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US EPA PUBLISH FINAL RULES FOR FIVE PBT CHEMICALS UNDER TSCA

The US Toxic Substances Control Act (*TSCA*) was promulgated by the US Congress in 1976 and came into effect in 1977 and is implemented by the US Environmental Protection Agency (*EPA*). The purpose of this act is to evaluate the environmental, economic and social impacts of chemicals circulating in the United States, and to prevent "unreasonable risks" to human health and the environment.

In January 2021, the US EPA published five final rules in the federal register to regulate five persistent, bio-accumulative and toxic (PBT) chemicals under TSCA.

The restriction requirements in the final rules for these five PBTs have been implemented in phases since March 8, 2021. Although the EPA has issued a 180-day 'no action assurance' pausing enforcement on prohibitions for the processing and distribution of PIP (3:1) in articles, the move is intended "to avoid significant disruption to the supply chain"

Highlights of the updates for the five PBTs are as follows:

SUBSTANCE	CAS #	SCOPE OF UPDATE	REQUIREMENT	EFFECTIVE DATE
2,4,6-Tris(tert-butyl) phenol (2,4,6-TTBP)	732-26-3	Distribution in containers with a volume of less than 35 gallons	≤ 0.3%	January 6, 2026
		Processing and distribution of oil and lubricant additives		January 6, 2026
Decabromodiphenyl ether (DecaBDE)	1163-19-5	Manufacturing and processing of DecaBDE or DecaBDE-containing products or articles ^{1,2}	Prohibited	March 8, 2021
		Distribution of DecaBDE or DecaBDE-containing products or articles		January 6, 2022
Phenol, isopropylated phosphate (3:1), also known as (PIP 3:1)	68937-41-7	Processing and distributing PIP (3:1), including PIP (3:1)-containing products or articles ^{1,2}	Prohibited	March 8, 2022
Pentachlorothiophenol (PCTP)	133-49-3	Manufacturing and processing of PCTP or PCTP-containing products or articles	Prohibited Unless Concentrations Are ≤ 1%	March 8, 2021
		Distribution of PCTP or PCTP-containing products or articles		January 6, 2022
Hexachlorobutadiene (HCBD)	87-68-3	Manufacturing, processing and distribution of HCBD or HCBD-containing products or articles ¹	Prohibited	March 8, 2021



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