

Union Calendar No. 874

115TH CONGRESS
2D SESSION

H. R. 6468

[Report No. 115–1101, Part I]

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 23, 2018

Mr. BIGGS (for himself, Mr. SMITH of Texas, Mr. LUCAS, Mr. NORMAN, Mr. ROHRABACHER, 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 Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

DECEMBER 21, 2018

Reported from the Committee on Science, Space, and Technology

DECEMBER 21, 2018

Referral to the Committee on Energy and Commerce extended for a period ending not later than December 28, 2018

DECEMBER 28, 2018

Additional sponsor: Mr. LOUDERMILK

DECEMBER 28, 2018

Committee on Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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 “Improving Science in
5 Chemical Assessments Act”.

6 **SEC. 2. RESEARCH NEEDS AND PRIORITIES OF EPA PRO-**
7 **GRAM OFFICES.**

8 The Environmental Research, Development, and
9 Demonstration Authorization Act is amended by striking
10 section 7 (42 U.S.C. 4364) and inserting the following:

11 **“SEC. 7. RESEARCH NEEDS AND PRIORITIES OF EPA PRO-**
12 **GRAM OFFICES.**

13 “(a) IN GENERAL.—The Administrator of the Envi-
14 ronmental Protection Agency shall assure that the expend-
15 iture of any funds appropriated pursuant to this Act or
16 any other provision of law for environmental research and
17 development related to regulatory program activities shall
18 be coordinated with and reflect the research needs and pri-
19 orities of the relevant program offices, as well as the over-
20 all research needs and priorities of the Agency, including
21 those defined in the five-year research plan.

22 “(b) HAZARD IDENTIFICATION AND DOSE-RESPONSE
23 ASSESSMENTS.—Beginning on the date of the enactment
24 of the Improving Science in Chemical Assessments Act,
25 any covered assessments carried out with respect to a

1 chemical substance through the Integrated Risk Informa-
2 tion System program of the Environmental Protection
3 Agency as of the day before such date of enactment shall,
4 in lieu of being carried out through such program, be car-
5 ried out by the relevant program office of the Environ-
6 mental Protection Agency, so long as the relevant program
7 office determines there is a need for such an assessment.
8 Such an assessment shall be carried out using the sci-
9 entific standards specified in section 7B and be based on
10 the weight of the scientific evidence.

11 “(c) TOXICITY VALUES.—In carrying out a covered
12 assessment with respect to a chemical substance under
13 subsection (a), the relevant program office shall assign a
14 toxicity value or values, when scientifically supported by
15 the available data, for such chemical substance. With re-
16 spect to that assignment, the following shall apply:

17 “(1) When supported by the available data, the
18 toxicity value or values shall include a range of point
19 estimates of risk as well as sources and magnitudes
20 of uncertainty associated with the estimates.

21 “(2) When multiple point estimates can be de-
22 veloped, the relevant program office shall—

23 “(A) consider all datasets; and

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

4 “(d) CHEMICAL ASSESSMENT DATABASE.—

5 “(1) IN GENERAL.—A toxicity value or values
6 assigned to a chemical substance under subsection
7 (c) shall be included in a chemical assessment data-
8 base to be maintained by the Office of Research and
9 Development of the Environmental Protection Agen-
10 cy.

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 up-
18 dated pursuant to a covered assessment performed
19 by a relevant program office, including to make a
20 change in the existing toxicity value or values for a
21 chemical substance included in such database.

22 “(e) CERTIFICATION.—Beginning 2 years after the
23 date of the enactment of the Improving Science in Chem-
24 ical Assessments Act and every 2 years thereafter, the Of-
25 fice of Research and Development of the Environmental

1 Protection Agency shall submit to the Committee on
2 Science, Space, and Technology and the Committee on
3 Energy and Commerce of the House of Representatives
4 and the Committee on Environment and Public Works of
5 the Senate, a report containing a certification that each
6 covered assessment completed during the period covered
7 by the report was conducted using the scientific standards
8 specified in section 7B.

9 “(f) DEFINITIONS.—In this section:

10 “(1) The term ‘covered assessment’ means, with
11 respect to the evaluation of the human health effects
12 resulting from chronic exposure to a chemical sub-
13 stance, a chemical hazard identification and dose-re-
14 sponse assessment (as such terms are defined by the
15 Environmental Protection Agency on the day before
16 the date of the enactment of this Act).

17 “(2) The term ‘relevant program office’ in-
18 cludes the following offices of the Environmental
19 Protection Agency:

20 “(A) The Office of Water.

21 “(B) The Office of Air and Radiation.

22 “(C) The Office of Land and Emergency
23 Management.

24 “(D) The Office of Chemical Safety and
25 Pollution Prevention.

1 “(E) Any successor to an office specified in
2 subparagraphs (A) through (D) and any other
3 office determined to be relevant by the Adminis-
4 trator of the Environmental Protection Agency.

5 **“SEC. 7A. HAZARD IDENTIFICATION AND DOSE-RESPONSE**
6 **STEERING COMMITTEE.**

7 “(a) ESTABLISHMENT.—Not later than 30 days after
8 the date of the enactment of this Act, the Administrator
9 of the Environmental Protection Agency shall establish a
10 chemical hazard identification and dose-response steering
11 committee (referred to in this Act as the ‘steering com-
12 mittee’) to coordinate the conduct of covered assessments
13 by relevant program offices for purposes of ensuring that,
14 with respect to such assessments, there is no duplication
15 of effort by such offices.

16 “(b) DUTY.—The duties of the steering committee
17 are the following:

18 “(1) If the steering committee learns that more
19 than one relevant program office intends to conduct
20 covered assessments with respect to the same chem-
21 ical substance, the steering committee shall deter-
22 mine the most effective means of carrying out a sin-
23 gle covered assessment to prevent duplication of ef-
24 fort by such offices.

1 “(2) For purposes of supplementing a covered
2 assessment, the steering committee shall consider
3 any third-party assessment of a chemical substance
4 generated by another Federal, State, or inter-
5 national agency or agencies or members of the sci-
6 entific community that meets the requirements spec-
7 ified in subsection (e).

8 “(c) CHAIR; COMPOSITION.—

9 “(1) CHAIR.—The steering committee shall be
10 chaired by the Assistant Administrator of the Office
11 of Research and Development of the Environmental
12 Protection Agency.

13 “(2) COMPOSITION.—The steering committee
14 shall be composed of 15 members, all of whom shall
15 be active, full-time employees of the Environmental
16 Protection Agency, with at least one member rep-
17 resenting each relevant program office and each re-
18 gional office of the Environmental Protection Agen-
19 cy. The members of the steering committee shall be
20 appointed by the Administrator of the Environ-
21 mental Protection Agency. Any vacancy shall be
22 filled in the same manner as the initial appointment.

23 “(d) MEETINGS.—The steering committee shall meet
24 at least once each calendar year.

1 “(e) THIRD-PARTY ASSESSMENT REQUIREMENTS.—
2 The requirements specified in this subsection with respect
3 to a third-party assessment of a chemical substance are
4 that the assessment—

5 “(1) is conducted using scientific standards
6 specified in section 7B;

7 “(2) has undergone independent scientific re-
8 view for transparency, completeness, and quality;
9 and

10 “(3) reflects the best available science and the
11 weight of the available scientific evidence.

12 **“SEC. 7B. SCIENTIFIC STANDARDS.**

13 “Covered assessments carried out under section 7
14 and discussion of such assessments and review of third-
15 party assessments carried out under section 7A, shall be
16 conducted using scientific information, technical proce-
17 dures, measures, methods, protocols, methodologies, or
18 models in a manner consistent with the best available
19 science. In carrying out such an assessment, the relevant
20 program office shall integrate all lines of scientific evi-
21 dence and consider, as applicable—

22 “(1) the extent to which the scientific informa-
23 tion, technical procedures, measures, methods, proto-
24 cols, methodologies, or models employed to generate
25 the scientific information are reasonable for and con-

1 sistent with the intended use of the scientific infor-
2 mation;

3 “(2) the extent to which the scientific informa-
4 tion is relevant for the relevant program office’s use
5 in making a decision about a chemical substance;

6 “(3) the degree of clarity and completeness with
7 which the data, assumptions, methods, quality assur-
8 ance, analyses employed to generate the scientific in-
9 formation are documented and publicly available in
10 a manner that honors legal and ethical obligations to
11 reduce the risks of unauthorized disclosure and re-
12 identification;

13 “(4) the extent to which the variability and un-
14 certainty in the scientific information, or in the pro-
15 cedures, measures, methods, protocols, methodolo-
16 gies, or models, are evaluated and characterized;

17 “(5) the extent of independent verification or
18 peer review of the scientific information or of the
19 procedures, measures, methods, protocols, meth-
20 odologies, or models;

21 “(6) the ability of the scientific findings and re-
22 search to be replicated or reproduced; and

23 “(7) the extent to which the available scientific
24 information supports dose-response modeling, using
25 non-linear approaches.”.

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