January 16, 2018 (revised 10-18)

Data Quality Record for Strategic Measures

Strategic Measure Text: By September 30, 2022, complete all TSCA risk management actions for existing chemicals in accordance with statutory timelines
Performance Measure Text: (PM TSCA2) Number of existing chemical final TSCA risk management actions are completed within statutory timelines
Goal Number/Objective: Goal 1: Core Mission/Objective 1.4: Ensure Safety of Chemicals in the Marketplace
NPM Lead: Office of Chemical Safety and Pollution Prevention (OCSPP)/Office of Pollution Prevention and Toxics (OPPT)/Chemical Control Division (CCD)

1a. Purpose of Strategic Measure:
This strategic measure enables the agency to monitor and evaluate its progress in completing risk management actions for TSCA existing chemicals. Under the Frank R. Lautenberg Chemical Safety for the 21st Century Act (TSCA amendments enacted June 2016), when EPA determines as a result of a risk evaluation that the manufacture, processing, distribution in commerce, use or disposal of a chemical substance or mixture, or that any combination of such activities, presents an unreasonable risk of injury to human health or the environment, the agency is required to take regulatory action (risk management action) to ensure that the substance or mixture no longer presents such risk. EPA is required to: (1) propose a rule under TSCA Section 6(a) for the chemical substance not later than 1 year after the date on which the final risk evaluation regarding the chemical substance is published and (2) publish a final rule not later than 2 years after that date. In addition, the statute allows EPA a possible extension of up to two additional years. However, in the case of Persistent, Bioaccumulative and Toxic (PBT) chemicals identified in EPA's 2014 Work Plan for Chemical Assessments, EPA must propose rules by three years after the date of enactment of the TSCA amendments and promulgate final rules no later than 18 months thereafter. A history of timely completions will indicate that the agency is implementing these key actions in compliance with the schedules set by the Congress to appropriately address unreasonable risk to human health and the environment.

To ensure timely completion of risk management actions, EPA will closely monitor progress toward achievement of the interim milestones in the Action Development Process, including initial tiering of the action, which determines the type of process that will be used to develop the action; development of the proposed/draft action; OMB review; publication in the Federal Register; solicitation and review of public comments and development and publication of the final action. Close adherence to the procedures and requirements that apply to the various stages of this process[1] will help to ensure that EPA's final risk management actions (final rules) are sound and well supported.

1b. Performance Measure Term Definitions:
Risk management action: For purposes of this measure, a final TSCA risk management action is a final rule under Section 6 of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

Existing chemical: A chemical substance that is on the TSCA Chemical Substance Inventory. Any chemical substance that is not on the Inventory is considered a "new chemical substance."

Complete: For purposes of this measure, a final risk management action is considered complete when the final rule is published in the Federal Register.

[1] See https://www.epa.gov/reg-flex/epas-action-development-process-final-guidance-epa-rulewriters-regulatory-flexibility-act

Within statutory timelines: For PBT chemicals, a final TSCA risk management action is considered to be completed within statutory timelines if the final rule is promulgated no later than 54 months after the date of enactment of the 2016 TSCA amendments. For all other chemical substances determined through a risk evaluation to pose unreasonable risk, a final risk management action is considered timely if the final rule is published not later than 2 years after that date (i.e., the base period established by law, without including the statutorily allowed 2-year extension). No risk management actions are required when a risk evaluation does not conclude with a finding of unreasonable risk for the chemical substance.

1c. Unit of Measure: Existing chemicals for which a final TSCA risk management action (final rule) is completed within two years of a final risk evaluation in which an unreasonable risk determination was made.

2a. Data Source:

- Relevant information system: Action Development Process (ADP) Tracker (may be replaced in 2018).
- Entity that reports data to the system: Reported directly by EPA
- Frequency of reporting primary data: The ADP Tracker can be used to track progress on a monthly, quarterly, biannual or annual basis, as may be desired.
- Reference to Quality Assurance Project Plan: The Agency will follow all appropriate QAPPS for all data collected as part of risk management actions.

2b. Data needed for interpretation of (calculated) Performance Result:

- Baseline: As EPA is operating under new statutory authority enacted in FY 2016, there is no relevant baseline information and there were zero existing chemicals for which a final risk management action was completed under Section 6 of TSCA, as amended by the Lautenberg Act, as of September 30, 2017.
- Progress toward strategic target (timely completions of final TSCA risk management actions) is tracked via the associated GPRA Budget Measure, reported annually, and the associated Quarterly Measure, reported quarterly.
- Universe includes all existing chemicals for which risk management actions are initiated under TSCA Section 6, after enactment of the 2016 amendments. EPA is unable to predetermine the number of risk evaluations that will result in an unreasonable risk finding and therefore require risk management action.

3. Methodology:

The performance result is the number of existing chemicals for which final TSCA risk management actions are completed within statutory timelines. No further calculation or aggregation is needed.

4. Data Limitations/Qualifications:

Since the completion of a final risk management action is defined as the publication of the proposed or final rule in the Federal Register, no significant data limitations are anticipated and there is minimal if any possibility of error in reporting performance results.

5. Technical Contact:

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6. Certification Statement/Signature

I certify the information in this DQR is complete and accurate.

DAA Signature