

2020 Chemical Data Reporting Requirements

May 19, 2020

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Agenda

Speakers: Meredith Comnes, Tom Smith

- Welcome and Overview
- TSCA and CDR Background
- CDR 2020 Reporting Requirements
 - Overview and Determining the Need to Report
 - Search EPA's Substance Registry Service
 - What information is Reported
 - Special Topics
- Non-Regulatory Updates
- Additional Resources
- Questions and Answers

Background: TSCA and the TSCA Inventory

Toxic Substances Control Act (TSCA)

- The Toxic Substances Control Act of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures.
- Frank R. Lautenberg Chemical Safety for the 21st Century Act (Lautenberg Act) amended TSCA on June 22, 2016
- Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics and pesticides.

TSCA Chemical Substance Inventory (TSCA Inventory)

- Comprehensive listing of chemicals in commerce
- Created in late 1970s and currently lists 86,405 chemical substances with 41,484 of them identified as active in U.S. commerce
- EPA maintains a public facing version and a non-public master file of the inventory

Background: Chemical Data Reporting (CDR)

- CDR is a collection of basic exposure-related information on the types, quantities, and uses of chemical substances manufactured domestically or imported into the United States
 - Chemical substances listed on the TSCA Inventory
 - Certain classes of chemicals, such as polymers, are exempted from reporting
- Information is submitted every four years
 - Most recently submitted in 2016, covering calendar years 2012-2015
 - The current submission period is in 2020, covering calendar years 2016-2019
- In 2016, about 5,660 sites reported approximately 8,700 chemicals, resulting in close to 42,500 chemical reports
- EPA has finalized the CDR Revisions Rule (March 2020), which affects the 2020 CDR reporting requirements
- EPA has published a final rule to extend the submission period from September 30 to November 30, to provide additional time to reporters to become familiar with these requirements
- EPA is also finalizing the Small Manufacturer Definition

Background: CDR Revisions Rule

- Goals of CDR Revisions
 - Update CDR to align with new statutory requirements of TSCA
 - Improve the CDR data to support the implementation of TSCA
 - Reduce burden for certain CDR reporters
- Summary of Changes
 - Exemptions for reporting of certain byproducts
 - Changes to claiming confidentiality to align with Lautenberg Act
 - Modifications to reportable data elements
 - Changes to simplify reporting process for co-manufactured chemicals
- Proposed April 2019, Finalized March 2020
 - All new reporting requirements implemented as a result of this rule are indicated in green text in this presentation



CDR 2020 Reporting Requirements

Overview of 2020 CDR Requirements

- **When**: The submission period is June 1 to November 30, 2020
- **Who**: Manufacturers, including importers, of chemical substances that:
 - Are listed on the **TSCA Inventory** as of June 1, 2020
 - Have a **production volume of 25,000 lbs** or greater at a site in at least **one of the years 2016-2019**
 - Unless **subject to certain TSCA regulatory actions**, in which case the **production volume is 2,500 lbs or greater**
 - Are not eligible for a full or partial exemption from CDR

Overview of 2020 CDR Requirements

- **What:** Submitters must report for each chemical substance at a single site:
 - Annual production volume for 2016-2019
 - Certain manufacturing information for 2019
 - Processing and use information for 2019
 - Exemptions may reduce reporting, explained later in this presentation
- **How:** Submitters are required to report electronically
- **Where:** Submitters report through EPA's Central Data Exchange (CDX)
 - Register with CDX
 - Access e-CDRweb, the CDR reporting tool
 - Create and submit a separate Form U for each site
 - Submit completed Form U following instructions in e-CDRweb

2020 CDR: Determining the Need to Report

To determine whether you are required to report, for **each chemical substance** that you domestically manufacture and/or import at a single **site** in any years between 2016-2019, consider the following steps:

Step I: Is Your **Chemical Substance** Subject to CDR?

Step II: Are You a **Manufacturer** Who is Required to Report?

The 2020 CDR: Determining Need to Report

Step I: Is Your Chemical Subject to CDR?

- Is your chemical substance listed on the **TSCA Inventory**?
- Is your chemical substance **manufactured for commercial purposes**?
- Is your chemical substance **used for only non-TSCA uses**, as defined by TSCA Section 3(2)(B)?
- Is your chemical substance potentially **exempt** from reporting?
- Is your chemical substance **ineligible** for exemption?

The 2020 CDR: Determining Need to Report

Chemical-Specific Exemptions (40 CFR 711.6)

- Full exemption from reporting
 - Polymers, microorganisms, certain forms of natural gas & water
 - Naturally occurring chemical substances (not affected by TSCA actions)
- Partial exemption from processing & use reporting
 - Listed petroleum process streams
 - Chemicals for which processing & use information is of low current interest
 - Added via petition process for each specific chemical
 - May be reversed if interest in chemical changes
- Not eligible for exemptions if subject to certain TSCA actions
 - A rule proposed or promulgated under TSCA Sections 4, 5(a)(2), 5(b)(4), or 6
 - Is the subject of an Enforceable Consent Agreement under 40 CFR 790
 - An order in effect under TSCA Section 5(e) or 5(f)
 - An order in effect under TSCA Section 4
 - Relief that has been granted under a civil action under TSCA Sections 5 or 7

The 2020 CDR: Determining Need to Report

Effect of TSCA Actions on Chemical-Specific Exemptions

TSCA Action	CDR Requirement
	Not eligible for full [†] or partial exemptions from reporting (40 CFR 711.6)
Not subject to any TSCA actions below	✓
TSCA section 4 rules*	✓
Enforceable Consent Agreements (ECAs)	✓
TSCA section 5(a)(2) SNURs *	✓
TSCA section 5(b)(4) rules*	✓
TSCA section 6 rules*	✓
TSCA section 4 orders	✓
TSCA section 5(e) orders	✓
TSCA section 5(f) orders	✓
TSCA section 5 civil actions	✓
TSCA section 7 civil actions	✓

[†]Full exemption for naturally occurring chemicals is not affected. *Applies to both proposed & promulgated rules

Example for 2020: Chemical Specific Exemptions

Chemical D, CASRN: 123-45-6

Statutes/Regulations
40 CFR 49: Indian Country - Air Quality
40 CFR 59: National VOC Emission Std.
40 CFR 302.4: List of Hazardous Substances
2016 CDR TSCA Inv
TSCA 6 Unreasonable Risk
TSCA 8A CAIR
TSCA 8A PAIR

Information from www.epa.gov/srs

Example from 2016: Chemical Specific Exemptions

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For 2020, there will be two TSCA Inventory listings, one "active" and one "inactive"

Information from www.epa.gov/srs

The 2020 CDR: Determining Need to Report

Step II: Are You a Manufacturer Who is Required to Report?

- Did you manufacture a chemical substance in an amount that exceeded the **reporting threshold** for the chemical?
 - Production volume (PV) of 25,000 lbs or 2,500 lbs
 - PV must be considered for each year for calendar years 2016, 2017, 2018, and 2019

Example: Reporting Threshold

- ChemIncA Company manufactures the following chemicals:

Chemical	Production Volumes (lbs)				Reporting required?
	2016	2017	2018	2019	
Chem A	2,000	5,000	0	26,000	Yes
Chem B	0	34,000	0	0	Yes
Chem C	1,000	2,000	0	0	No

The 2020 CDR: Determining Need to Report

Step II: Are You a Manufacturer Who is Required to Report?

- Did you manufacture a chemical substance in an amount that exceeded the **reporting threshold** for the chemical?
 - Production volume (PV) of 25,000 lbs or 2,500 lbs
 - PV must be considered for each year for calendar years 2016, 2017, 2018, and 2019
- Did you manufacture a chemical substance subject to reporting due to its **TSCA regulatory status**?

The 2020 CDR: Determining Need to Report

Effect of TSCA Actions on Reporting Thresholds

TSCA Action	CDR Requirement	
	Reporting threshold (must be one or the other)	
	25,000 lb (40 CFR 711.8(a))	2,500 lb (40 CFR 711.8(b))
Not subject to any TSCA actions below	✓	
TSCA section 4 rules *	✓	
Enforceable Consent Agreements (ECAs)	✓	
TSCA section 5(a)(2) SNURs *		✓
TSCA section 5(b)(4) rules *		✓
TSCA section 6 rules *		✓
TSCA section 4 orders		✓
TSCA section 5(e) orders		✓
TSCA section 5(f) orders		✓
TSCA section 5 civil actions		✓
TSCA section 7 civil actions		✓

* Applies to both proposed & promulgated rules. † Full exemption for naturally occurring chemicals is not affected.

2016 Example: Chemical Specific Exemptions

Chemical D CASN: 123-45-6

Statutes/Regulations
40 CFR 49: Indian Country - Air Quality
40 CFR 59: National VOC Emission Std.
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Example: Reporting Threshold

- ChemIncA Company manufactures the following chemicals:

Chemical	Production Volumes (lbs)				Reporting required?
	2016	2017	2018	2019	
Chem A	2,000	5,000	10,000	26,000	Yes
Chem B	0	34,000	0	0	Yes
Chem C	1,000	2,000	0	0	No
Chem D*	1,000	3,000	2,000	1,200	Yes, because TSCA section 6 rule
Chem E**	0	900	2,400	2,100	No
Chem F**	700	1,300	2,700	4,500	Yes, because TSCA section 5 SNUR

* Chemical D is the subject of a TSCA Section 6 Rule

** Chemicals E & F are both subjects of a Proposed SNUR under TSCA Section 5

The 2020 CDR: Determining Need to Report

Step II: Are You a Manufacturer Who is Required to Report?

- Did you manufacture a chemical substance in an amount that exceeded the **reporting threshold** for the chemical?
 - Production volume (PV) of 25,000 lbs or 2,500 lbs
 - PV must be considered per year for calendar years 2016, 2017, 2018, and 2019
- Did you manufacture a chemical substance subject to reporting due to its **TSCA regulatory status**?
- Do you qualify as exempt because you are a **Small Manufacturer**?
- Do you qualify for any other reporting **exemptions** **(Including new byproduct-specific exemptions)?**

Small Manufacturer: New Definition

- EPA finalized a new TSCA Section 8(a) definition for Small Manufacturer
- Total annual sales means annual sales of submitter combined with a parent company, domestic or foreign (if any)

Finalized Definition
First standard
Total annual sales <\$120 million <u>and</u> annual PV ≤ 100,000 lbs at a site
Second standard
Total annual sales <\$12 million, regardless of PV

Effect of TSCA Actions on Reporting Thresholds & Some Exemptions

TSCA Action	CDR Requirement			
	Reporting threshold (must be one or the other)		Not eligible for exemptions (separate issues)	
	25,000 lb (40 CFR 711.8(a))	2,500 lb (40 CFR 711.8(b))	Full [†] or partial exemptions from reporting (40 CFR 711.6)	Small manufacturer exemption (40 CFR 711.9)
Not subject to any TSCA actions below	✓			
TSCA section 4 rules *	✓		✓	✓
Enforceable Consent Agreements (ECAs)	✓		✓	
TSCA section 5(a)(2) SNURs *		✓	✓	
TSCA section 5(b)(4) rules *		✓	✓	✓
TSCA section 6 rules *		✓	✓	✓
TSCA section 4 orders		✓	✓	✓
TSCA section 5(e) orders		✓	✓	✓
TSCA section 5(f) orders		✓	✓	
TSCA section 5 civil actions		✓	✓	✓
TSCA section 7 civil actions		✓	✓	✓

*Applies to both proposed & promulgated rules. [†]Full exemption for naturally occurring chemicals is not affected.

Searching SRS – www.epa.gov/srs

- Search SRS to research if:
 - Your chemical substance is listed on the TSCA Inventory
 - Your chemical substance is potentially partially or fully exempt from reporting
 - Your chemical substance is the subject of certain TSCA actions which may impact reporting requirements
- Updates specific to the 2020 CDR will be added to SRS prior to the 2020 CDR reporting period

Searching SRS – www.epa.gov/srs

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Substance Registry Services (SRS)

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The Substance Registry Services (SRS) is EPA's authoritative resource for information about chemicals, biological organisms, and other substances tracked or regulated by EPA. [Learn more about SRS](#)

Find chemicals or substances

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Enter a name or number

Enter chemical, substance, or biological name or ID (CAS #, EPA ID, TSN, or internal tracking number)

Match type

Begins With ▼

Search

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Begins With ▾

Search

Enter chemical, substance, or biological name or ID (CAS #, EPA ID, or internal tracking number)

Select list to search

Filter all columns

	List Name ▴ ▾	List Acronym ▴ ▾	Entries ▴ ▾
☐	2012 Chemical Data Reporting	2012 CDR	14195
☐	2012 CDR Partial Exempt	2012 CDR Partial Exempt	708
☐	2016 CDR Full Exempt	2016 CDR Full Exempt	29876
☐	2016 CDR Partial Exempt	2016 CDR Partial Exempt	723



Searching SRS – CDR Partial Exempt

Substance Registry Services (SRS)

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2016 CDR Partial Exempt– 2016 CDR Partial Exempt

On this page: [List Details](#) • [Browse Substances](#)

List Details

List Type Statute/Regulation

List Status Approved

Number of
Entries 723

List
Description This list contains chemicals that are partially exempt from reporting under 2016 Chemical Data Reporting (CDR), as long as they are not also found in certain TSCA actions. Manufacturers (including importers) of partially exempt chemicals are not required to report processing and use information, but are required to report basic identity and manufacturing information. This list contains CASRNs and accession numbers, if applicable, and is based upon the status of a chemical on June 1, 2016, which is the first day of the reporting period for the 2016 CDR.

List
Steward

 [Export List Information](#)

 [Export Core Metadata for List](#)

 [Export Synonym Info](#)

SRS Information

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- [Related Resources](#)

Search

- [Substance Search](#)
- [Advanced Search](#)
- [Search by PMN & Accession Numbers](#)

SRS Web Services / APIs

Browse Substances

723 results [Adjust Columns](#)

(Export options:  [Excel](#) |  [XML](#) |  [PDF](#) |  [RTF](#))

◆	Synonym	◆	CAS	◆	EPA ID	◆	Molecular Formula	◆	Active Status	◆
☐	2H-1-Benzopyran-6-ol, 3,4-dihydro-2,5,7,8-tetramethyl-2-((4R,8R)-4,8,12-trimethyltridecyl)-, (2R)-		59-02-9				C29H50O2		Active	
☐	2H-1-Benzopyran-6-ol, 3,4-dihydro-2,5,7,8-tetramethyl-2-((4R,8R)-4,8,12-trimethyltridecyl)-, acetate, (2R)-		58-95-7				C31H52O3		Active	



Searching SRS – CDR Full Exempt

2016 CDR Full Exempt– 2016 CDR Full Exempt

On this page: [List Details](#) • [Browse Substances](#)

List Details

List Type Statute/Regulation

List Status Approved

Number of
Entries 1501

List Description This list contains chemicals that are fully exempt from reporting under 2016 Chemical Data Reporting (CDR), as long as they are not also found in certain TSCA actions. This list contains CASRNs and accession numbers, and is based upon the status of a chemical on June 1, 2016, which is the first day of the reporting period for the 2016 CDR.

List
Steward

Browse Substances

The search results returned were too large to display (>1500 records). Please:

1) Refine your search

- or -

2) Select an export option below to export all results



Searching SRS – CDR Full Exempt Download

	A	B	C	D	E	F	G	H	I	
1	Internal T	CAS #	EPA ID #	TSN #	Substance	Substance	Registry N	Registry N	Synonym Effective Date	Sy
2	574426	73018-26-5			Hexanedio	Chemical	Hexanedio	Chemical	1/15/2010	
3	1811211		E1811211		Glycol diis	Environmental Protection Agency Data Systems				
4	495440	68929-20-4			2-Propeno	Chemical	2-Propeno	Chemical	1/15/2010	
5	1794241		E1794241		Styrenate	Environmental Protection Agency Data Systems				
6	1800837		E1800837		Alkyl fatty	Environmental Protection Agency Data Systems				
7	1809215		E1809215		Vinyl alco	Environmental Protection Agency Data Systems				
8	1823193		E1823193		Polymer c	Environmental Protection Agency Data Systems				
9	568824	72869-59-1			Amines, c	Chemical	Amines, c	Chemical	1/20/2010	
10	294504	52292-20-3			1,4-Butan	Chemical	1,4-Butan	Chemical	1/15/2010	
11	1794239		E1794239		Polyester	Environmental Protection Agency Data Systems				
12	242198	26813-14-9			1,3-Penta	Chemical	1,3-Penta	Chemical	1/15/2010	
13	383745	68015-37-2			Glyceride	Chemical	Glyceride	Chemical	1/15/2010	
14	441865	68479-62-9			2-Propeno	Chemical	2-Propeno	Chemical	1/15/2010	
15	267724	34802-28-3			Formalde	Chemical	Formalde	Chemical	1/20/2010	
16	574491	73018-34-5			Poly(oxy-	Chemical	Poly(oxy-	Chemical	1/15/2010	
17	1820339		E1820339		Sulfurized	Environmental Protection Agency Data Systems				
18	1811207		E1811207		Hydroxyl f	Environmental Protection Agency Data Systems				
19	1800831		E1800831		Polymer c	Environmental Protection Agency Data Systems				
20	1809211		E1809211		Adipic aci	Environmental Protection Agency Data Systems				
21	423574	68399-66-6			2,5-Furan	Chemical	2,5-Furan	Chemical	1/20/2010	

Searching SRS – By Substance Name or Number

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Find chemicals or substances

Single entry | [Multiple entries](#) | [By list](#)

Enter a name or number

Enter chemical, substance, or biological name or ID (CAS #, EPA ID, TSN, or internal tracking number)

► [Options](#)

Match type

Begins With ▼

Search



SRS – Searching for 106-93-4

Substance Search Results

[Back to Search](#)

Enter keyword(s) below to refine search

[Reset Filter](#)

2 results found (Export options: [Excel](#) | [XML](#) | [PDF](#) | [RTF](#))

1 c

☐	Substance Name	Common Name	CAS Number	Taxonomic Serial Number
☐	Ethane, 1,2-dibromo-	Ethylene dibromide	106-93-4	
☐	Peroxide, dibenzoyl	Benzoyl peroxide	94-36-0	

2 results found (Export options: [Excel](#) | [XML](#) | [PDF](#) | [RTF](#))

1 c

SRS – Searching for 67762-26-9

Program and Regulatory Information

Statutes/Regulations

Below are the EPA applications/systems, statutes/regulations, or other sources that track or regulate this substance. This table shows how each list refers to the substance. To view more metadata about the specific Synonym, click on the Synonym.

Statutes/Regulations	Synonym	Synonym Quality	Effective Date	End Date
2016 CDR Partial Exempt	Fatty acids, C14-18 and C16-18 unsaturated, methyl esters	Unknown		
2016 CDR TSCA Inv	Fatty acids, C14-18 and C16-18-unsatd., Me esters	Valid		
TSCA Inv	Fatty acids, C14-18 and C16-18-unsatd., Me esters	Valid		

SRS – Searching for Hydrofluoric Acid (7664-39-3)

Statutes/Regulations

Below are the EPA applications/systems, statutes/regulations, or other sources that track or regulate this substance. This table shows how each list refers to the substance. To view more metadata about the specific Synonym, click on the Synonym.

Statutes/Regulations	Synonym	Synonym Quality	Effective Date	End Date
40 CFR 302.4: List of Hazardous Substances	Hydrofluoric acid	Unknown		
2016 CDR TSCA Inv	Hydrofluoric acid	Valid		
CAA112(b) HAP	Hydrofluoric acid	Valid		
CAA112(b) HAP	Hydrogen fluoride	Valid		
CAA 112R	Hydrofluoric acid (conc 50% or greater)	Valid	01/31/1994	
CAA 112R	Hydrogen fluoride (conc 50% or greater)	Valid	01/31/1994	
CERCLA	Hydrogen fluoride	Valid		

What is Reported?

Site Identification Information

- **Highest level U.S. parent company and, if applicable, the foreign parent company (new definition: “highest level parent company” in 711.3)**
 - Company name and address (Following the naming convention in 40 CFR 711.35)
 - Company Dun & Bradstreet number
- **Manufacturing (including importing) site**
 - Site name and address
 - Site Dun & Bradstreet number
 - Importers must report a U.S. address for the site
 - **NAICS code for the site of manufacturer**
- **Technical contact(s) information**
 - Name and address
 - Telephone number and email address

What is Reported?

Manufacturing-Related Data

- Chemical Identity
 - CASRN and Chemical Name
 - Accession Number and Generic Chemical Name for CBI substances
- Production Volume (PV) and other Volumes

2019 Data	2018 Data	2017 Data	2016 Data
Domestically Manufactured PV	Total PV only	Total PV only	Total PV only
Imported PV			
Indicate whether chemical never physically at reporting site			
Volume used at reporting site			
Volume directly exported from reporting site			

- Number of workers that are reasonably likely to be exposed (in ranges)
- Maximum concentration
- Physical form and percent production volume in the form
- Indication of whether a chemical is recycled instead of being treated as a waste
- The percent production volume that is a byproduct (voluntary)

Example: Reporting Specific Chemicals

- ChemIncA Company manufactures the following chemicals:

Chemical	Production Volumes (lbs)				Reporting required?	Report Processing & Use?*
	2016	2017	2018	2019		
Chem A	2,000	5,000	10,000	26,000	Yes	Yes, on 26,000
Chem B	0	34,000	0	0	Yes	No, because 2019 PV=0
Chem C	1,000	2,000	0	0	No	No, because 2019 PV=0
Chem D	1,000	3,000	2,000	1,200	Yes, because TSCA 6 rule	Yes, on 1,200

* Includes Manufacturing information beyond production volume, such as physical form.

What is Reported?

Processing- and Use-Related Data

- Required for production volumes of 25,000 lbs or more, at a site, unless subject to a reduced threshold of 2,500 lbs or more at a site, unless otherwise exempted
- Added function category for commercial/consumer products
- Phased-in replacement of the CDR “industrial function and commercial/consumer product” use codes with codes based on the OECD function, product, and article use categories (OECD-based codes)
 - During the 2020 CDR submission period, reporting using the OECD-based codes is required for the chemicals designated by EPA as a high priority for risk evaluation
 - 20 chemicals were designated as high priority in December 2019
 - Full list is at <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/chemical-substances-undergoing-prioritization-high>
 - For all other chemicals, reporters may use either the OECD-based codes or the current CDR codes
 - Reporting using the OECD-based codes will be fully implemented and required for all chemicals during the 2024 CDR submission period

What is Reported?

Processing- and Use-Related Data

- Required for production volumes of 25,000 lbs or more, at a site, unless subject to a reduced threshold of 2,500 lbs or more at a site, unless otherwise exempted
- Industrial Processing and Use

Report up to 10 unique combinations:			For each unique combination, report:		
Type of operation	Industrial sector	Functional use	Percent production volume	Number of reasonably likely to be exposed workers	Number of sites

- Commercial and Consumer Use

Report up to 10 unique combinations:				For each unique category, report:		
Product Categories	Commercial or consumer?	Functional use	Is use in a product intended for children?	Percent production volume	Maximum concentration	Number of reasonably likely to be exposed commercial workers

Example Table: Function Categories

TABLE 8—CODES FOR REPORTING FUNCTION CATEGORIES

For the 2020 submission period: (1) use column A for chemical substances designated in 2019 as high priority for risk evaluation (those chemicals listed in Table 9) and (2) use either column A or B for chemical substances not listed in Table 9.

For the 2024 and future submission periods, use only column A.

Column A		Column B	
Code	Category	Code	Category
F001	Abrasives	U001	Abrasives.
F002	Etching agent		
F003	Adhesion/cohesion promoter	U002	Adhesives and sealant chemicals.
F004	Binder		
F005	Flux agent		
F006	Sealant (barrier)		
F007	Absorbent	U003	Adsorbents and absorbents.
F008	Adsorbent		
F009	Dehydrating agent (desiccant)		
F010	Drier		
F011	Humectant		

Example: 20 High Priority Chemicals

TABLE 9—CASRNs OF CHEMICAL SUBSTANCES DESIGNATED AS HIGH PRIORITY FOR RISK EVALUATION UNDER TSCA SECTION 6(B) ON DECEMBER 30,2019

CASRN	Chemical Substance
106-46-7	p-Dichlorobenzene
107-06-2	1,2-Dichloroethane
156-60-5	trans-1,2- Dichloroethylene
95-50-1	o-Dichlorobenzene
79-00-5	1,1,2-Trichloroethane
78-87-5	1,2-Dichloropropane
75-34-3	1,1-Dichloroethane
84-74-2	Dibutyl phthalate (DBP) (1,2-Benzene- dicarboxylic acid, 1,2- dibutyl ester)
85-68-7	Butyl benzyl phthalate (BBP) - 1,2-Benzene- dicarboxylic acid, 1- butyl 2(phenylmethyl) ester
117-81-7	Di-ethylhexyl phthalate (DEHP) - (1,2-Benzene- dicarboxylic acid, 1,2- bis(2-ethylhexyl) ester)
84-69-5	Di-isobutyl phthalate (DIBP) - (1,2-Benzene- dicarboxylic acid, 1,2- bis-(2methylpropyl) ester)
84-61-7	Dicyclohexyl phthalate
79-94-7	4,4'-(1-Methylethylidene)bis[2, 6-dibromophenol] (TBBPA)
115-96-8	Tris(2-chloroethyl) phosphate (TCEP)
115-86-6	Phosphoric acid, triphenyl ester (TPP)
106-93-4	Ethylene dibromide
106-99-0	1,3-Butadiene
1222-05-5	1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta [g]-2-benzopyran (HHCB)
50-00-0	Formaldehyde
85-44-9	Phthalic anhydride

Important to Know

- Reporting is site-specific:
 - One Form U per site
 - One or more chemical substance reports on each Form U
- Reporting standard is “known to or reasonably ascertainable by” for all data

Important to Know: Confidentiality Claims

- TSCA amendments (June 2016) required substantiation for most confidentiality claims
- New Changes (Implementing the 2016 TSCA amendments):
 - Upfront substantiation is required for all claims of confidentiality at the time they are made, except for:
 - Production volume
 - Supplier identity, trade name, and formulation information associated with joint submissions
 - Updated substantiation questions and certification statement
 - General use data elements cannot be claimed as confidential
 - Industrial: type of processing and use, industrial sectors, functions
 - Commercial/Consumer: product categories, functions, whether consumer or commercial, whether used in products intended for use by children

Importers: Requirements

Importers are subject to CDR

- Under TSCA, manufacture includes import
- If two or more persons meet the “importer” definition, they may determine who will report (but both are liable)
- Site is defined for importers in 40 CFR 711.3
 - U.S. site of the unit directly responsible for importing
 - Must be a U.S. address, even if it is for an agent acting for the importer
- An importer will indicate whether each imported chemical is never physically present at the reporting site
- If a mixture is imported, the importer reports the individual chemical components of the mixture, including the percent composition
 - A joint submission with the supplier is used when the chemical identity or mixture composition is unknown
 - The secondary submitter of a joint submission reports the function of the chemical within the mixture
- Imported articles are exempt under 40 CFR 711.10(b)

Identifying Your Imported Chemical Substance: Requirements

- Sources of composition information include:
 - MSDS or SDS
 - Supplier provided composition information
- If composition information claimed as confidential
 - Ask your supplier to provide the information directly to EPA
 - Both the primary and secondary submitters are able to identify parts of their submission as confidential
- Use known or reasonably ascertainable information to determine whether your production volume triggers reporting
 - Overall production volume for imported mixture(s)
 - Available composition information from MSDS or SDS
 - Ask your supplier

Byproducts: Requirements

Byproduct chemical substances may be subject to CDR

- Defined as: A chemical substance produced without a separate commercial intent during the manufacture, processing, use, or disposal of another chemical substance or mixture. (40 CFR 704.3)
- Typically manufactured for a commercial purpose. (40 CFR 704.3)
- Reportable when used for a non-exempt commercial purpose. (40 CFR 720.30(h)(2), referenced by 40 CFR 711.10(c))

Byproducts: New Exemptions

- EPA will exempt specifically listed byproducts that are recycled in a site-limited manner when:
 - the substance is recycled or used in physically enclosed systems; and
 - the substance remains on site; and
 - the site is reporting the byproduct substance or another substance from the same overall manufacturing process
- Listed industries and byproducts:
 - Portland Cement manufacturing: *cement kiln dust*
 - Kraft pulping cycle: *black liquor, oxidized black liquor, and calcium carbonate*

Petition Process to add Industries and Byproducts

- EPA implemented a petition process for the public to request changes to the list of exempted manufacturing processes and related byproduct substances
- Petitions are due December 31, 2022, for consideration for the 2024 submission period
- Reporters must identify how the process and byproduct substances meet the requirements for the petition. For example:
 - Is the byproduct recycled or otherwise used
 - to manufacture another chemical substance within an enclosed system,
 - within the same overall manufacturing process, and
 - on the same site as that byproduct was originally manufactured?
 - Is the site reporting a different chemical substance that was manufactured from the byproduct or in the same overall manufacturing process?
 - Does EPA have a current interest in the byproduct?

Byproducts: New Exemptions

- EPA will exempt byproducts manufactured in non-integral equipment
 - Meaning, byproducts that are generated in equipment that is not integral to the chemical manufacturing process of the site; specifically:
 - pollution control and
 - boiler equipment
 - An **integral process** is the portion of the manufacturing process that is chemically necessary or provides primary operational support for the production of the intended product

Co-Manufactured Chemicals: First Reporting Procedure

- First new reporting methodology
 - Contracting company initiates the co-manufactured chemical report and notifies the producing company using the e-CDRweb reporting tool
 - Reporting responsibilities:

Data Elements	Contracting Company	Producing Company
Chemical Identity	✓	
Production Volume	✓	✓
Manufacturing Information		✓
Processing and Use Information	✓	

Co-Manufactured Chemicals: Second Reporting Procedure

- Second new reporting methodology
 - Contracting and producing company, upon written agreement, work together to complete the reporting
 - Producing company (instead of the contracting company) initiates and completes the reporting
 - Provides exposure information from manufacturing site
 - Contracting company provides additional information
 - Although the producing company submits the report, both parties are responsible for the report



Non-Regulatory Updates

Non-Regulatory Updates

- IT Enhancements
 - New application platform resulting in better functionality and less lag and faster validations
 - Application-integrated CBI substantiations
 - Ability to reuse some or all of the CBI substantiations
- Functionality Improvements
 - Improving uploading data:
 - XML upload failure explanations
 - Spreadsheet (CSV file) upload enabled
 - Auto-filling submission data from 2016 submissions to reduce time completing electronic submission
- Agent role: Improved function for e-CDRweb management

Planned Non-Regulatory Updates

e-CDRweb Management and User Roles

e-CDRweb Activities	E-CDRweb User Roles		
	Authorized Official (AO)	Agent (new)	Support
Create Form	X	X	
Creates Passphrase	X	X	
Generate Joint Submission Unique ID	X	X	
Generate Producing Company Unique ID	X	X	
Edit Form	X	X	X
Submit an original Form	X		
Unlock Form Submission (Create an amendment)	X	X	
Submit an Amendment of a Form	X	X	
Assign Supports	X		

Additional Resources

Where to Get More Information

- www.epa.gov/CDR
 - Instructions for Reporting - 2020 TSCA Chemical Data Reporting
 - EPA will post additional updated information as it is developed
- Send reporting-related questions to eCDRweb@epa.gov
- Send CBI related questions to:
 - Scott Sherlock sherlock.scott@epa.gov, or
 - Jessica Barkas barkas.Jessica@epa.gov



Questions and Answers



CDR 2020 Reporting Tool Demo