January 16, 2018 (revised 12/17/20)

Data Quality Record for Long-Term Performance Goals

Long-Term Performance Goal 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 Long-Term Performance Goal:

This long-term performance goal 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 one 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 two years after that date. Timely completions indicate that the Agency is implementing these key actions in compliance with the schedules set by the statute 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 ensure that EPA's final risk management actions 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.

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 signed by the Administrator.

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 four years after that date (i.e., the base period established by law, including the statutorily allowed extension of up to two years, which includes any extension taken for the risk evaluation and

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

risk management action). No risk management actions are required when a risk evaluation concludes with no 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 up to four 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.
- 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 statutory authority enacted in FY 2016, there was no relevant baseline information. No final risk management actions for existing chemicals were completed under Section 6 of TSCA, as amended by the Lautenberg Act, as of September 30, 2017.
- Progress toward long-term performance goal target is monitored via the associated GPRA Budget Measure, reported annually; and the EPA Lean Management System, reported monthly.
- 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 is signed by the Administrator, 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 RICHARD KEIGWIN Digitally signed by RICHARD KEIGWIN Date: 2021.01.11 09:32:27 -05'00'