

EPA Announces Carbon Nanotubes to be Treated as New Chemical Under TSCA

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On Friday, October 31, 2008, the EPA published a notice stating that the Toxic Substances Control Act (TSCA) requirements potentially apply to carbon nanotubes (CNTs). Because the EPA generally considers CNTs to be different chemical substances than those carbon allotropes already listed on the TSCA Inventory, many CNTs may be viewed as new chemicals under section 5 of TSCA. Thus, if the CNT at issue is not already included on the Inventory, then the manufacturer or importer of the CNT will have to submit a premanufacture notice where required. The EPA further announced that it intends to focus compliance monitoring efforts in this area after March 1, 2009.

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