

Summary of TSCA Fees

EPA established the following fees by rule at 83 Fed. Reg. 52,696 (Oct. 18, 2018). See 40 C.F.R. Part 700, Subpart C. These fees apply to the period October 1, 2018 through September 30, 2021. EPA is expected to adjust these fees for inflation after this three-year period.

Fee Category	Fee Amount	Fee Amount: Small Business*	Due Date
TSCA Section 4: Test Chemicals			
Test order	\$9,800	\$1,950	Within 120 days following order effective date
Test rule	\$29,500	\$5,900	Within 120 days following rule effective date
Enforceable Consent Agreement (ECA)	\$22,800	\$4,600	Within 120 days following ECA signing
TSCA Section 5: New Chemicals			
Premanufacture Notice (PMN) and consolidated PMN	\$16,000	\$2,800	Upon submission
Significant New Use Notice (SNUN)			
Microbial Commercial Activity Notice (MCAN) and consolidated MCAN			
Low Releases and Low Exposures (LoREX) exemption	\$4,700	\$940	Upon submission
Low Volume Exemption (LVE)			
Test Marketing Exemption (TME)**			
Tier II exemption			
TSCA Experimental Release Application (TERA)			
Film Articles			

TSCA Section 6: Existing Chemicals			
EPA-initiated risk evaluation	\$1,350,000	\$270,000	Within 120 days of EPA publishing final scope of a chemical risk evaluation
Manufacturer-requested risk evaluation for TSCA Work Plan chemical	\$1,250,000 plus 50% actual costs	\$1,250,000 plus 50% actual costs	Two installments: (1) within 30 days of EPA's notice to submitting manufacturer that EPA has granted the request; (2) later during course of activity
Manufacturer-requested risk evaluation for non-TSCA Work Plan chemical	\$2,500,000 plus 100% actual costs	\$2,500,000 plus 100% actual costs	Two installments: (1) within 30 days of EPA's notice to submitting manufacturer that EPA has granted the request; (2) later during course of activity

***Small Business Definition:** Modeled after the Small Business Administration's employee-based criteria, EPA defines small business concerns as businesses with employees numbering either (1) 200-1250 based on NAICS number or (2) 500 or fewer for industries that do not fall under an applicable NAICS code. (See small businesses information at <https://www.epa.gov/tsca-fees/tsca-administration-fees-structure#smallbiz>).

****TME fee Waived:** EPA waives TME fees for submissions from companies that have graduated from EPA's Sustainable Futures Program. (See Sustainable Futures Program at <https://www.epa.gov/sustainable-futures/graduating-sustainable-futures>).

Refunds:

A. Full refunds for the following TSCA Section 5 activities:

1. PMN submissions that are not a new chemical substance.
2. MCAN submissions when the microorganism is not a new microorganism or significant new use.
3. SNUN submissions if not a significant new use.
4. EPA fails to make a notice determination within the applicable notice review period, although certain exceptions apply.
5. EPA fails to approve or deny an exemption within the applicable review period, unless the submitter unduly delayed the process.

B. Partial refunds for the following TSCA Section 5 activities:

1. Submissions withdrawn during the first 10 business days after the beginning of the applicable review period (75% of the fee amount refunded).

C. Refunds for TSCA Section 6 activities:

1. Initial payment amount exceeds the applicable percentage of actual costs (excess payment refunded).

Links to More Information:

Payment Method only through the Pay.gov Portal: [How to Pay](#)

Fees for the Administration of the Toxic Substances Control Act: [Final Rule](#) Federal Register

Consortium: [Consortia fees vary](#) and EPA will grant additional time for consortia formation.

Enforcement: [Penalties](#) up to the maximum statutory amount per day (\$38,892 as of January 2018)

Ten Things PMN Submitters Need to Know

Different Fee Requirements for Manufacturers and Processors:

EPA has authority to collect fees from both manufacturers (including importers) and processors of chemical substances. However, EPA will collect fees from processors only for their: SNUNs, TMEs, Section 4 activity tied to a processor's SNUN, or activity as a voluntary paying member of a consortium. 83 Fed. Reg. 52,696 (Oct. 18, 2018).

Beveridge & Diamond's [Chemicals](#) group provides strategic, business-focused advice to the global chemicals industry. We work with large and small chemical companies from industries including basic and specialty chemicals, pharmaceuticals, electronics, crop protection, food contact materials and additives, and consumer products, and have substantial experience representing clients whose products and activities are subject to EPA's broad chemical regulatory authority under the Toxic Substances Control Act. For more information, please contact [Mark Duvall](mailto:mduvall@bdlaw.com) (mduvall@bdlaw.com, 202.789.6090).