

115TH CONGRESS
2D SESSION

H. R. 6399

To direct that certain assessments with respect to toxicity of chemicals be carried out by the program offices of the Environmental Protection Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2018

Mr. BIGGS (for himself, Mr. SMITH of Texas, Mr. LUCAS, Mr. NORMAN, Mr. ROHRBACHER, Mr. POSEY, Mr. WEBER of Texas, Mr. BABIN, Mr. HIGGINS of Louisiana, Mrs. LESKO, Mr. HULTGREN, Mr. ABRAHAM, Mr. WEBSTER of Florida, Mr. MARSHALL, Mr. DUNN, Mr. WESTERMAN, and Mr. MOOLENAAR) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct that certain assessments with respect to toxicity of chemicals be carried out by the program offices of the Environmental Protection Agency, 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 “Chemical Assessment
5 Improvement Act”.

1 **SEC. 2. HAZARD IDENTIFICATION AND DOSE RESPONSE AS-**
2 **SESSMENTS.**

3 (a) IN GENERAL.—Beginning on the date of the en-
4 actment of this Act, any covered assessments carried out
5 with respect to a chemical substance through the Inte-
6 grated Risk Information System program of the Environ-
7 mental Protection Agency as of the day before such date
8 of enactment shall, in lieu of being carried out through
9 such program, be carried out by the relevant program of-
10 fice of the Environmental Protection Agency, so long as
11 the relevant program office determines there is a need for
12 such an assessment. Such an assessment shall be carried
13 out using scientific standards specified in section 4 and
14 be based on the weight of the scientific evidence.

15 (b) TOXICITY VALUES.—In carrying out such an as-
16 sessment with respect to a chemical substance under sub-
17 section (a), the relevant program office shall assign a tox-
18 icity value or values, when scientifically supported by the
19 available data, for such chemical substance. With respect
20 to that assignment, the following shall apply:

21 (1) When supported by the available data, the
22 toxicity value or values shall include a range of point
23 estimates of risk as well as sources and magnitudes
24 of uncertainty associated with the estimates.

25 (2) When multiple point estimates can be devel-
26 oped, the relevant program office shall—

1 (A) consider all datasets; and

2 (B) make a determination about how best
3 to represent the human health risk posed by the
4 chemical substance involved.

5 (c) CHEMICAL ASSESSMENT DATABASE.—

6 (1) IN GENERAL.—A toxicity value or values as-
7 signed to a chemical substance under subsection (b)
8 shall be included in a chemical assessment database
9 to be maintained by the Office of Research and De-
10 velopment of the Environmental Protection Agency.

11 (2) COMPLETED ASSESSMENTS.—All covered
12 assessments stored, as of the date of the enactment
13 of this Act, in the IRIS database of the Environ-
14 mental Protection Agency shall be retained in the
15 chemical assessment database established pursuant
16 to paragraph (1).

17 (3) UPDATES.—Such database shall be updated
18 pursuant to a covered assessment performed by a
19 relevant program office, including to make a change
20 in the existing toxicity value or values for a chemical
21 substance included in such database.

22 (d) DEFINITIONS.—In this section:

23 (1) The term “covered assessment” means, with
24 respect to the evaluation of the human health effects
25 resulting from chronic exposure to a chemical sub-

1 stance, a chemical hazard identification and dose re-
2 sponse assessment (as such terms are defined by the
3 Environmental Protection Agency on the day before
4 the date of the enactment of this Act).

5 (2) The term “relevant program office” in-
6 cludes the following offices of the Environmental
7 Protection Agency:

8 (A) The Office of Water.

9 (B) The Office of Air and Radiation.

10 (C) The Office of Land and Emergency
11 Management.

12 (D) The Office of Chemical Safety and
13 Pollution Prevention.

14 (E) Any successor to an office specified in
15 subparagraphs (A) through (D) and any other
16 office determined to be relevant by the Adminis-
17 trator of the Environmental Protection Agency.

18 **SEC. 3. HAZARD IDENTIFICATION AND DOSE RESPONSE**
19 **STEERING COMMITTEE.**

20 (a) ESTABLISHMENT.—Not later than 30 days after
21 the date of the enactment of this Act, the Administrator
22 of the Environmental Protection Agency (referred to in
23 this Act as the “Administrator”) shall establish a chemical
24 hazard identification and dose response steering com-
25 mittee (referred to in this Act as the “steering com-

1 mittee”) to coordinate the conduct of covered assessments
2 by relevant program offices for purposes of ensuring that,
3 with respect to such assessments, there is no duplication
4 of effort by such offices.

5 (b) DUTY.—The duties of the steering committee are
6 the following:

7 (1) If the steering committee learns that more
8 than one relevant program office intends to conduct
9 covered assessments with respect to the same chem-
10 ical substance, the steering committee shall deter-
11 mine the most effective means of carrying out a sin-
12 gle covered assessment to prevent duplication of ef-
13 fort by such offices.

14 (2) For purposes of supplementing a covered
15 assessment, the steering committee shall consider
16 any third-party assessment of a chemical substance
17 generated by another Federal, State, or inter-
18 national agency or agencies or members of the sci-
19 entific community that meets the requirements spec-
20 ified in subsection (e).

21 (c) CHAIR; COMPOSITION.—

22 (1) CHAIR.—The steering committee shall be
23 chaired by the Assistant Administrator of the Office
24 of Research and Development of the Environmental
25 Protection Agency.

1 (2) COMPOSITION.—The steering committee
2 shall be composed of 15 members, all of whom shall
3 be active, full-time employees of the Environmental
4 Protection Agency, with at least one member rep-
5 resenting each relevant program office and each re-
6 gional office of the Environmental Protection Agen-
7 cy. The members of the steering committee shall be
8 appointed by the Administrator of the Environ-
9 mental Protection Agency. Any vacancy shall be
10 filled in the same manner as the initial appointment.

11 (d) MEETINGS.—The steering committee shall meet
12 at least once each calendar year.

13 (e) THIRD-PARTY ASSESSMENT REQUIREMENTS.—
14 The requirements specified in this subsection with respect
15 to a third-party assessment of a chemical substance are
16 that the assessment—

17 (1) is conducted using scientific standards spec-
18 ified in section 4;

19 (2) has undergone independent scientific review
20 for transparency, completeness, and quality; and

21 (3) reflects the best available science and the
22 weight of the available scientific evidence.

23 **SEC. 4. SCIENTIFIC STANDARDS.**

24 Covered assessments carried out under section 2 and
25 discussion of such assessments and review of third-party

1 assessments carried out under section 3, shall be con-
2 ducted using scientific information, technical procedures,
3 measures, methods, protocols, methodologies, or models in
4 a manner consistent with the best available science. In car-
5 rying out such an assessment, the relevant program office
6 shall integrate all lines of scientific evidence and consider,
7 as applicable—

8 (1) the extent to which the scientific informa-
9 tion, technical procedures, measures, methods, proto-
10 cols, methodologies, or models employed to generate
11 the scientific information are reasonable for and con-
12 sistent with the intended use of the scientific infor-
13 mation;

14 (2) the extent to which the scientific informa-
15 tion is relevant for the relevant program office's use
16 in making a decision about a chemical substance;

17 (3) the degree of clarity and completeness with
18 which the data, assumptions, methods, quality assur-
19 ance, analyses employed to generate the scientific in-
20 formation are documented and publicly available in
21 a manner that honors legal and ethical obligations to
22 reduce the risks of unauthorized disclosure and re-
23 identification;

24 (4) the extent to which the variability and un-
25 certainty in the scientific information, or in the pro-

1 cedures, measures, methods, protocols, methodolo-
2 gies, or models, are evaluated and characterized;

3 (5) the extent of independent verification or
4 peer review of the scientific information or of the
5 procedures, measures, methods, protocols, meth-
6 odologies, or models;

7 (6) the ability of the scientific findings and re-
8 search to be replicated or reproduced; and

9 (7) the extent to which the available scientific
10 information supports dose-response modeling, using
11 non-linear approaches.

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