be a brief overview of the New Chemicals review process, highlighting specific points where assumptions are made and can be refined by more case- or chemical-specific data. It is not meant to replace nor update the more detailed EPA guidance. Toxicity characterization bands are provided in EPA's Sustainable Futures/P2 Framework Manual. Specific sections of this manual are cited throughout the Human Health Hazard/Toxicity section of PtC. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
50	ACC2	Human Health Hazard/Tox	Editorial	Section II. C. Might be helpful to explain why EPA wants full study reports. This seems to be one area where there is a back-and-forth between the Agency and submitters and an area where delays might occur if the Agency has to get the full study.	EPA strongly prefers, but does not require full study reports for PMN assessments. Full study reports allow EPA assessors to perform robust study/data evaluation and consider adherence to or deviation from test guidelines. Details on test material, analytical methods, detailed endpoint measurements, raw data, etc are missing from robust summaries. When there are questions or concerns about study results and EPA does not have information to resolve them without full study reports, we may not accept or rely on such data to conduct an assessment. [No change made; this is a detailed assessment comment beyond the scope of PtC]
51	ACC2	Human Health Hazard/Tox	Editorial	Section III. D. i. Suggest using the term as it appears in section 26(i) of TSCA. "scientific evidence."	[Change made to PtC]
52	Covestro	Human Health Hazard/Tox	Editorial	Section III.F.i. The reference defining structural alerts should be here.	[Change made to PtC; reference 14 added]
53	Covestro	Human Health Hazard/Tox	Editorial	Section III.F.i. Need to define what information from a review by another international agency should be included. Also, need to indicate where in the PMN application this type of information should be placed.	EPA encourages submission of any materials that may be relevant to the risk assessment. The PMN form allows for addition of appendices to each PMN. [No change made to PtC]
54	Covestro	Human Health Hazard/Tox	Editorial	Section III.F.i. EPA should provide an example document to demonstrate how to do this justification (e.g., Analog ID)	EPA uses the EPA's Analog Identification Methodology (AIM) tool, New Chemicals Program Chemical Categories document and the OECD Guidance on Grouping of chemicals as the guiding principles for analog identification and read-across. Each of these documents are cited within the specific section of PtC where analogs are discussed to guide the reader to those documents for detailed information. [No change made to PtC; detailed guidance beyond scope of PtC]

Comment #	Commenter	Topic	Type	Comment	Response
55	ACC2	Human Health Hazard/Tox	Technical	Section III. C.With respect to analogs, we often cannot determine whether the Agency is using the proposed analogs or using different ones. There are particular issues with respect to analogs on the Confidential Inventory, of course, but it is difficult to have a productive dialogue on analogs if submitters do not understand the basis. Further clarification would also help on the use of analogs when measured data is provided. Suggest that a separate subsection on analogs be considered, particularly to provide guidance on the type of information that will be useful in assessing submitter-recommended analogs.	EPA does rely on previous PMNs that have associated data as analogs; EPA can let a submitter know if the identity of the analog(s) being used for their assessment is public or CBI. EPA uses the EPA's Analog Identification Methodology (AIM) tool, New Chemicals Program Chemical Categories document and the OECD Guidance on Grouping of chemicals as the guiding principles for analog identification and read-across. Each of these documents are cited within the specific section of PtC where analogs are discussed to guide the reader to those documents for detailed information. [No change made to PtC; citations are already in PtC]
56	ACC2	Human Health Hazard/Tox	Technical	Section I.2. page 2 It would be helpful to provide an example or two under each of these subparagraphs. For example, the lack of a full study may cause subsequent delays, and the lack of documentation that a submitter-recommended analog behaves in a particular way may similarly push EPA to rely on its choice of analog.	This is the introduction, therefore the issues are briefly presented. More detail is provided in later sections of the document along with references to more detailed descriptions of the new chemicals review process (e.g., Sustainable Futures Interpretive Guidance. [No change made to PtC; detailed guidance beyond scope of PtC]
57	ACC2	Human Health Hazard/Tox	Technical	Section III. C. Would also be helpful to address in this section the value of other information that might be available, e.g., Robust Study Summaries from the EU. While there may be questions about the quality of the summary, it would help note the existence of potentially relevant information. It would be helpful to be specific about addressing even the effects not considered relevant for human or environmental exposures.	The PtC document recommends submitting any/all relevant data and/or references, including those that may have been submitted under REACH, to EPA. If a full study is not available, the robust summaries may be useful as a line of evidence in the evaluation but in some situations a full study report may be necessary (see previuos response). [No change made; submission of relevant data/information already in PtC]

Comment #	Commenter	Topic	Type	Comment	Response
58	P&G	Human Health Hazard/Tox	Technical	Section II.C. A full report or standard literature citation: Clarify that this is something such as a HERA report or an integrated safety assessment. Does this also apply to company technical reports?	EPA will consider robust summaries and evaluations by other entities (such as HERA); however, EPA strongly prefers full study reports for PMN assessments. Full study reports allow EPA assessors to perform robust study/data evaluation and consider adherence to or deviation from test guidelines. Details on test material, analytical methods, detailed endpoint measurements, raw data, etc are missing from robust summaries. When there are questions or concerns about study results and EPA does not have information to resolve them without full study reports, we may not accept or rely on such data to conduct an assessment. [No change made to PtC; issue addressed in PtC]
59	Via public meeting/EWG	Human Health Hazard/Tox	Technical	There is concern that that endocrine-disrupting chemicals or endocrine-specific endpoints are not included as potential sources of information on new chemicals from manufacturers in either the Points to Consider document or the outline for the New Chemicals Decision Guidelines Manual. EPA should ensure that data on sensitive endpoints, such as mammary gland development, are collected so that chemicals can be evaluated for their potential to interfere with hormone activity.	The points to consider document is not meant to list every endpoint that is considered in human health hazard assessment. The endocrine disruption mode of action is considered during new chemical review when appropriate. [No change made to PtC; detailed guidance beyond scope of PtC]
Comments on Environmental Fate					
60	Covestro	Fate	Editorial	Section III.F.ii. Please list test methods (p-chem and partitioning).	The OECD 100 or 300 series or OPPTS 830/835 series test can be used to determine most pchem and partitioning properties. [No change made to PtC; description is already in environmental fate section of the PtC]
61	P&G	Fate	Editorial	Section III.D.1.ii. Typo - Due to (top of page 14).	EPA appreciates the editorial correction. [Change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
62	ACC2	Fate	Process	Section III. D. iii. There is potential to align BCF and log Kow with GHS as well.	EPA uses BCF and log Kow guidance laid out in EPA's PBT Policy, which is , at the upper end, aligned with the Stockholm Convention. The GHS system on the other hand uses a cut-off value for consideration of a chemical as bioaccumulative that is 2-10 time lower than the EPA criteria and 10 times lower than the Stockholm Convention criteria. The GHS criteria is used only as a modifier for classifying aquatic hazards, which may explain the criteria being more conservative than those used by most international regulatory authorities. [No change made; the PBT Policy is already referenced in PtC]
63	Covestro	Fate	Technical	Section III.F.ii. As this is difficult for EPA, it is also difficult to impossible for a submitter. It is possible to learn who the third party is, but the performance and monitoring data would be problematic to obtain. What type of performance data is requested? (re: waste treatment facility performance info)	EPA has provided some examples in the fate section and guidance on guideline testing to provide generic information on the likelihood of removal by processes commonly found in waste water treatment. The EPA appreciates that it may be difficult to obtain specific facility information and in these cases standard assumptions will be used. [No change made; description is already in the PtC]
64	P&G	Fate	Technical	Section III.D.1.ii. Does this statement regarding the acceptance of non-GLP test data also apply to other non-animal studies?	The statement indicates that there are situations where non-GLP testing is accepted, if a submitter desires information for a particular situation they should contact the EPA to discuss. [No change made; description is already in the PtC]

Comment #	Commenter	Topic	Type	Comment	Response
65	P&G	Fate	Technical	Section III.D.1.ii. Are estimates acceptable, or is measured data needed for incineration efficiency? Is this controlled by local ordinances?	EPA accepts estimates provided a sufficient basis and explanation on how they were derived is provided. If the submitter's sites are controlled by other ordinances that are applicable to the PMN substance then that information would also be considered. In general, new chemicals are not assumed to be regulated by other ordinances; however, EPA could foresee that information for similar chemicals, if explained and supported could be informative for the new chemical. [No change made to PtC]
66	P&G	Fate	Technical	Section III.D.1.ii. Will expert judgment be acceptable based on data or information regarding water solubility, pKa (charge), biodegradability?	EPA may accept groundwater migration/soil sorption assessments based on pchem information and biodegradability if explained and transparently supported with underlying data and methods. [No change made/requested to PtC]
67	Dow	Fate	Technical	Section Dii EPA should continue accepting tools other than MITI as long as the model is well defined and valid, the output is documents, results are interpreted correctly - same for other endpoints.	EPA accepts tools/models besides those in EPISuiteTM or other standard tools of the new chemical program. The tools/models must be available to the public so that the tool and its outputs can be evaluated by the EPA and others. For the output from another model to replace an EPISuiteTM estimate the submitter must provide clear documentation as to why the other model produces superior estimates for the given substance and parameter. [No change made; description is already in the PtC]
Comments on Aquatic (Environmental) Hazard/Toxicity					
68	Via public meeting/NCC	Aquatic Haz/Tox	Technical	EPA should make significant clarifications to the Points to Consider Section III, Part D, Subpart iii – Aquatic (Environmental) Hazard/Toxicity regarding: use of physical-chemical properties other than log Kow greater than 8; preference for aquatic toxicity testing vs. ECOSAR predicted values; and whether the submitter can provide interpretation of the percent of amine-nitrogen content.	The document has been modified to address preference for measured data, high quality measured data are generally considered superior to modeled (e.g., ECOSAR) values. More details on environmental hazard assessment are available in the SF documents. [Change made to environmental hazard section.]

Comment #	Commenter	Topic	Type	Comment	Response
69	ACC2, Ecolab, Dow	Aquatic Haz/Tox	Editorial	Section III. D. iii. It would be useful to include some explanation why this might be the case, and how this squares with a preference for measured data. Otherwise you might have testing in all 3 relevant species that is unnecessary; some additional guidance would be helpful. Section III.D.iii. The document states that "Even if there are submitted ecotoxicity test data, EPA will generally use Ecological Structure Activity Relationships". If a submitter has already generated experimental data (for all 3 relevant species), the reliance on QSAR model results is confusing and could result in an overly conservative estimation vs. real data. This seems to be a waste of time and resources and could result in an inaccurate risk assessment. In situations where EPA runs ECOSAR even when there are submitted ecotax data, in what situations will they use the ECOSAR data despite the actual test data? Section III.D.iii. Why will the agency use ECODSAR even if data are submitted - hopefully just to fill data gaps? Please clarify.	High quality measured test data on a new chemical are preferable to analog data or modeling predictions. Measured test data are always used in the hazard assessment if the study is found to be acceptable upon review. EPA uses QSAR predictions for aquatic hazard assessment for several reasons: (1) as substitute or supporting information when submitted data are not acceptable/useable (e.g., no control, 1 replicate; solubilityprecipitation issues; etc); (2) to fill data gaps, i.e., when data are not submitted for all three tropic levels/species (algae, aquatic invertebrates and fish) that EPA uses for assessment; (4) as another line-of- evidence, especially if measured data marginally acceptable (e.g., concentrations not measured) or the chemical is difficult to test. For chemicals that fall withing the applicability domains of the QSARs in ECOSAR, using this tool is an effective and very efficient approach to supplementing and/or supporting measured test data. [Text in environmental hazard section of PtC reflects EPA's preference for measured data.]
70	P&G	Aquatic Haz/Tox	Editorial	Section III.D.1.iii. EPA recommends submitters provide the following information on the new chemical substance: Again, reference to the chemical categories document and exposure based testing policy would help make it clear what is expected.	Reference to the New Chemicals Program Chemical Categories and Exposure-Based Policy documents are included in PtC. [No change made; references already in PtC]

Comment #	Commenter	Topic	Type	Comment	Response
71	Ecolab	Aquatic Haz/Tox	Regulatory	Section III.D.iii. Potential to align on BCF and log Kow with GHS as well.	BCF and log Kow thresholds are those EPA established in its PBT Category document which also includes guidance on other aspects of bioaccumulation assessment. (https://www.epa.gov/sites/production/files/2014-10/documents/ncp_chemical_categories_august_2010_version_0.pdf) Furthermore, EPA currently uses the EPISuite BCFBAF model in estimating bioaccumulation. This model is considered more advanced than BCF-only models. [No change made; the information in PtC represents EPA practice.]
72	ACC2, Ecolab	Aquatic Haz/Tox	Technical	Section III. D. iii. Footnote 26: What values are represented? LC50 or COCs?	The values are acute and chronic toxicity endpoint values (LC50, EC50, ChV) and not COCs. [Change made to PtC; text in this section has been updated to clarify]
73	ACC2, Ecolab	Aquatic Haz/Tox	Technical	Section III. D. iii. Not clear why EPA will derive both acute and chronic COCs irrespective of hazard concern. Should be clarified; in general a substance of low concern based on measured or modeled data should not require a COC determination. Section III.D.iii. The document states EPA should derive acute and chronic concentrations of concern (COC) irrespective of hazard concern. We believe a substance which is classified as "low concern" based on either modeling or data should not require a COC determination.	Acute and chronic COCs are determined for different trophic levels (algae, aquatic invertebrates, and fish) for each new chemical to assess potential risk to the aquatic environment (if the COCs are exceeded). The lowest acute and chronic COCs are compared to exposure values when assessing ecological risk. In practice, a low concern would be given either acute and chronic COCs of "no effects at saturation" or 20,000 and 1,000 ppb, respectively, depending on the water solubility and log kow. This can be useful to know if the submitted production volume is > 100000 kg/yr and testing recommendations are requested for exposure based testing or the predicted surface water concentration of the chemical is significantly greater than 20,000 ppb. [No change made to PtC; text represents EPA's approach]

Comment #	Commenter	Topic	Type	Comment	Response
74	ACC2	Aquatic Haz/Tox	Technical	Section III. D. iii. In general we have noticed more chronic testing being added to consent orders even for substances that are not acutely toxic; understanding the basis for that thinking would provide useful guidance to submitters. Section III.D.iii. The document states that EPA recommends that a submitter provide both acute and long-term (chronic) aquatic data We have noticed chronic testing (chronic daphnia and early life stage fish testing) being added to recent consent orders even for substances that are not acutely toxic. Requiring chronic toxicity experimental data for products that are practically non-toxic seems like a waste of resources and unnecessarily uses additional animals.	In the past, EPA recommended tiered ecotoxicity testing starting with acute followed by chronic studies. More recently, EPA is carefully considering physical-chemical, use, and fate properties of the chemical before testing is recommended. When physical-chemical/fate properties strongly suggest that a chemical will not be acutely toxic to aquatic organisms, EPA will not recommend testing of aquatic organisms under acute or short-term durations. However, an absence of acute toxic does not exclude the possibility of chronic toxicity, especially for certain types of chemicals, e.g., high Log Kow molecules. Similarly, when fate properties suggest that a chemical will strongly partition to sediment, EPA may recommend sediment toxicity tests, rather than standard water column testing. [No change in text. Comment is at a higher tier than the introductory material in PtC.]

Comment #	Commenter	Topic	Type	Comment	Response
75	Covestro, P&G	Aquatic Haz/Tox	Technical	Section III.F.iii. What does EPA do for polymers? Needs to be addressed (in lieu of ECOSAR) Section III.F.iii. Need more information on this. EPA needs to provide guidance on how to address poorly soluble products as part of guidance document. Needs to addressed in Preconsult meeting. Section III.D.1.iii. EPISUITE: Does the EPA have guidance on how to conduct these measurements for polymers, UVCBs, difficult to test substances? EPA needs to provide information on polymers. The use of modelling is most appropriate for discreet chemicals, and not polymers. Does EPA only model the portion where Mn<1000? Industry needs guidance on this.	EPA assesses environmental hazard for difficult-to- test chemicals using a tiered approach starting with understanding physical-chemical and fate properties prior to requesting or recommending hazard testing. Some considerations include: (1) Is the chemical poorly soluble? (2) Have a water solubility and log Kow studies been conducted? (3) Does the new chemical degrade, volatize, etc. Pre-notice communication with EPA is highly recommended before for substances in these groups. EPA also highly recommends that test protocols -- for physical-chemical properties, fate and hazard testing - be submitted to EPA for review PRIOR to conducting the testing. EPA has several approaches for assessing polymers. For example, for Category 1 (LMW Polymers: MWn <1,000), the polymer may be assessed as a “discrete” chemical using a "representative structure". For Category 2 (Not LMW but has significant LMW components: MWn >1,000; ≥25% with MW <1,000 and ≥10% with MW <500) both the polymer and LMW materials may be assessed (e.g., QSAR modeling with representative structure).
76	Ecolab	Aquatic Haz/Tox	Technical	Section III.D.iii. We believe it would be more consistent and transparent to align the toxicity cutoffs with GHS (See below). This would simplify our hazard evaluations and hazard communication with our multiple stakeholders (regulators, our associates and our customers). (ref GHS? referencing table iii.)	The "toxicity cutoffs" are published and have been used for several decades in the new chemicals program. These documents are cited in the environmental hazard section of the PtC. [No change made; the information in PtC represents EPA practice.]
77	P&G	Aquatic Haz/Tox	Technical	Section III.D.1.iii. Will EPA accept FET in place of fish?	Currently, EPA does not consider FET a one-to-one replacement for any/all fish testing, but will consider it and it's suitability for assessing a chemical on a case- by-case basis. [Question answered; No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
78	P&G	Aquatic Haz/Tox	Technical	Section III.D.1.iii. Clarify if concern levels derived from hazard data alone? (ie. EC/LCx, NOEC only).	Concern levels are derived from measured test data for a new chemical, and/or test data for an analogous chemical and/or predictions from modeling software. [No change made; this information is provided in the PtC]
79	P&G	Aquatic Haz/Tox	Technical	Section III.D.1.iii. Please clarify how an acute fish study would be conducted at 10x the solubility limit? Fish only?	A testing laboratory should test up to water solubility limit of a new chemical (similar to standard test guidelines). This implies that the testing laboratory knows the water solubility (in deionized water [standard TG] and in the fish test media]). The 10X comes in to play when dealing with hazard predictions compared to water solubility predictions. [No change made; detailed assessment guidance beyond scope of PtC]
80	P&G	Aquatic Haz/Tox	Technical	Section III.D.1.iii. Are AFs 5 and 10, as mentioned above? Does EPA still follow Nabholz et al 1993?	EPA uses Assessment Factors as per Sustainable Futures 2013 (U.S. EPA (Environmental Protection Agency). 2013b. Interpretive Assistance Document for Assessment of Discrete Organic Chemicals - Sustainable Futures Summary Assessment. Washington, DC. http://www.epa.gov/oppt/sf/pubs/iad_discretes_june2013.pdf or http://www2.epa.gov/sites/production/files/2015-05/documents/05-iad_discretes_june2013.pdf) and Nabholz et al. 1993 [No change made; PtC already includes these citations]

Comment #	Commenter	Topic	Type	Comment	Response
81	P&G, Dow	Aquatic Haz/Tox	Technical	Section III.D.1.iii. Re justification of analogs: What is considered acceptable justification? A comparison of phys chem data alone, or more? Section IIID Provide justification for consideration of the analog for the endpoint(s) identified." EPA should provide guidance on the degree of justification that is being requested and what will or will not be acceptable.	In addition to pchem information, examples of characteristics of an appropriate analog, may include: (1) size and functional groups that are representative of the new chemical; (2) presence of biologically active groups that are representative of the new chemical; (3) mechanism of action expected to be same/similar to the new chemical; (4) any other chemical or biological information deemed relevant. Submitters are directed to EPA's Analog Identification Methodology (AIM) and to OECD guidance on categrories and read-across which discuss this topic in detail. [No change made; detailed guidance beyond scope of PtC]
82	ACC2	Aquatic Haz/Tox	Technical	Section III. C. A separate subsection on measured v. estimated data might be useful to reinforce the Agency's apparent preference for measured data. The subsequent discussion of ECOSAR raises a question about whether these is such a preference (page 17). It would be important for EPA to address what aspect of measured data might be considered unacceptable – it may not be able to be resolved in a pre-submission context, but describing the issue better would provide useful guidance.	[Change made to PtC; added text to address preference for measured data in Section III.D.iii]
83	Dow	Aquatic Haz/Tox	Technical	WRT Difficult to test: We appreciate EPA being open to discussing testing protocols, but EPA should commit the resources to ensure that this happens on a timely scale. Otherwise, innovation and new product development are slowed or stopped.	EPA appreciates the comment. [No change to PtC requested/made]
Comments on Environmental Releases/Expossure Assessments					
84	ACC2	Engineering	Technical	Section II.B. On page 20 EPA expresses concern about gross overestimates. These references might be rationalized to be guidance for avoiding either over- or under-estimates?	That is correct. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
85	ACC2	Engineering	Editorial	Section III. E. ii. At the appropriate place it might be helpful to also reference the Sustainable Futures training materials on polymers and discrete organics, which are a helpful resources and provide good rule of thumb guidance on relevant substances.	Sustainable Futures has been cited in the document. [No change made; citation was already in PtC]
86	ACC2	Engineering	Editorial	Section III. E. ii. Would be helpful to include in section III guidance to submitters on providing more information on the basis for suggested engineering and exposure controls, not just the values – that is, to provide substantiating information on the recommended approaches. We've seen cases when information on engineering controls was provided to the agency, however, the agency still used a worst-case scenario, with comments that this information was not substantiated. We'd like to get a clarification from the agency on this subject. Would it be possible to provide an example of what EPA finds an acceptable, substantiated information with respect to engineering controls?	A general description is included in the engineering section. Information associated with engineering controls can be substantiated in a variety of ways. For example, sketches, photos, and narratives that show or describe the operations and proximity of these controls to the subject chemical are typically effective ways to substantiate claims associated with the controls. If the level of control is quantified, it should be shown how that value was derived. These types of questions may be addressed in a case specific fashion through discussions with EPA during pre-notice meetings. [No change made to PtC]
87	ACC2	Engineering	Process	Section III. E. i. 1. Not sure how this squares with the earlier discussion (first bullet, subsection B, page 4) on underestimates of the PV values.	The PtC attempts to show how PV information is used in assessing releases and exposures. Submitters should avoid both gross underestimates and overestimates of the maximum 12 month PV during any 12 month period during the first three years of production because either can affect results. [No change made to PtC]
88	ACC2, Ecolab	Engineering	Process	Section III. E. i. 1. It is not clear how PPE supplied in a submission is accounted for in exposure assessments. Are they always run worst –case? May be helpful to clarify. Section III.E.i.1 How is PPE information supplied in a PMN submission accounted for in the exposure assessments? Are they always run with worst case (no PPE) assumptions?	Worker exposure assessments are generally run without accounting for PPE. PPE identified in the submission are accounted at a subsequent step in the PMN evaluation process, i.e., If/when potential risks are identified, whether PPE described in the submission may mitigate the risks is considered. [Change made to PtC; clarification provided in Section III.E.i.1]

Comment #	Commenter	Topic	Type	Comment	Response
89	Covestro	Engineering	Process	Section III.E. The submitter may commit to PE limitations, but EPA may still find concerns under foreseeable uses. It would be helpful to expand on how EPA applies foreseeable use issues when reviewing a chemical which would meet PE as submitted.	The Points to Consider document intends to advise submitters on how to develop notices and what types of information EPA can use in developing the risk assessment. The consideration of mitigation measures for each of these use scenarios are dealt with in risk management and therefore outside the scope of the PtC document. [No change made to PtC]
90	ACC	Engineering	Process	Are all the EPA Generic Scenario Documents available to the public? On a few occasions, we have come across a GS document that we were unable to locate. (Example: September 2001 GS on the Manufacture and Use of Printing Inks).	Most GSDs are located on EPA's website and/or within ChemSTEER. Occasionally, EPA must develop or modify generic scenarios based on the specifics of the chemistry and/or uses of a PMN substance; in other words, not every case uses a 'generic scenario' and assumptions, EPA may need to make adjustments or develop new approaches to suit the PMN. EPA is also in the process of ensuring all existing GSDs are available. [No change made; citation to generic scenarios is already in PtC]
91	Via public meeting/NCC	Engineering	Technical	EPA should expand on what information is needed for chemical substances that may be potentially respirable. In its guidance, EPA recommends that submitters consider whether information on the particle or droplet size may assist in EPA's assessment of respirability. EPA should also consider other factors that could assist in its determination of respirability, such as viscosity and vapor pressure for liquids.	EPA does suggests submitting physicochemical information in the points to consider document and these are a factor in the current assessment process. [No change made to PtC]
92	ACC2	Engineering	Technical	Section III. E. i. Footnote 36: Are all these up-to- date? (Generic Scenarios)	EPA relies on both EPA and OECD Generic Scenarios. How up-to-date any particular scenario is depends on when it was developed and whether significant changes to practices and/or new data have become available. EPA continuously assessed the need to update existing and/or develop new generic scenarios. [No change made nor requested]

Comment #	Commenter	Topic	Type	Comment	Response
93	Covestro	Engineering	Technical	Section III.F. EPA needs to understand the manufacturing process, and the impact of potential changes to the manufacturing process, prior to identifying these changes as a concern. Our experience has been that EPA has identified concerns when the potential change is not possible, or does not manufacture the same chemical.	EPA acknowledges and agrees with this sentiment, which is why EPA is publishing the PtC to help inform submitters about what assumptions EPA makes and what information can be submitted to refine those assumptions. Pre-notice communication with EPA is highly recommended to discuss the issues mentioned. [No change made to PtC]
94	Covestro	Engineering	Technical	Section III.G.i.1. Historically, submitters would not submit name/model # as EPA could mandate that only that model would be used. Model # needs to be considered an example of the potential model which is used, and not make it a requirement to only use that model. PPE manufacturers change model #'s, improvements occur. It should not be a SNUN because the PPE changed model numbers.	A description of make and model # may assist EPA engineers in understanding potential performance of currently available technology but it is not normally the intent to require a SNUN based on a change of model numbers, although exceptions are possible. EPA will work with submitters to address this issue for submissions. [No change made to PtC]
95	Dow	Engineering		Section III E. The link to EPA Generic scenarios does not work: https://www.epa.gov/tsca-screening-tools/using-predictive-methods-assess-exposure-andfate-under-tsca#fate.	The link in Dow's comment appears to contain a typo. The link in the PtC is working. The viewer may want to try using a different internet browser. [No change made to PtC]
96	Dow	Engineering		Section III.E. Environmental Releases/Exposure Assessments (page 20) - EPA should consider the use of higher tier exposure tools, such as those developed for EU REACH assessments, including, but not limited to the ECETOC TRA, ART (Advanced reach tool), EUSES, ConsExpo, and others.	EPA continuously considers and reviews publicly available models and incorporates their use if they are fit-for-pupose. For example, EPA uses ConsExpo, when applicable to an assessment. The degree of refinement of an assessment (i.e., the tier) also depends on the availability and relevance of refined input parameters, not solely the model's calculation engine. [No change made to PtC]
97	Dow	Engineering		Section III.E.i.2. Environmental Release and Disposal Information (page 25) - EPA should provide a link to guidance for the "Leak Detection and Repair program" such as (but not necessarily) https://www.epa.gov/sites/production/files/2014-02/documents/ldarguide.pdf	EPA will look into developing appropriate citations for this issue in the future, but this one example may not be sufficient. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
98	Covestro	Environmental Release and Disposal Information	Technical	Section III.G.iv.1. Difficult information to generate, and most likely specific for each POTW based upon treatment method.	The Points to Consider document is referencing treatment by the most common treatment types for WWTPs. Secondary treatment is widespread at POTWs so standardized tests (OECD, OPPTS) on biodegradation and sorption to sludge would improve estimates of removal at POTWs. If the industrial location(s) has on-site water treatment, inclusion of that information in the submission would help to refine the assessment. [No change made; description is already in PtC]
99	Covestro	Environmental Release and Disposal Information	Technical	Section III.G.i.2.Many times, the processors/users of the new chemical do not want to divulge process information on how it will be used. This can include operating conditions, all unit operations, etc. They have a concern that divulging this information could make suppliers into competitors. Section III.G.i.2. Also, how to ensure that PMN's which are support documents provide sufficient information on the process? It is out of the control of the manufacturer of the chemical. Section III.G.i.2. This is a very difficult concept. It would be necessary to count fittings within each facility where the material is used, and then get information on their LDAR program. This is not realistic. Section III.G.i.2. What type of supporting information? This is very difficult data to generate, especially since the material has yet to be commercialized in the US.	EPA appreciates these points, however, in the absence of specific process information, assumptions will need to be made in order to complete the engineering assessment. In general, any process information, even broad, higher level information if that is more obtainable from downstream users, will reduce the need for these assumptions. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
100	Covestro	Environmental Release and Disposal Information	Technical	Section III.G.iv.1. What field is used for this information ? is this distance to residential for the manu/process/use, or from NPDES discharge/landfill?	This reference is to airborne exposures, so it is the distance from the release point to the nearest residence. Detailed information is available in E-FAST manual at: https://www.epa.gov/tsca-screening-tools/e-fast-exposure-and-fate-assessment-screening-tool-version-2014. [No change made; reference to E-FAST is provided in PtC]
101	P&G	Environmental Release and Disposal Information	Technical	Section III.E. i. 2. RE: Control technology efficiency (e.g., the incineration efficiency for a similar product formulation containing a similar chemical to the chemical substance is between 99.1-99.5%; be sure to provide the supporting information): What level of documentation needed? Are supplier specifications on equipment acceptable or are actual measurements required? These operations are typically regulated and monitored at the state or local level.	Supplier specifications are often sufficient but actual measurement are preferred and could be for a similar chemical/product. If the operation is already regulated or monitored at another level that should also be described, but in general new chemicals are not monitored for release by states or localities. [No change made; the level of documentation is already suggested in PtC]
102	Dow	Environmental Release and Disposal Information		The current framework is that hazard profile of a new chemical determines the need for exposure and risk assessment. Similar criteria should be established to use exposure potential to determine the requirement for hazard information. E.g., no exposure potential should justify less hazard information required. This is consistent with our general comment that the assessment should be risk-based other than hazard-based.	EPA's new chemical assessments are risk- based. A risk assessment, which includes consideration of both exposure and hazards for all relevant exposure pathways and receptors pathways, is conducted for each new chemical submission. Both exposure (e.g., no or limited) and hazard (no or low) may be considered in planning what level of effort needs to be applied in conducting the risk assessment; e.g., for certain processing or use scenarios there may be no need for assessing inhalation exposures or if there will be no releases to water, there may be no need for assessing aquatic receptors. [No change made to PtC]

Comment #	Commenter	Topic	Type	Comment	Response
103	Dow	Exposure		Section III.E.ii. Non-Occupational General Population, Consumer and Environmental Exposures (page 26) - "...non-occupational and environmental exposure assessments are generally performed if there are hazard concerns..." All chemicals have hazards. Should this be exposure concerns? Or potential risk?	"Hazard concerns" identified in the initial phase of the hazard assessment indicates simply that the chemical 'raises concerns for hazard(s) rather than being considered "low hazard". In some cases if a chemical is initially identified as "low hazard", EPA may consider the need for and/or the level of effort for the exposure assessment. These assessments are conducted within the context of the uses of the chemical indicted in the submission. No change made; description is already in PtC]
104	P&G	Release to Water	Technical	Section III.E. ii. 1.RE: POTW removal: Will the EPA consider experimental data from simulated WWTP studies showing >90% removal? What data is needed to get above 90-95%?	The EPA will consider information showing greater than 90% removal, particularly for user controlled sites or that is likely due to abiotic process (e.g., volatilization and hydrolysis). Robust data should be submitted to demonstrate that biodegradation would result in degradation above 95% and could be discussed in a prenotice consultation. [No change made to PtC; detailed guidance for specific scenarios is beyond scope of PtC]
105	Via public meeting/ACC	Release to Water		EPA should clarify that a "release to water" concentration relates to concentration in waters of the United States that receive the PMN substance. EPA should also provide resources to help PMN submitters calculate the expected concentrations of their PMN substances in waters of the United States. Examples and references to resources for estimating the flow rates of receiving waters such as rivers would be helpful. (*Karyn M. Schmidt, ACC; Sarah Brozena, ACC*)	The new chemical process focuses on releases and exposures that occur in the United States. The E-FAST model contains the flow rates that are most frequently used in the new chemical program. [No change made; information is already in PtC]
Comments on Risk Calculations					
106	Dow	Risk	Editorial	Section IV. Risk Calculations (page 30) - this is the first section of the draft guidance document which does not utilize a capital letter (e.g. "A") for the first level subsection. Instead, it moves directly to lower case Roman numerals (e.g. "i").	[Change made to PtC; format corrected]

Comment #	Commenter	Topic	Type	Comment	Response
107	Dow	Risk		Section IV.i. Human Health Risk Assessment (page 30) - we agree that a MOE approach is an appropriate way to evaluate risk, but EPA should be open to probabilistic approaches of assessing risk and implementing risk management measures.	EPA considers probabilistic approaches for certain cases and when data allow. However, EPA notes that evaluations for many endpoints are qualitative due to the nature of the hazard endpoint or due to lack of robust data for more quantitative analyses. MOE approach is particularly conducive to data poor evaluations. [No change made; detailed assessment methodologies beyond scope of PtC]
108	Dow	Risk		Section IV.i. Human Health Risk Assessment (page 30) - EPA states that if "...test data on a new chemical substance indicates it elicited dermal sensitization, EPA generally identifies the new chemical substance as a potential respiratory sensitizer as well..." - We disagree with this approach since the two mechanisms for sensitization differ. It is one thing to use dermal sensitization as a flag for additional evaluation, but it is another thing (and too far) to use it as an identifier.	EPA agrees that this is not ideal; however, there is currently no test guideline for testing for respiratory sensitization. However, in the absence of data, it is EPA policy to make the assumption that if a substance causes dermal sensitization it may also cause respiratory sensitization. This is a reasonable assumption due to the pattern of induction followed by elicitation phase is common for both types of hazard (GHS, 2011). Further, the CPSC notes that "skin sentization data can also aid in the determination of whether a substance is a strong respiratory sensitizer because many substances know to induce skin responses also induce respiratory responses (https://www.cpsc.gov/s3fs-public/pdfs/blk_pdf_strongsensitizerguidance.pdf). [No change made; detailed assessment methodologies beyond scope of PtC]

Comment #	Commenter	Topic	Type	Comment	Response
109	Dow	Risk		Section IV.i. Human Health Risk Assessment (page 30) - "...if there are potential inhalation exposures to workers from a suspected respiratory sensitizer, EPA may qualitatively identify respiratory sensitization as a potential risk for workers." - EPA should explain how these qualitative risks will be assessed and managed, since they are generally not amendable to a MoE approach. Similarly for carcinogenicity, in the absence of a quantitative risk assessment.	For endpoints where quantitative assessment is not possible, EPA identifies the hazard and the basis supporting it (e.g., qualitative (+/-) test result for irritation, structural alert or positive dermal sensitization for respiratory sensitization, etc.) in the risk assessment. Comment regarding cancer is unclear; if cancer is included in a risk assessment, it is generally quantitatively assessed with an analog. Availability and efficacy of potential risk mitigation measures are considered by th risk manager, e.g., if an exposure pathway can be eliminated then risk is expected to be unlikely. [No change made; assessment methodologies beyond scope of PtC]
Comments on Standard Review					
110	ACC2	Standard Review	Editorial	Section VI. Might be helpful to include in an appendix a summary of the timing from submission to decision. The website has a narrative description but I recall at one point there being a “flow-chart” with estimated time frames.	As noted, this information is available on EPA's web page: https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/epas-review-process-new-chemicals#process EPA is actively working on evaluating the current NCR process with the goal of redesigning to realize efficiencies; hence, this process diagram may change relatively soon. [No change made to PtC]