

THE NATIONAL LAW REVIEW

EPA Issues Final TSCA Fees Rule in Federal Register

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On October 17, 2018, the U.S. Environmental Protection Agency (EPA) [issued its final fees rule](#) under the Toxic Substances Control Act (TSCA) in the *Federal Register*. 83 Fed. Reg. 52694. The final rule largely tracks the proposed rule. EPA is establishing fees applicable to any person required to submit information to EPA; or a notice, including an exemption or other information, to be reviewed by EPA; or who manufactures (including imports) a chemical substance that is the subject of a risk evaluation. This final rulemaking describes the final TSCA fees and fee categories for fiscal years **2019, 2020, and 2021**, and explains the methodology by which the final TSCA fees were determined. It identifies some factors and considerations for determining fees for subsequent fiscal years; and includes amendments to existing fee regulations governing the review of premanufacture notices, exemption applications and notices, and significant new use notices. As required in TSCA, EPA is also establishing standards for determining which persons qualify as “small business concerns” and thus would be subject to lower fee payments. Small businesses will be eligible to receive a substantial discount of approximately 80 percent on their fees. EPA will host a series of webinars focusing on making TSCA submissions and paying fees under the final rule. The first webinar was held on October 10, 2018. The other two webinars will be held on **October 24, 2018, from 1:00 p.m. to 2:30 p.m. (EDT)** and on **November 7, 2018, from 1:00 p.m. to 2:30 p.m. (EDT)**. Our memorandum provides an overview of the final rule with specific information about final fee amounts and timing and a commentary. The final rule is effective on October 18, 2018.

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