



North American Metals Council
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August 24, 2016

Via Docket Submission

U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Input on Risk Evaluation Procedural Rule under TSCA Section 6(b)(4); Docket Number EPA-HQ-OPPT-2016-0400

Dear Sir or Madam:

The North American Metals Council (NAMC) is pleased to submit these comments in response to the U.S. Environmental Protection Agency's (EPA) request for comment on the anticipated proposed rulemaking under Toxic Substances Control Act (TSCA) Section 6(b)(4), under which EPA must establish a risk evaluation process.

The Risk Evaluation Process Must Reflect EPA's Metal Risk Assessment Framework

EPA recognizes that metals present unique risk assessment issues, and sees the need to develop a framework document that puts forth key scientific principles for metals risk assessments to help ensure consistency in metals assessments across EPA programs and regional offices. (*EPA Fact Sheet on Framework for Metals Risk Assessment.*)

As mandated in TSCA Section 6(b)(2)(E), EPA shall use the [Framework for Metals Risk Assessment \(Metals Framework\)](#) in conducting risk evaluations for metals and metal compounds. A metals risk evaluation should include consideration of key risk factors for metals that include -- among other things -- the specific metal, the form of the metal and/or metal compound, the bioavailability of the metal to particular organisms, and the organism's ability to regulate and/or store the metal.

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EPA Should Reference Globally Recognized Metals Assessment Guidance

In addition to using the Metals Framework in its risk evaluations for metals and metal compounds, EPA should also reference the metal-specific guidance documents prepared by the International Council on Mining and Metals (ICMM), [Metals Environmental Risk Assessment Guidance \(MERAG\)](#) and [Health Risk Assessment Guidance for Metals \(HERAG\)](#), which have been reviewed and referenced on a global basis.

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Thank you for the opportunity to submit these comments. NAMC looks forward to reviewing the proposed rulemaking and engaging in further public review and comment.

Sincerely,

Kathleen M. Roberts
Executive Director