EPA

Moderator: Tracy Williamson
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OPERATOR: This is Conference #: 85463397

Operator: Good afternoon, thank you for standing by and welcome to the TFCA Inventory Active-Inactive Role Discussion and Application Demo Conference Call.

All lines have been place on mute to turn any background noise. After the speakers remarks, there will be a question and answer session. If you would like to ask a question during this time, please press star then the number one on your telephone keypad. If you would like to withdraw your question, press the pound key. Thank you.

Ms. Tracy Williamson, Chief of Industrial Chemistry Branch, please go ahead.

Tracy Williamson: All right, thank you and thank you to everybody who's participating in this Webinar today.

So, as the operator indicated, we're going to start with an overview of the new role, the Task Inventory Notification Active-Inactive Role. We will then do a fairly brief demo as the application and then we will have time for questions and answer. So, we expect during this three-hour Webinar that we will have at least two hours available for questions and answers.

Now, there's two ways that you can provide your question. We prefer that people do that over the phone. So, if you're not dialed in, and want to ask a

question, we suggest that you also dial in for that operator assisted question and answer period.

There is a Q&A box that should be on your screen. You can enter a question that way. But, again we're going to begin the Q&A session by answering questions that are received over the phone via the operator assisted option. If we have time left and they receive any additional questions that way then we'll switch here in EPA, we'll switch to the Q&A box and answer questions that you post there.

If we don't get the questions posted to the Q&A box, if you have – if you've entered your contact information when you logged in to the Webinar then we can read – answer your question one on one after the Webinar. Again, provided that you have that contact information entered.

OK, the first slide, we have some app commonly used acronyms for this particular reporting, I'm not going to go through this at this time. This is more from informational purposes. We're hoping to have the presentation posted on the website at some point in the near future. But, if you want a copy before that happens, you can e-mail us. So we're happy to provide a PDF version of the slide deck. I will send that directly to you. So, you can have that as soon as the Webinar has been assured at some time in the future that you contact us. There'll be a slide of contact information at the end of the presentation.

So, again the agenda, we're going to cover the reporting requirements under the new rule. And this is basically the who, what, when, why and how. It's roughly how we have the presentation structured. We are then going to also talked about confidential business information. Well then do the demonstration of the electronic reporting application. And then again we will have time for questions and answers.

We here at EPA are not planning on taking a break during this. So, just please be advice of that. So we will submit substance that are participating if you need to take a break. Certainly just do that at the time that you determine.

As an overview to the new reporting rules and this is of course the why, why are we here – here talking about this why – why are we doing this? Of course

it's based on the new requirements in Frank R. Lautenberg Chemical Safety for the 21st Century Act that was passed last year, enacted last year. So with TSCA this is the amended – amended TSCA Law. Specifically it was enacted on June 22nd, 2016, and it's primarily TSCA section 84 and TSCA section 85. We'll talk about that just a little bit more in a minute.

One of the requirements in the new law was on EPA to promulgate a new rule that establishes these new reporting requirements. So that rule courses the TSCA Inventory Notification Active-Inactive. Our requirements rule as we've already said and that can be found in 40 CFR 710. The final rule was published on August 11th, 2017. And specifically within that section of the Code of Federal Regulations, the part that really establishes the new reporting requirements is top part B. So that is the brand new part of the part in the regulation that specify the commercial activity notification that is now required.

And there is some a link there to the actual Federal Register Document. OK, little bit more on the statute. So, again two sections that are of most important to this new requirement. And so the first again TSCA Section 8(b) 4(a) and this is a text from the statute, specific to chemical substance in commerce and A, is rules and the text says, that in general not later than one year after June 22nd, 2016, the administrator by rule shall require manufacturers and may require processors subject to limitations under sub section A, 5(a), to notify the administrator by not later than 180 days after the date on which the final rule is published on the Federal Register of each chemical substance on the list published under paragraph one and that's the TSCA inventory.

So under that paragraph one, that's if manufacture processor as applicable as manufactured a process for non-exempt commercial purpose during the 10-year period ending on the day before June 22nd, 2016. So that sort of a mouthful but that is the requirement under 8(b) 4(a) that establishes the first reporting requirement which is the retrospective reporting, so that we will through out this Webinar refer to that provision, establishing 8(b) 4(a) as the retrospective reporting. We also may refer to it as the notice of activity form A reporting.

8(b) 4(a) continues to talk about active substances and then inactive substances. So for active substance after the clues of this retrospective reporting the administrator shall then – shall designate chemical substance for which notices are received to be active on the list. And again that is on the TSCA inventory. The administrator shall designate chemical substances for which no notices are received to be inactive substances.

There is a limitation and that is no chemical substance on the list published under paragraph one shall be removed from such list by reason of implementation of the sub paragraph. And so, that limitation is important. There has been some confusion about whether this inventory reset is it's also known – also it's being called whether it would involve removing substances from the inventory. And that is not the case.

So substance will be designated as active, if they are reported in a retrospective notice, if they are not they will be mark inactive. The no substances will be removed from the inventory from this reporting.

And moving on to TSCA Section 8(b) 5(b), this is the future – refers to the future reporting and it basically talks about the change to active status. And it's the statute says that in general any person that intends to manufacture or process for non-exempt commercial purpose of substance that is designated as an inactive substance shall notify the administrator before the day on which the inactive substance is manufactured or processed. And again this is similar to the retrospective reporting, you know, we will be referring to this requirement under 8(b) 5(b) as future reporting or notice of activity form B reporting.

The TSCA statute can – kind of to say that for active substances on receiving I notice under clause (i), the administrator shall designate the applicable chemical substances active. So in – for future reports notices that EPA received, for inactive substances that persons anticipate putting into back into commerce for non-exempt commercial purpose. Upon receiving such notice we will then change the designation from inactive on the inventory to active.

The next slide is on the implementing regulation. Again this is the sub part B and 40 CFR 710 that I mentioned. This is the commercial activity notification reg. These are the different additions, the different sections that were added to sub part B. So, I'm not going to go through this specifically at this time. But again there is – this is the sub part I mean all of the components of that, that establish both the retrospective and future reporting requirements.

So, talking for – just a minute about and a little bit more detail about the retrospective reporting, again they notice of activity form A reporting or NLA form A reporting. In terms of what is reported that is chemical substances on the TSCA inventory that were U.S. commerce for non-exempt purpose during the 10-year period ending on the day before the law was enacted, so the day before June 22nd, 2016. So that 10-year reporting period is June 21st, 2006 to June 21st, 2016. So the – what is reported or chemicals that were in commerce during that 10-year period. And they were in commerce for non-exempt commercial purpose. We're going to talk and share detail about the different exemptions under this reporting in a little bit.

In terms of who reports, again from the text that I read, manufacturers are required to report the TSCA indicated that EPA may require processors. EPA finalized the rule such that processors are not required to report. So manufacturers are required by statute to report manufacturers under TSCA include importers. So manufacturers and importers are require to report for the retrospective reporting. Processors may report by rules. The processors are not required to report but by rule we specify that a process can voluntarily report as they choose.

Now in terms of when the submission period is for retrospective reporting, again by statute manufacturers and again that includes importers have 180 days to report after publication of the rule. So that 180-day submission period is August 12th, 2017 to February 7th, 2018. Processors that choose to report have – and this is by rule a total of 420 days to report after the publication of the rule. So the processors submission period is August 12th, 2017 through October 5th, 2018.

So we're going to talk little bit more in depth about the reporting during the submission period in just a moment. But giving just a little bit more general summary of the future reporting in terms of what is reported in the future and that is chemical substances designated as inactive on TSCA inventory that are anticipated to be reintroduced into U.S. commerce for non-exempt purpose.

In terms of who reports manufacturers and again that includes importers and processors are required to report. And that is by statute. So, that's the reason important difference there between retrospective reporting and future reporting. Again for retrospective reporting manufacturers and importers are required to report by stature processors may report if they choose by rule. But for future reporting manufacturers, importers and processors are required to report by statute.

In terms of when the submission period is, manufacturers, again that includes importers, and processors must report an inactive substance prior to reintroduction into U.S. commerce and that is by statute. The reporting must happen in advance of reintroducing a substance into U.S. commerce. By rule, submitters cannot report more than 90 days prior. And again as I mentioned for retrospective reporting we'll talk in more detail about the reporting period and the submission period for the future reporting as well in just a moment. Next slide.

So on this slide we have just fairly simple diagram in terms of understanding, you know, who reports. And what category persons or companies fall into. So, again in summary if your reporting is based on if you manufacture, import, or process a TSCA inventory list of chemical substance for non-exempt commercial purpose at anytime during the 10 year reporting period. So, again this is this specific to retrospective reporting. So splitting out the type of activity, if you manufactured then you are required to report as a manufacture and again that's a 180-day submission period. If you import it, your report is for manufacturer because under TSCA again manufacture increase import.

Again, that is required and you also have a 180 days to submit a notice. If you process a chemical, again that's not required in one scenario, but there's

another scenario we need to talk about. And that's (see if) the next two scenarios on this diagram.

So in the first, you need to determine from where you obtained your chemical that you're processing. If you directly obtained a substance that you process from a foreign source, you're both an importer and a processor but you would report as the importer. Again which means you're reporting basically as a manufacturer that's includes importer. So that's required and that's 180 days.

If you obtained your substance, the cheap process from a domestic source then you report as processor. And that is again is voluntary, it's not required for retrospective recording and you have a total of 420 days. So we want to make sure that people understand that distinction because if you're processing a substance, you need to first determine from where you obtained the substance that you're processing. Because if you did obtained it from a far source you're an importer and with report as the importer which again is required.

OK. Next slide. Yes.

OK. On – this on the next couple of slides, want to talk a little bit more detail about the reporting in terms of the submission period. On this first slide, we have a diagram of the timeline for respective reporting. And again it's broken up into two stages. The first is the period towards the left of this diagram and that is the manufacture submission period, that's to require a 180 days for manufactures. Again that also includes importers.

Now processors are not prohibited from reporting during this timeframe, during this for 180 days either, we have received some questions on that. Importers have a total of 420 days. The importers can report at any time during that if they so choose.

The next block of times on this diagram that is the additional time that processors have. So that again will start after the first time block closes on February 7th, so the first 180 day submission period that's the mandatory submission period for manufacturers and processors. Once that closes processor, the processor submission period continuous for anther 240 days.

The reason why EPA is extending the time for reporting for processors is because we will are planning to post draft inventory. It's – hopefully as quickly as we can after the close of 180-day submission period. We don't know how long that's going to take us to compile any data that comes in closed to the – closed about submission period, we are expecting to get quite a number of notices as a deadline approaches for 180 day submission period. So that will depend – that will dictate how long it takes, so supposed that draft inventory.

But we're hoping to post it within months and hopefully definitely not more than two months after the close of that first time segment. That's draft inventory will have mark active, chemical substances that are already marked active on the inventory and I'll talk about that in a minute when we talk about exemptions. We will be – we were adding chemicals or adding these active designations to chemicals as we receive reports, now we continue to do that.

So that first draft inventory in addition to chemicals already marked active, all this reported in notice activity for May during the first 180 days will also be mark active. At that point it's very important to note that nothing is yet mark inactive because the total submission period for retrospective reporting is not closed. The total timeframe includes that additional 240 days for processors. So that will close up to the combine total 420 days and that will close on October 5th, 2018.

But after we published that draft inventory with additional substances mark active based on notices received during the first 180 days, that should inform processors at to what has already been reported by manufacturers and importers. So again, processors are still not required to report, they can voluntarily report but any substances that they did process during that 10 year reporting timeframe have additional time in terms of a total submission period to submit the notices if they so choose. And again they can use that draft inventory that we will publish it inform their decision is to weather they want to voluntarily submit notices for chemicals that are not yet mark active on the inventory.

This next diagram is the timeline for future reporting again, and a way form B reporting. After the close of the retrospective submission period on October 5th, 2018, EPA anticipates taking about a month hopefully not more than two months to then publish the first inventory that has all chemicals with a commercial activity designation. So at that time that would be the first time that chemicals will start to be marked inactive.

And again, that's hopefully that's would be a month or so from the close of the retrospective submission period. We anticipate getting additional notices form As during the extended processor submission period, but we're not anticipating getting a large number of those. So we are hoping to publish that first inventory with all substances designated again it's either active or inactive hoping to publish that sometime in November of 2018.

So at the coincident of – retrospective submission period again, that is a time that any substances, that no notice has been received will be designated as inactive. In the final rule, EPA included a condition that substances that are designated active when we publish that first inventory around November of 2018 there are substances that won't be effectively inactive until 90 days later. And the reason why we did that is for a number of reasons. So there's a number of scenarios that are not fully addressed in this statute and we fell needed to be addressed in the actual rule. Next slide.

And to talk about that we're going to look at the timeline for all reporting. So this is the combination of retrospective and future reporting to the form A and form B reporting. So the top half of this diagram we have the retrospective reporting period then there's a gap period in between the retrospective reporting period and the future reporting period which is on the far right of the upper half of that diagram.

On the bottom half of this diagram we have the time for the rule development in publication and then in green we have the submission period. So you can see the timeline for both the form A and form B reporting, the retrospective and future reporting.

So the gap period is something that affects the future reporting and again this is one of those scenarios that we felt we needed to address in the rule. It's not address in the statute, the statute specifics to the retrospective reporting period being the 10 years that ends on 06/21/2016.

The future reporting doesn't start until after EPA publishes develop some publishes the rule and we had a one year timeframe to do that. Then the retrospective submission period needs to run its course and again that and by rule of the total 420 days.

So at that point if without this 90 days delay for making inactive chemical is effectively inactive, if EPA publish the inventory that initial inventory with all substance is designated as active or inactive without that delay and effective designation for inactive chemical there's a number of scenarios where companies that that where in that, you know, were already manufacturing or processing or about to reintroduce chemicals into the U.S. commerce. There may have been scenarios where they would have to stop their activities submit the form B and then restart. And one of the reasons for that is because the future reporting requires a dense notice to EPA. They need to kind to then to be able to provide that notice.

So that 90 days a way effectively pushes the future reporting period in a little bit further inside the future and allows persons to submit the notice that form B notice without stopping their activity. So just some of the scenarios that could be impacted or we're in the gap period right now, companies maybe we are introducing chemicals into commerce right now that were not in commerce during the 10-year retrospective reporting period. And those chemicals are not subject to any reporting under the statute because the timeline doesn't fit under retrospective reporting period and it doesn't – yet fall under the future reporting period.

So companies we've have a few bit of absence about that, can we put chemicals in the commerce now and the answer is yes, and that's on the inventory and no reporting is required. However, if that activity if a company wants to continue that activity such that it will fall into the future reporting period that's when the form B will be required and the company is not

necessarily going to know if their substance is inactive until we publish that list.

And so by delaying inactive chemical being effectively inactive that means the company has 90 days to submit the form B before it actually required and the activity does not need to stop for the purpose of the events submitting the notice and then restart.

In other scenario people might find themselves in that impact about this future reporting and that should be assisted by that delayed implementation are our processors that choose not to report under retrospective reporting requirement. So the company for example chooses not to report the chemical that they processed during that 10-year retrospectively reporting period if the company is still processing and again anticipates continuing the process in the future such as it does fall into the future reporting period. Again that company might also not realize that the chemical is going to be marked inactive until EPA publishes that inventory and then again that's November of 2018. We anticipate that what it will be.

So again, with the 90 day delayed implementation of the future reporting period that gives – there is a process to insight with financial and that kind of scenario. Time to submit the form B the activity does not – the practicing activity does not need to stop for the purposes of submitting the form B it can continue. As long as that form B is provided within that 90 day period.

In the third scenario that we think is probably going to sort like common is companies that did not have a chemical commercialized during the retrospective reporting have not reintroduce that chemical into commerce during the gap period but maybe or anticipating putting that chemical back into commerce at the time that falls into the future reporting period, you know, it's possible the companies anticipating doing that say in December of 2018 and EPA publishes that inventory – that initial inventory that prove inventory with all chemicals that designated – that 90-day delayed give companies in that scenario as well a little addition of time to get a form B into the EPA before they come up chemical is effectively designated inactive.

OK, this part we're going to switch gears and talk more about reportable chemical establishments. So there's a number of different exemptions built in to the rule so we're going to talk about what's reportable and also what's not reportable. So basically, in this first slide is so fundamental condition for reporting and it's based on the 710.23 definition. So a chemical substance are subject to commercial activity designation means the chemical substance that is required – that requires a designation as either active-inactive. Chemical substances is subject to commercial activity designation if it is not in any inactive substance it was added to the inventory before June 21st, 2006 it is not naturally occurring as defined by 710.27(b) and it is not yet been designated by the administrator as either inactive or active substance.

So that's discusses several different conditions which we're going to talk about in a minute one by one. There's another importance of the fundamental definition also in the 710.23 definitions and this is going to be reportable chemical substance means – a chemical substances that is listed on the inventory and that is either chemical substance subject to commercial activity designation for which notification is required or allowed under 710.25(a) and 710.25(b) chemical substances that added to the confidential portion of the inventory before June 22nd, 2016 or an inactive substance for which notifications is required under 710.25(c).

So again, several different situations here and we're going to go through those one by one.

So we first want to talk about excluded substances and these are excluded by the 710.3 definitions. Substances that are not on the TSCA inventory are not subject to reporting. Substances also that are not included in the TSCA definition of chemical substance are not subject to reporting. These include mixtures, mixtures are not typically listed on the TSCA inventory but it's important to note that the components of mixtures are subject to reporting and or listed individually on the TSCA inventory.

A common example of a mixture that we want to include here are hydrates, we typically got a lot of questions of hydrates under several different types including under TSCA. Hydrates are actually considered mixtures under

TSCA, they are consider the mixture of the anhydrous form and water. So in reporting our hydrate – because hydrate often to have their own CAS number for example, we do advice people to use the anhydrous form look that up and make sure it's on the inventory and then that is the form that needs to be reported.

A pesticide is not included in a TSCA definition of chemical substance when it is manufactured process or distributing in commerce for use as a pesticide other types of chemicals are similarly not included in the definition of chemical substance and this includes tobaccos – tobacco products, sort materials, varies firearms, food additives, drugs, cosmetics and similar devices. Basically, these are not included in the TSCA definition of chemical substance because they're typically subject to other federal statutes.

Now it's important to note that there are excluded substances that maybe listed on the TSCA inventory if in addition to being an excluded substance it can have in other use that makes of the TSCA reportable substance and one example is the pesticide. There are certain chemicals that are use as pesticide that might also be use in a different application at something other than the pesticide and that other application made the subject may make that chemical subject to report under TSCA.

So again, the excluded substances if it's not on the inventory it's not reportable if it is excluded that substance because its – the second exclusion that we've been talking about doesn't need the definition of chemical substance under TSCA. Those maybe on the inventory and we do get questions about that people see their chemical on the inventory and they're not sure if its reportable or not, but certainly you can reach out so we can have a discussion so that we could have better understand your activity and then be able to assess you when you make a termination about what are chemical is reportable under TSCA including under this that we're talking about today.

There's another set of substances that are exempt from reporting, so we have actually several different types of exemptions that we're going to talk about now under the rule. This first sort of category of exempted – exempted

substances are substances for which EPA already has what we view as an equivalent notice and this is specific to retrospective reporting.

Those substances are already marked active on the TSCA inventory. Substances that we included in this category that we feel that we haven't – an equivalent notice are – can be one of two different types. The first type are substances that are included on our interim list of active substances. The interim list of active substances is required by made with TSCA. It's specified in the TSCA section 8(b)6, and it's says that EPA were dosing the substances reported under the CDR cycle, that's the Chemical Data Reporting cycle that most closely preceded June 22nd, 2016 as the interim list of active substances.

The purpose of the interim list according to the statute is for TSCA section 6, that's for EPA prioritization work. So it's not specific to this in a way reporting but EPA feels that in compiling that list, those substances can be considered the reporting that their substances was a basis for these substances being put on the interim list. We feel that that's an equivalent notice in terms of the commercial activity during the retrospective reporting period for this rule. There was some discussion about that in the proposed rule about which CDR cycle is closely – precedes the date that June 22nd, 2016 date in this statute. 2012 Certainly precedes that. 2016 has CDR reporting, had just opened before TSCA was inactive on June 22nd, 2016 but it wasn't close, so EPA thought it wasn't entirely clear whether that interim list should be based on 2012 or 2016. We had proposed to include both reporting cycles.

So the interim list was developed to include chemicals that report – reported to the 2012 and/or the 2016 CDR reporting cycle. And because that 2012 and 2016 CDR reporting periods fall within the 10-year retrospective reporting period for the notice of activity reporting, again, EPA tells that that is an equivalent notice about the commercial activity status of those chemical.

So those chemicals on the interim list are exempt from reporting under the – under retrospective reporting for the notice of activity rule.

EPA did receive comments about additional chemicals that might be able to be exempted and we did compile a list of all chemicals that EPA received and

a notice of commencement during that 10-year retrospective reporting period. So because we were able to compile that list with confidence, we are also exempted, all chemicals receive in a notice of commencement, again, following PMN review, and those are also exempt for reporting. So all of these substances are currently marked active on the inventory.

One thing we mentioned is with the interim list is available on EPA's website. EPA also has published on our website an exemption list. So the exemption list is the combination of the interim list and then the additional chemicals that we have marked active due to the NOC equivalent notice.

So our recommendation to folks that want to look at a list of chemicals that are exempt from reporting under this rule. Our suggestion is to look at the exemption list. The interim list is a subset of the exemption list, so the exemption list is the fullest of chemicals that are exempt from reporting under the rule because EPA tells that it had already receive an equivalent on notice that the documents, it's commercial activity status during the timeframe subject to this rule.

This next exemption type is for substances, exempt substances for which EPA also has an equivalent notice. This is the CDX receipt exemption in the rules and again, this is also specific to just retrospective reporting. So this, the CDX receipt exemption basically exempts perpetual reporting from retrospective reporting. If the person has evidence in the form of a CDX receipt documenting that EPA's receipt in a way form A from another manufacturer.

So this exemption does require some agreement coordination and communication between companies and that's something we've had a number of trade associations ask about how something like this might be implemented and certainly trade associations. We can envision, could have a role in facilitating this, but there would need to be an agreement between companies to share a CDX receipt from reporting with another company and that we would accept this documentation that chemicals already been received and a notice of activity form A.

First thing you should keep in mind however that if they do not report a chemical substance because they have a CDX receipt documenting that another person or company reported that substance, if the other company withdraws their notice, then the person or company that is – that shows not to report because of that CDX receipt would therefore be subject to reporting under the rule.

The next set of exemptions are specified in 40 CFR 710.27 and these are exemption types that are also seen in other sections of parts of the reg. So some of these are apart from PMN reporting, some are more exemptions for PMN reporting, other types of reporting under TSCA, so.

The first is manufacturing a processing of a chemical substance and small quantity solely for research and development. So if company, first our company, their activity during the 10-year reporting period was solely for R&D then that subject is – that substance is exempt from reporting under the notice, notice of activity reporting.

The manufacturing or processing of a chemical substance solely for test marketing purposes is also exempt from reporting under NRI notice of activity reporting. The manufacturing or processing of a chemical substance solely for export from United States as described in 710.30(e) or 721.03 exempt where the administrators made a finding described in TSCA section 12(a)(2).

So we're not going to go into the specifics under those right passages specified here, but generally substances that were solely for export are exempt from reporting under notice of activity reporting.

The import of processing of a chemical substance is part of an article, is also exempt from reporting of a notice of activity reporting. Next slide.

So continuing manufacturing or processing naturally occurring chemical substances is exempt from reporting. Naturally occurring substances are actually considered to be a category of substances that are already included on the TSCA inventory. They're not individually listed but they are considered to be on the TSCA inventory.

So any manufacturing or processing naturally occurring substances is – would be exempt from reporting. There are some conditions to that and that information is in 710.27.

The manufacturing or processing of chemical substance as described in 720.30(g) like a notice through the regs for pre-manufacture notifications that those are also exempted from notice of activity reporting. So 720.30(g) covers a number of different scenarios and conditions. One is a by product, and if it's only comer – only commercial purpose is for use by public or private organizations that their activity has been describe in three different scenarios. Burn it as a fuel, disperse it, if it's a waste, extract component chemical substances. Then the by product is exempt from reporting if it meets those conditions.

Also exempt is a manufacturing and processing a chemical substances that's describe in 720.30(h). Again, another right as passage – regulatory passage for PMN reporting but are also exempt from reporting under notice of activity requirements. Again, like (this) is actually – there's actually several scenarios and conditions describe under 720.30(h).

One is an impurity, so a substance that's manufactured the processes and impurities exempt from reporting. A by product which is not use at all for commercial purposes is exempt from reporting. Chemical substance which results from a chemical reaction that occurs incidental to exposure but other chemicals substance, make sure article to environmental factors such air moisture, microbial organism (system line). So the chemical substance meets various conditions then it's exempt from reporting.

Also a chemical substance which result from a chemical reaction and occurs incidental to storage or disposal than other chemical substance to make sure article. So again if its chemical substance meet various conditions is exempt from reporting. In 720.30(h) continues on this slide with some additional scenarios that are exempt. A chemical substance which results from a chemical reaction that occurs upon end use of another chemical substance next year or article.

Chemical substance formed during a manufacture of an article does in for the market place without further chemical change of the chemical substance. Also a chemical substance results from a chemical reaction that occurs when certain substance is function is intended or a substance which is intended thoroughly in part specific physical chemical characteristics is functioning as intended.

Now for these there is additional description in 720.30(h) this is just a summary of those scenarios were a chemical substance would be exempt from reporting under notice of activity requirement. So some of this has a fair amount of additional information and examples that are included in their way. So we welcome into those specifics here but you could certainly refer to 720.30 for that additional information.

And finally the last scenario under 720.30(h) is a non isolated intermediate. So if an intermediate is manufactured or process but not isolated it is exempt from reporting under need of some activity requirements. So on this slide, again it's important to note similar to the excluded substances and exempted substance maybe listed on the TSCA inventory.

If again in addition to being an exempted substance in one type of chemical process it's also use in the TSCA portable scenario. So on example be impurity, if the chemical is generated from one manufacturing process as an impurity would be exempt from reporting but that chemical might be listed on the inventory, if the person or company is manufacturing that chemical not as an impurity then that other person will get – or company would be subject to reporting. So again it's important to determine a substances on the inventory and then what was the – what is the purpose of that substance in your particular application.

It's important to note that one set of circumstances that is not exempt from reporting under notice of activity requirements are substance that need 5(h)(4) exemption. So a substance that was a subject of TSCA 5(h)(4) exemption such as a low volume exemption, a low risk exemption or a polymer exemption. If its substance was not listed on the inventory and it wouldn't

have been listed on the inventory from the exemption notice. So it's only if it's not listed on the inventory it's not subject to reporting.

But some other some other substances may have been submitted in a pre manufacture notice by a different company and then the result may have been – is the substance with commence that would have been added to the TSCA inventory. So in that scenario where a chemical is subject by one – was a subject of a little volume or low risk or power exemption by one company but it is on the inventory. The company that manufactured import it or process it under the 5(h)(4) exemption is subject to reporting.

And that is a condition, if it's on the public inventory. So for companies that did submit chemicals or manufacturing chemicals, important processing chemicals under such 5(h)(4) for exemption during the retrospective reporting period or in the future. If it is listed on the public inventory it is reportable by the companies that had the activity under the 5(h)(4) exemption.

EPA views chemicals that are on the confidential inventory to the – a situation where that – the substance that being listed on the confidential inventory is not necessarily known or reasonable ascertainable by the person or company that submitted a chemical in a 5(h)(4) exemption. So it's important if you did have a chemical in commerce under 5(h)(4) exemption, check and see that's on the public inventory. If it is – it's a reportable situation. If it's on the confidential inventory again that is scenario where EPA views that that information will not be (note) reasonably ascertainable to the person that has the activity in commerce under the exemption.

So in summary for reportable substances under notice of activity requirements, chemical substances on the TSCA inventory are reportable if they were or are anticipated to be in U.S. commerce for none exempt purpose during the reporting period specified in the goal. Again the retrospective and future reporting period. So a reportable substance to summarized, it's listed on the TSCA inventory, it needs to 40 CFR 710.03 definition of chemical substance.

It has not already even designated as active on the inventory because it has not already been reported to EPA in an equivalent notice. In that specific just the retrospective reporting. It does need a 40 CFR 710.27 activity exemption. It does need a 40 CFR 710.27 exemption from manufacturing or processing naturally occurring chemical substances.

So we've talk about what exempted, this is basically a summary of what is then and therefore reportable.

And again, as I mention, you know, we do suggest consulting the either the June inventory publication or the exemption list. The current June TSCA inventory publication available on our website has every chemical in the inventory listed CBI. Substances are listed using their generic identifiers but every chemical that – has already been receive in equivalent notice except our courses CDX receipt. Because I had notice what have come in after that posting.

But chemicals that meet the other equivalent notice conditions are mark active on the inventory and then EPA as I mentioned has an exemption list publish which has just post chemical list that are already designated as active on the inventory. And those chemicals are exempt from reporting. One thing that's important to say about these chemicals is CBI chemicals on the inventories that are already marked active are exempt from reporting unless the company wishes to request that EPA maintain the confidentiality of that chemical identity.

If person's do wish to request that EPA maintain the chemical identity of confidential substances that are currently designated effective then the way you would make that request to EPA is to submit a notice of activity form A. That is the means by which you will make that request to be (P.H.) maintained that confidentiality of those substance.

OK, we'll take just a few minutes to talk about our Confidential Business Information. A general point regarding retrospective reporting and substances who's chemical identities are CB. Again is to make sure that you report the notice of activity and inspecting appropriate (boxes) that you wish that

confidential claim for that chemical identity being maintained, is that submitting the notice wouldn't be necessary for those substances that are already marked active and are exempt except that submitting the notice is the means by which you request that EPA maintained the CBI claim.

The procedures for the submission of information claim to CBI are in 40 CFR 710.37. For retrospective reporting, again the notice of activity form A reporting. For chemical identity, substantiation maybe provider with a notice or maybe submitted pursuing to requirements that the CBI review plan described in TSCA section 8(b) 4(c) through (d). The substantiation will be reviewed by EPA regardless of when it's receive per the CBI review plan.

All other data elements that are marked CBI for those substantiation must be provided with the notice. So substantiation will be reviewed by EPA for TSCA section 14(g) requirements. For future reporting, the notice of activity form B reporting, for chemical identities, substantiation must be provided within 30 days of submission of the notice, or maybe provided with the notice.

Substantiation in those cases will be reviewed by EPA for TSCA section 14(g) requirements. And as with retrospective reporting for future reporting, it's all other with data elements must include substantiation's with the notice. And again substantiation will be reviewed for TSCA section 14(g) requirements.

So this statute does specify a difference in substantiation requirements for chemical identity versus other data elements. And as I mentioned, the statute does require EPA to publish a CBI review plan and again that is TSCA section 8(b) 4(c) through (d). Specifically, the statutes says that not later than one year after the data in which she you administer, to compile the initial list of active substances, the administrator shall probably get a rule, but establish as a plan to review all claims protect the specific chemical identities of chemical substances on the confidential portion in the inventory.

The timeline for completion of EPA review is not later than five years after the data which the administer or compliancy initial list of active substances.

So because the estimated date for compiling that initial list of active substances, that is and they're going to definitely is being November,

December of 2018. And the statute talks about the initial list of active substances that the that list is actually the first inventory that will have all chemicals designated its active or inactive. And so that's not to be confused with the draft inventory that the EPA will publish its winner of with chemicals marked active that will receive by the – during the 180 days submission period for retrospective reporting. So this at first initial list of the inventory that's reference – referencing under the statute TSCA.

So based on that thing, the estimated date for publishing the CBI review plan will there for peak of November, December of 2019. So again that is going to dictate the more detail, this statutes and requirements for retrospective recording. And dictating more detail in review of that substantiation.

Before we go on to the demo – the application demonstration, I'm going to …

Male: Which is on?

Tracy Williamson: Here. I'm going to ask a colleague, Scott Sherlock who's a senior attorney adviser in the Office of Pollution Prevention and Toxics, to give some practical point on confidential business information and reporting under the notice of activity requirement.

Scott Sherlock: Hi. We've received a number of queries on how to make CBI claims and what the CBI claims rules are. And what I'm hoping to do is just provide some very quick practitioner tips. Always feel free to call me at 202-564-8257, or my e-mail address at sherlock.scott@EPA.gov.

All right. So, the issue of CBI claims should be considered of critical importance information submitters because of the new statutory provisions related to CBI and right to know, which were incorporated and implemented into the inventory reset regulations. Bear in mind that the statue requires 100 percent review of recorded chemical names that are been claimed to CBI and 25 percent of filings containing CBI elements other than the chemical name.

If you follow CBI claim, it is most likely that you're filing will be reviewed and there'll be a determination on the validity of the CBI claims.

So there are four data elements per filing, company name and other identifiers, authorized official information, technical contact information, and chemical name. Regarding authorized, official, and technical contact information, we realized that there are reasons unique to these data elements for making a CBI claim, and I won't go into them at this point.

Regarding company name, and this is very important, folks, because we're getting a lot of queries on this. If you are making a CBI claim for company name, you are asserting that it is not known or rather it is a secret that your company has manufactured process or imported this chemical during the look-back period, the 10-year period ending on June 21st, 2016.

Additionally, even if it is a secret, you're required to demonstrate why the release of the link between company and chemical would substantially enter your company's competitive position.

As a practical matter, what we'll be doing is we will be reviewing – we'll be doing Google searches to see if, in fact, there is a link between the company and the chemical. We urge you to do exactly the same thing. If it's publicly known, there's a relationship between the company and the chemical, please do not claim company name as CBI. If it is not known, what would be terrific in the substantiation is if in your very first line, you say, it is a secret that there is a relationship – that our company has an involvement with this chemical. This is actually a standard that many companies already adhered to, and we're just reminding folks to do it again.

All right. Regarding chemical name, CBI claims are authorized only if the chemical is on the confidential portion of the inventory at the time of filing. Chemical names will be reviewed in accordance with the review plans, specified at TSCA section 8(b) 4(c) and (it is) anticipated that that rule – the review plan rule will be published in late 2019.

Substantiation requirements are set forth in TSCA Section 14(b) 4(d), and the requirement is mirrored in the regulations at 40 CFR 710.37A1. I think folks are generally aware of how we review CBI claims for chemical name. If there is any question on this point, please do not hesitate to call.

We are looking for – in our – in the substantiations, facts which support or allow us to understand why the release of a chemical name, identity or other data elements would in fact substantially enter the competitive decision of the company.

Thank you.

Tracy Williamson: OK. Thank you, Scott.

OK. So now, the remainder of presentation is going to be just a little bit on how to report and then we'll get into the demonstration. So electronic refilling – filing is required and that is specified in 40 CFR 710.39. You report using EPA's Central Data Exchange or CDX. Registration is required for that.

Once you have an account, you get into the system and you will select – first select your user role, and that is for the CSPP, Submissions for Chemical Safety and Pesticide Programs module. Then within the Chemical Information Submission System, CISS, you choose the software for this particular reporting which is the top of section 8(b) e-NOA reporting.

So at this time, we are in the middle of the retrospective reporting into the form A, the NOA form A for retrospective reporting is available. The NOA form B will be available in the future for the future reporting. We have some links on this page to the links to the CDX system, and then, a link to a webpage for how to submit an ePMN that has some information also about submitting an e-NOA.

The next slide is a few of most of the first page of the form A. The additional page is sort of the CBI substantiation pages. So, the primary part of the form is basically this, it's one page. There's not that many data elements as Scott already mentioned. You report the company name, address, technical contact name, telephone number, and then you report the chemical identity.

The chemical identity is – can be found in a PIC list in the application. None of the information that is in the PIC list and none of the information that is applied on the form will be confidential business information.

For non-CBI chemicals, you report the CAS number and the chemical name, that's how it'll be found in the PIC list. For a CBI chemical, you report the non-CBI identifiers which are the accession number and generic name, and that's how those chemicals will be found in the PIC list.

Then, part three of the form is you check whether you seek to maintain the claim, the existing claim of confidentiality for specific chemical identity for those substances that are full chemical identity of CBI and the task inventory. Or you check that you are not seeking to maintain that claim. And then, there's the certification.

The form B is very similar, so we're not going to go through it again here.

So, a couple of points to consider for how to report. Electronically, we've received some questions on some of these aspects. Notice, this can be submitted by corporate office and/or by a site or other organizational unit within a company. So we have had some companies asking, does everything need to come from the corporate office or do – must it come from the facility. And it can be either or, that is the submitter's choice.

And as I mentioned, substances can be selected from a PIC list in the application. There is also functionality to upload batches of chemicals from a file that is uploaded into the application. So you can list chemical substance in a file and upload it into the application and report chemicals in batch.

So it's important to note, again, linking back to the chemicals that are already marked active that we talked about when we were discussing the exemptions. So, non-CBI substances that are already designated as active will not be included in the PIC list because they are not subject to reporting.

CBI substances that are already designated as active, and the task inventories are included on the PIC list. And the reason for that is if a person or company chooses not to name the claim, that chemical is exempt from reporting. But if a company does want to request that EPA maintain that confidentiality, then it does need to report it in a notice of activity because that is a means by which you make that request to EPA, so they do need to be included in the PIC list for those who want to report to maintain the CBI claim.

Finally, a company can submit any number of notices with any number of chemicals from any number of sites or organizational units. Again, that is up to persons and companies how you choose to submit the information to EPA. There are no restrictions on those (CAS) considerations.

So at this point, I am going to turn the mic over to a colleague in the Office of Pollution Prevention and Toxics, Dr. Kathy Schechter. She is a senior chemist in the industrial chemistry branch in OPPT. And she will give the demonstration of the application.

Kathy Schechter: All right. Thank you, Tracy. What I'm going to do is switch over to the application, so bear with me for a second while I try to figure out how to do that.

OK. So, what I'm going to do, I'm going to do a couple of different things, depending upon what the – I've received questions from various submitted. I'm going to go through a little bit about the registration of the software and how to access the application.

And then I'm going to go into the application from two perspectives. The first is as a primary authorized official. Those would be persons who are set up to submit for the primary submissions. And then I'm going to go over the secondary authorized officials role and submitting a, what we call, a joint submission. OK.

So the first thing you have to do is to log in to cdx.epa.gov, and create an account. If you don't have already an account, you can select to register with CDX. If you do already have an account, you put in your ID and password. OK.

Now, once you logged in, you were logged in to what's called the My CDX screen. And from here is where all of the programs to which you have already registered will be listed. And, if you do not see the CSPP, Submissions for Chemical Safety and Pesticide Program, you have to select the Add Program Service option at the bottom of the screen.

Once you go into Add Your Program Service, as a part of adding the program service, you will select your user role, OK. So if you are a company that's going to be submitting the primary information, that will be under a primary authorized official. If you are a joint submitter submitting in the secondary information, you will be signing up for the secondary authorized official role.

So, the first thing I'm going to do is to go into the application as a primary authorized official. Once you have signed up, your identity has been verified and your role has been activated, then the role becomes a link to the software. So I'm going to click on the user role.

OK. All right. So, now, I'm going to go into the various applications to which fall under the CSPP workflow, and there are several. If you're familiar with submitting CDR or the section 5 notices of the ePMN, those are listed as well as the TSCA 8(b) e-NOA.

I'm going to launch the software. What you will see on the screen, on the left hand side is the way to create a new form. At the moment, we only have the form A as your possible option for creating a form. When the form B becomes available, that's when the reporting cycle for the future reporting takes place. And then, it will switch over from form A to form B.

We also have a list of useful resources. So, if you need to have a better understanding of the software, we have a user guide, which is for the most part what the primary authorized official would be using. But a lot of the things in there are applicable to the secondary authorized official. So it wouldn't hurt for both users to download that.

We also have what we call the bulk upload templates. These are comma separated value examples of things that you can upload into your system. It includes the ability to – for the primary submission only. It allows for you to enter in several chemicals at once whether they are CAS number chemicals, accession number chemicals or trade secret chemicals. It gives examples of all three of those. So I will give you a demonstration of the upload in a few minutes.

We also have a couple other links to the inventory. The active substance intern list and the task inventory chemical substance. So – and the rule. So, what I'm going to do is I'm going to create a new form so you can see where – what it looks like from the beginning. The first thing you do is you have to enter your passphrase. The passphrase is an encryption key. It is something that's at least up to 20 characters, mostly letters, numbers and spaces. And it is something that, if you forget, cannot be recovered. So please, please, please, write it down, remember it, make it something easy for you to remember.

Once you enter in the passphrase, you select continue. What you will see is a submission of couple of different steps. The first one is your technical contact information. At the very beginning is a form alias. And the form alias is a way for you to find that submission from the form screen, so I'm going to give a name for my substance here. This would be useful for persons who are going to be submitting several applications.

You may want to break up your submission by whatever is the most convenient for you. It might be plan site, it might be corporate, depending upon your needs. And how many submissions you're going to send in. This is one way to separate the identity of submissions, is by the form alias.

Then, you can enter in the technical contact information. If the person who is filling out this form is going to be the technical contact, you can copy it from CDX. So I'm selecting to copy. And then hit continue.

The next step is the chemical information. This is where you add the individual chemicals to your document that you're going to be reporting. What you end up doing is creating a table of chemicals when submitted has its own separate form for each chemical, and I'll go over that in a minute.

So, what you have to do is first, start adding your chemicals. I'm going to do the one by one example first. And then I'm going to do a joint chemical. And then lastly, I'm going to upload CSV file so you can get an idea of how that happens.

So, one thing you can do is add your non-chemicals using what's called the SRS lookup. And by selecting that, it allows you to search by the CAS number, by the accession number or by generic or specific name. So, for example, I'm going to put in a CAS number. You can put it with or without dashes. The system will find your chemical either way. This one's pulled up the chemical. I've selected to choose that chemical and hit save.

Once you do that, your CBI claims options will be available. You can choose to claim your authorized official CBI, your company CBI or your technical contact confidential.

When you select one of these as confidential, a list of questions will appear, OK. I'm going to hit to display the questions. These are a set of questions that are going to be required for anything that's claimed as confidential. Part A is for one of these three things to be claimed confidential. You'll be required to fill out questions A.

When you do a accession number, another set of questions will come up for you to answer and respond to claiming the name or identity confidential. So let me go ahead and – I'm not going to make this confidential at the moment. I'm going to hit save. And now, my chemical that I've selected has been added to the table where chemicals with CAS numbers occur.

Now, let me add substances on the confidential inventory. I'm going to search by accession number. And, let's see, 134828. If I do a search, it pulls up this chemical from 1993. I'm going to select that I would like that chemical. And hit save. Here is where you get the option to either maintain the confidentiality of your substance or that you're not going to maintain the confidentiality substance.

If you wish to withdraw your confidentiality, then you can select that and hit save, and you're good to go. If you select to maintain your confidentiality, then you are now required to fulfill your substantiation questions part A and part B.

Hold on just a second.

OK. So for the form A, you can wait to do your substantiation or you can – or you can submit it with the current submission. It's up to you, but either way, eventually, will need to be submitted. The system will allow you to go forward and save without putting in any answers to your substantiation. And it will validate without it.

So, next thing I want to do is, so you currently have the one chemical listed by CAS number in one table and the other chemical listed under the second table, where it says that you are going to be maintaining a confidentiality.

Now, the last thing that I wanted to go over by individual data entry is a joint chemical. So let's say, that you are a person who is a importer, manufactory should know the identity of your substance. But if you are a importer and you do not know the information and you might need a third party to provide that information, you can do so by selecting the Add Direct Chemical. What you will need to do then is to give a trade product name associated with that.

OK. (And I) copy that for the moment. OK.

So I've now put in the product to which I am identifying this material. I'm going to add the joint submitter by selecting the pencil next to the number of joint submitters. So, let me give a company name to who's going to be providing this.

(OK), I'm sorry. Add joint submitter. Thank you. Oh, let's see why this isn't doing that. Let's start it again. OK. I'm not sure why it's not – any ideas, Tracy?

Tracy Williamson: Click Add Joint Submitter and then you enter the company name and the secondary company name.

Kathy Schechter: Oh, down here. Sorry.

All right. So, company, CAS joint. All right. So this is the secondary company name to which I'm going to be sending an e-mail. And then, the e-mail, it will be requesting this company to provide the information for which the trade chemical that I've just identified. Once you add into the company

name, there is a Click Here option in the middle of this paragraph that you would need to select in order to send the e-mail with this unique identifier.

So I'm going to click here. And here is the e-mail to which it's going to be sent. And then, you can put under additional comments. This provide chem ID or my trade chemical X, Y, Z. OK.

So what this does is it sends an e-mail to the persons to which you report. So for example, I'm going to send it to myself. And this is for the content of the e-mail. And at the bottom of the content is your specific instructions. And you hit send. So this now tells me that I've sent an e-mail off with a unique identifier to that submitter. So – with this unique identifier.

So now, when I hit save, I've listed joint chemical company with this chemical that needs to go to. And if there are other companies to which you need to report for this particular trade product, you can add a second joint submitter.

So, now, once I've entered that, it's now gone into the chemicals table. As you can see, it does not have an identifier but it does show you that the trade chemical is now a substance that needs to be reported and that it is a joint submission.

One of the things that has been added to the software to make it more user friendly, we have the option to view the submission of the PDF for each of the chemicals. So under the actions options, you have the actions to edit that particular substance, deletes that substance, preview the PDF of what we call the original, that would mean the CBI version if it's contained CBI or the non-CBI version of it contains no CBI, and what we call the sanitized version.

So for example, if I click on the original, it will generate a PDF for you to preview. Here's your submission, has a (watermarks) not for submission, it populates the chemical information. And then if you claimed anything confidential, then it will have your CBI substantiation information following that.

OK. So, that's how you would add in the chemicals one by one. You either do it through SRS, if you know the specific information, or you do it by

adding the joint chemical, if you do not know the specific information and it needs to be provided by a third party.

The other option is to use the CSV file, OK. So, from the home screen, where you had under the resource tab the template, you can open up the template in various programs such as Excel, or Word or (Word Path). And then you can modify that spreadsheet to include all the chemicals and all the answers to your CBI substantiation.

Once you add in all the chemicals, then you can select the upload button. I would highly suggest you download that CSV and take a look at it. It does have examples of all three types of substance chemicals. Ones with CAS numbers , ones with accession numbers and ones which are trade secrets where information is being provided by a third party.

So I have an example, so let me go ahead and upload. Once you do the upload option, I'm going to select my comma separated value and select open. You have the option to either add to the list, so if you've already entered in chemicals, you can append to that list or you have the option to overwrite.

So I'm going to go ahead and just overwrite. So I'm going to hit upload. Now, technically, there is no limit to the number of chemicals to which you enter into the system. However, when you go to preview or submit, the system has to generate a PDF of every single chemical; and that can take time.

We have had submitters tell us that the sessions time out if there are too many substances. It all depends on your connections and other issues like that. I have found that we have submitters that send in 50 to 100 with no issue. So, as an FYI. Oh, we actually had a submission with 200, it all depends on your ability to generate the PDF during the submission process and how long that takes. But we have had several with quite a number of submissions.

So here is the upload that I did, the chemicals table. And as you can see, I have uploaded quite a number of substances by CAS number. For your own records, if you want to have an idea of what substances were reported under which submission, you do have the option to export. So, even though you

imported, you can now go and export it of your complete list via XML, a CSV or a PDF, or an Excel spreadsheet.

Here are a list of accession numbers that I entered, and there's a quite few. For this table, you also have the ability to export the contents of the table through XML, CSV, PDF or Excel. And that's always a good thing, so that if you do have multiple substances for a particular submission that when you have a record of what was submitted under each one.

The next thing to do after you've entered in all your chemicals and you've previewed anything you want to preview, select the next button. And you go to the substantiation screen. OK. And on the substantiation screen, it allows you to see anything that was either a trade product or one that was an accession number or CAS number, where you may have claimed something confidential.

It just let's you know whether or not the validation is all of your information has been provided, they will be listed here. So then I'm going to hit continue.

The last screen is the submission screen. It gives you an indication of who the system is designating as the authorized official to submit this.

If you are a technical contact and not the authorized official, you would stop at this point and then notify your authorized official to go into the submission and complete the submission. They would come to this final screen. It would have their information as the authorized official and the responsible party for submitting it.

They would acknowledge the fact that they are the responsible party, and then you can hit the start submission process. The submission process has a couple of steps. The first is a TSCA certification step. Hit continue.

The second is an 8(b) certification step, and hit continue. And now, it's going to go through a, what we call, a validation step. It's letting me know that I did not notify the joint submitters about these particular chem IDs. So, this is a good time to cancel the submission and go back to the chemical screen to each trade product and submit that e-mail unique identifier.

So if you click, these are actually links that will take you back to the chemical strain. Thank you, (Chris). That will help you out, so that you can see the trade products are listed. The first one is under this one here. And then I'd have to find the other trade products.

(Inaudible)

Male: Under the maintaining.

Kathy Schechter: Oh, OK. I see.

(Inaudible)

Kathy Schechter: Yes. So, anyway. So now would be the time to go in and enter in your substantiation – or your – sorry, your submissions to the e-mail for the secondary authorized official to fill out their part.

So what I'm going to do next is to do a secondary submission. So, what I'm going to do to do that is I'm going to copy one of these unique identifiers.

So I'm going to take this, and say click here. I'm going to send it to me so that you can see. Send. OK. I'm going to copy this unique identifier because I'm going to log back in to CDX and be a secondary authorized official.

OK. So now, I'm going to log out of CDX. And go to CDX homepage. And in this instance, instead of a primary authorized official, I'm going to log in as the secondary authorized official.

You also select the e-NOA just as you would for a primary. Then I would go to create a new form. OK. So I'm going to put in a passphrase.

OK. These screens are very similar to the previous one. I'm going to copy from CDX, my information to be the technical contact. The next screen is what we call the chemical identification screen where you have to list all of your trade products to which you were going to report under this submission and give the unique identifier. So I'm going to add a trade product. So this was trade chemical X,Y, Z. I'm going to add a chemical. So, let's say, I'm

going to have an accession number of 142, 145, 256, do a search. Here is my chemical that I want to choose.

OK. OK. And, letting me go down. Anything to my screen. Let me do it that way. Here it is. All right.

So now, I've entered in my chemicals or chemical to which is reported under that trade name. You can either enter in the fact that this trade product is identified 100 percent by this particular substance. Or, you can say that it's 80 percent this material, and it contains other non-reportable substances. Or you can add additional chemicals and then you can split the percentages between the additional chemicals. Because I entered in the accession number, I have to determine whether or not I want to keep them in CBI claims. And that would be a yes.

And then I would go to – hit save, I can get over here and hit save. OK. And then save, oops.

The last thing after you add your chemicals is to add your unique identifier. OK. So, when I add my unique identifier, I had it from the e-mail that was mailed to me and hit populate. So this tells me that the trade products to which I am reporting is going to be linked up with this particular unique identifier.

So, if you want to add multiple unique identifiers, let's say, for example, 20 companies came to you. And said I need for you to report the substance. You can enter in all the unique identifiers for that particular trade product. And EPA will link up this chemical to that particular item in our system.

OK, so let me go back and hit save. I don't think it's going to let me. Any question – anyway of – yes, I hate that.

So, it could be my browser issue, which has got this bottom bar that's preventing me from hitting the next option, which is to save it. So, I'm just going to go ahead and cancel at the moment. And then see if I can hit save for this one. No, that won't let me do that.

So, I think that's more of a browser issue than anything else. So I'm going ahead and hit save by that (route). There's a save option at the bottom.

So, then after that, it's pretty much the same as any other submission you would select to submit. And then the authorized official who is going to be in charge would the one to certify and hit the submit button. It's really odd. I never had that happen before.

Anyway, that's all I have for my demonstration. So, we are going to go back to the last slide. Hold on just a second while I go and get the document back up.

OK. And then I go to the last slide in the demonstration. This is a final slide for Ms. Tracy Williamson.

Tracy Williamson: OK. So, as I mentioned a couple of times, if you have any questions about reporting, as you're reporting, please don't hesitate to contact us. We have a few links here for information about reporting. The first is the link to the Federal Register of the final rule. The next bullet is the link to the TSCA inventory webpage on our offices website.

So you can find information about reporting there. Also the lists are posted there. You can download the inventory there, the exemption list. And, don't hesitate to contact myself and also our associate chief, Myrta Christian. Our e-mails are there, phone numbers, both direct and branch.

Probably the best way to submit questions to us is to send them to our TSCA inventory e-mail box. And that's listed there, too. It's TSCA inventory, all one word, @epa.gov. We can manage incoming inquires about this particular reporting best if it's submitted there.

You're welcome to submit to our individual e-mail addresses. But it's going to be included in with a lot of other e-mails. So, it's– again, it's probably just best to send it to the TSCA inventory e-mail box or give us a call.

So we're happy to work with people one on one especially if you get into very specific questions about your chemicals and reporting those chemicals. So at

this time, we are going to – I'm going to hand over the (lead) to our operator, (Toni), to assist with the Q&A.

Operator: As a reminder, if you would like to ask a question, please press star then the number one on your telephone keypad. That is star one to ask a question.

We'll pause for just a moment to compile the Q&A roster.

Your first question comes from the line of (Jayanne Carlock).

(Jayanne Carlock): Oh, hi. I have two related questions, hopefully you can help me. They're – for foreign entities, for example, a company with no offices in the U.S. or no mailing addresses or phone numbers, can they notify chemicals directly to CDX?

And the second part of my question is, the reason is our company obtained a substance mixture from a foreign source during the look-back period with unidentified CAS components. And, at that time, they gave us a TSCA certification but they don't want to identify which the substances they are, like CAS numbers. And they don't want to do a joint notification. Can that company notify directly to CDX? Can they register for CDX, and then notify the chemicals?

Tracy Williamson: Reporting – TSCA reporting is typically from a U.S. company, U.S. agent that can represent a foreign company. So there would need to be a – there would need to be some coordination with a U.S. company to connect to the U.S. agent for a foreign company.

(Jayanne Carlock): OK, because I did have some information from – just the EPA hotline that foreign companies can do some limited CDX registrations, but that would not include being able to notify, for example, the NOA form and the CDX for the 8(a).

Tracy Williamson: They could submit as a secondary for joint application. You know, I'm not sure but there's – the CDX is electronic, the secure electronic reporting portal for the agency. And so, there are non-TSCA reports that may be received through …

(Jayanne Carlock): Oh, OK, yes, yes. That what I …

Tracy Williamson: (Inaudible) program said that the hotline may be also referencing, so.

(Jayanne Carlock): OK, that's what my understanding had always been that there might be some limited use but not for the CDX direct reporting. OK, thank you.

Operator: Your next question comes from (Dawn Clark).

(Dawn Clark): Hi. Can the agency elaborate on what they plan to do with my company name, an NOA form A, if I don't claim it confidential? Is there going to be a publicly available document with my company name and all the listed chemicals that I've manufactured and imported?

At this time, the agency does not have plans to publish forms either, you know, non confidential forms or sanitized forms. That's something that may change in the future. But at this time, we do not have plans, especially for the retrospective reporting because there's probably going to be, you know, quite a number of, you know, thousands of notices submitted.

Please be advised, however, that notices submitted to EPA, TSCA notices, can be subject to – for, you know, freedom of information at request. Now, if it's a CBI notice, EPA may – depending on the specifics in a FOIA request may find that it's – it does meet the parameters of a request received in FOIA, and we would first – again, notice it has confidential business information we would provide the sanitized version. But if there's new confidential business information form, maybe released under FOIA.

(Dawn Clark): Thanks.

Operator: Your next question comes from the line of (Tony Tantillo).

(Tony Tantillo): Hi. I have several questions about joint submissions as well as some general questions. In a joint – if a joint is responding to the EPA, you know, joint submission, is that a mandatory option or is it optional?

Tracy Williamson: That's – that would probably depend on potentially different scenarios. If a submitter – potential submitter determines that they do need to report a substance that has a component that is proprietary from another company, from a supplier, for example, then that – and if the supplier, you know, wishes to maintain that confidentially of the component that needs to be part of that reporting, then that is likely, you know, a joint submission.

But it may be possible – there might be other scenarios that can be handled outside of a joint submission if – you know, if accession numbers can be shared in such, because this reporting – unlike pre-manufacture reporting where a company does need to provide the confidential inventory, this reporting is setup such that confidential substances can be or will be reported by their generic identifier. So a supplier could conceivably supply the generic identifiers to the company that is reporting, and then they could report those as part of that product that they are – they have determined they need to report.

So it does – it may depend on circumstances both the activity as well as, you know, maybe the relationship between a supplier and then the recipient of those materials that are confidential.

Kathy Schechter: It might be that the trade product substance to which you need to report has already been reported and that if you can get proof of that reporting.

Tracy Williamson: Right. So, yes, and we've had that question come up, people have asked – you know, they said, you know, we – our suppliers are reporting, they've told us that. You know, we would encourage in that situation to share CDX receipt. So if your supplier says, don't worry about that, I'm reporting, just ask them for the CDX receipt to document for your documentation that they – you know, they actually did get that notice in. But there's – you know, there's few different scenarios that could be relevant here.

Again, when we get into specific scenarios, you know, we're happy to, you know, work with you one on one if people have questions. You know, we can always – in a webinar like this, we can only sort of provide answers to more generic scenarios. But, you know, if you want us to look up specific

chemicals, you know, don't hesitate, you know, everybody, don't hesitate to contact us.

You know, we've gotten quite a few inquiries like that already where people are – can't find a substance or aren't sure about if it needs to be reported or not, and some of those are dependent on joint submission, some are not.

(Tony Tantillo): Yes. The thing about sharing receipt isn't a good one, in my opinion, because you could have like, let's say, publicly, you know, (tweak) – let's say methanol, ethanol and butanol are your solvents, but you don't want your customers necessarily know that. And I wouldn't want to share the receipts with them because they're publicly available CAS numbers and it's a trade secret, in other words, or publicly available numbers, CAS numbers.

Tracy Williamson: Right. The CDX receipt is not going to actually include the chemical identity.

(Tony Tantillo): Yes, it does.

Kathy Schechter: Not the e-mail that you received from CDX when a submission comes in. It just has a transaction ID number.

Tracy Williamson: Yes.

Kathy Schechter: You could – there's a record of (inaudible) …

(Tony Tantillo): Oh, OK.

Tracy Williamson: So the e-mail submission.

(Tony Tantillo): OK.

(Inaudible)

(Tony Tantillo): Yes.

Tracy Williamson: And that would have the additional information but, you know, (the receipt) …

(Tony Tantillo): OK.

Tracy Williamson: Yes, just the – just a transaction number.

(Tony Tantillo): My next question is, what happens if you get a joint submission from one of your customers and you realized everything is on CDX – or everything has been submitted by a CDX or a combination of everything has been submitted on CDX, and everything else is in the CDR submission.

Kathy Schechter: Then you have the option to submit – well, you have two options. You can tell the person to whom requested that information that it's already been covered and that they can delete it from their submission. Or you can submit your joint submission or report all the substances that's already been reported.

(Tony Tantillo): How do you that, Kathy? Because I tried that and, yet they had chemicals to the joint submission.

Kathy Schechter: So you have to select at least one substance.

(Tony Tantillo): Yes.

Kathy Schechter: And their first option would be to contact the person who …

(Tony Tantillo): OK.

Kathy Schechter: … that e-mail and have them withdraw that particular trade ID.

(Tony Tantillo): OK. Another thing about the joint submissions, there's a percent of a component in the formulation and there's also a trade name.

Now, considering that we were told that it doesn't matter if you use one or 10,000 kilograms of a substance commercially, you report it. So composition really doesn't make – impact the TSCA reset. And considering that unique identifier combines – it must combine a company and a formulation together, a trade substance, why can't I just put for trade names something like trade product X, Y, Z and just put 1 percent for all the components I enter?

Tracy Williamson: Let's – we're going to split that out into two parts. So there – you're correct in that there is no threshold for reporting for NOA reporting. So that is unlike CDR. I know, I think a lot of people when the rule was being – before it was proposed and that after it was proposed. I think a lot of people anticipated that this reporting would be similar to CDR, and it really isn't. You know, this is an 8(b) rule, the CDR is an 8(a) rule.

So there is not threshold for reporting. So, as you said, a substance – if a gram was commercially – may commercially available during the reporting period, it's subject to reporting. There's no threshold in terms of production volume.

But now, in terms of that, so that's different than composition filled in the application. So, the reason why the percent composition is in there is because if company A needs to report and there's a component that they received from a supplier that they don't know the chemical identity, they don't know if that's one chemical or might be several chemicals in that material that they're receiving, it could be one chemical or could actually be a mixture itself.

And so that's why their – the application is set up such that the secondary reporter can put in what is in that proprietary material that they are supplying. You know, if it's one chemical, they put in one chemical, if it's more than one, you can put in more than one. So the – that's why there's that percent composition.

(Tony Tantillo): But you can't put in a CDR chemical or you can't put in a chemical that the agency feels has a notice for already.

Kathy Schechter: You would put in …

Tracy Williamson: That's where you check in the – you include non-reportable (processes).

Kathy Schechter: Right. So it's …

(Tony Tantillo): Right.

Tracy Williamson: So your …

(Tony Tantillo): So you're never going to get 100 percent?

Tracy Williamson: Correct. So that – yes, that percent is not – percent composition is not particularly important. That's more just to in – you know, in the event that all of us – the materials that there's more than one are reportable, you put them in and, you know, that would be one way to double check that you've got them all if it has up to 100. But it may not up to 100 because there are chemicals …

(Tony Tantillo): Yes.

Tracy Williamson: … (reportable) and you don't include those.

(Tony Tantillo): So if I put 1 percent down for everything, I'll be reporting the chemicals. But, I mean, the trade secret is going to remain a trade secret.

Tracy Williamson: Correct.

(Tony Tantillo): Right, OK. Now, the thing about the trade name, am I correct in that unique identifier is really what all that matters, is that their trade name – I mean, it could be anything?

Tracy Williamson: Correct. We like to see it match up as closely as possible to what was submitted by the primary submitter just to ensure that the same substance is matching up in our system when we receive it. It doesn't have to be exact.

(Tony Tantillo): OK. And here's – this is what we're going to run into with joint submissions, if a company identifies us as secondary company, and then we look at our composition and we find out that we have a confidential third-party substance in our chemical. And so we have a joint submission, do we make a joint submission for the joint submission? And how do we report that there's one chemical missing in the joint submission?

Tracy Williamson: Can we – that's the – we're going to suggest, Mr. (Tantillo), that you – that we take that offline and work with you one on one.

(Tony Tantillo): OK.

Tracy Williamson: Yes. We'll – that's something we'll talk through with you.

(Tony Tantillo): OK. OK. And, this is …

Tracy Williamson: That is a scenario that people might find themselves in, and yes, sort of a joint submission of a joint submission. But if …

(Tony Tantillo): Yes.

Tracy Williamson: But if people are in that situation, contact us and we'll walk through that one on one.

(Tony Tantillo): OK. And this is coming off from our foreign subsidiaries. Let's say we get – let's say a foreign subsidiary products do it in, let's say, Japan says that trade name – trade products X, Y, Z that we sell to our customer in Japan is – then that – and that we no longer do – that – and that we haven't in the past 10 years sold in the United States. Let's say they sell in Japan, the customers in Japan then import into United States and he's the importer of record.

But, obviously, he doesn't know what's in the trade substance and he filed a joint submission with some – with somebody in BASF of Japan or, let's say, whatever, OK. Do – is there – is it permissible for us to answer as the secondary authorized official for our products to do it in Japan? Or do we have to get another role in CDX before we answer?

Scott Sherlock: Just confirming, there is an agency relationship between the two. Meaning that there is a corporate relationship between the two entities?

(Tony Tantillo): Right. It's another – OK – it's another BASF company, we're BASF corporation and he's BASF of Japan. OK.

Female: If you can prove the identity, then yes, you may …

Tracy Williamson: Yes. So again, within a company, a legal entity, a U.S. facility can report on behalf of another facility. So, for example, if the other facility is foreign, then that unit located in the U.S. can be that U.S. agent for that – the foreign business unit.

(Tony Tantillo): Even if we never imported that chemical in the past.

Scott Sherlock: It's a matter of corporate convenience, I would think.

(Tony Tantillo): OK.

Scott Sherlock: You know, we're talking about one big umbrella.

Tracy Williamson: Yes.

(Tony Tantillo): OK. And …

Tracy Williamson: It's back to what we mentioned about, you know, a corporation can choose who within the corporation reports to chemical that many unit within that company had the activity and needs to report.

(Tony Tantillo): OK. And this is our mutual friends in chemical aspects service ask me to verify, I guess on the new tapes, you know, like, there's – from the EPA there's a phrase that says "commercial status active," is that from the TSCA reset program?

Tracy Williamson: Correct. Yes correct.

(Tony Tantillo): OK.

Tracy Williamson: So the current inventory which takes from June, we had has program the inventory to it to start including a field for the commercial status and that said, field – that's – it's abbreviated C.S. for commercial status that is entirely about notice of activity reporting in the notice of activity requirements. So because we finalize the rule with exemptions, the equivalent notice exemptions specifically meaning, we already have chemicals on the inventory marked active. We wanted to program the inventory to start including that field.

So the June publication is the first time that that field is available in the publication. And as of this time, we have the exempt chemicals that are exempted because they're already marked active. That field will be filled in as active.

(Tony Tantillo): OK. OK. And how often are you updating Chem Abstracts?

Tracy Williamson: We published the inventory roughly every six months. The next publication will this winter. It's going to be a little bit delayed from the normal time we publish, which is usually January/February might be early March. The reason for that delay is we want that publication at the inventory to be that draft inventory that I mentioned, which will have chemicals reported under the 180-day submission period from manufacturers and importers. We're going to – those are going to be marked active in that publication. And so that's going to be for the benefit of processors for the remainder of the retrospective submission period.

So we're going to again – we're going to wait to publish that inventory until we have that all that information compiled from the 180 days submission period and have those chemicals also mark active on the inventory.

We are updating the PIC list in the application if we have chemicals that need to be added. So we've had people that have had – have not been able to find their chemicals on the PIC list when they have into report. And if that's the case, we strongly encourage people to contact us. There's a number of reasons why chemical might not be listed on the PIC list, sometimes it's the matter of the company knew the chemical to be CBI.

And so they're looking for the accession number. And if it's an ordered – if it's substance that was listed on the inventory, you know, quite a while ago, it may have seems then be classified. And so, in that case, we'll work with company to give them the right information to report because the accession number will no longer be use if the company has been – if the chemical has been declassified and it's now non-confidential in the inventory.

There have been some chemicals that have been just missing from the PIC list, so again, if you can't find the chemical, let us know and, you know, we will pull the records and get that corrected.

(Inaudible)

Tracy Williamson: On a rare occasion, a company can't find the chemical for a substance that they submitted in the PMN and we look at often and discover that we never received the notice of commencement. Again, fortunately that's where – but

again, we do want people to, you know, call us so we can – whatever the reason why a chemical is on a PIC list, you know, we want to get that corrected.

And if it's a situation might take a little time to pull records and to process and then to see submitted now, I mean, you know, that's the correction to a case where somebody didn't submit an NOC when they first commercializes substance in that, you know, could have been recently, could have been a while ago, but that we will process the NOC at this time and get that chemical on the inventory and get it in the PIC list.

(Tony Tantillo): OK.

Tracy Williamson: Let us see if we can find something because that's something that needs to be corrected and, you know, again, it can take us a little time to pull all the records and get that processed.

(Tony Tantillo): OK. I have one more question. I want to make sure I understand this form B procedure properly. Now, if I notify you today can we begin manufacturing on Friday?

Tracy Williamson: You don't have to notify us to begin manufacturing on Friday. We're in the gap period and then statute – there was no requirement for reporting some sorts instead of going back and to commerce at this time. The reporting is – the reporting periods are the 10 years prior to the lobbying enacted in 2016 for retrospective.

After that happens, there's this gap period. And that gap period is made up of the one year that has took EPA to develop and finalize the rule. Following that is the retrospective respective reporting period. Following that EPA compiles all the data from the retrospective reporting period and publishes that initial inventory with every chemical designated either it's active and inactive.

Future reporting can not happen until chemicals are designated as inactive. So there's this gap period and that is not addressed in the statute. And so there is

no provision for reporting so you can – right now, put the chemical back into commerce and there's no reporting report.

(Tony Tantillo): Right.

Tracy Williamson: What we want people to remember, though, is if you put it back in commerce this Friday and you keep it in commerce through next year such that it does then fall into the future reporting period, that's when you'll need to submit a form B.

So you'll need to, you know, that chemical might be a sense of – already on the inventory, it's possible somebody else is going to report that and it will be active. But once EPA publishes that list, for chemicals that people have put back in commerce during this gap period, you know, check that inventory and if your substance is inactive, then you know to submit a form B and you'll have 90 days to do that, without having to stop your activity. It might be marked to active and then you don't have to report at all. But if it's inactive, you got 90 days to submit a form B.

(Tony Tantillo): Yes, I should have raised the question better. Let's say, it's year 2020, can I – on a Wednesday submit a form B and then start manufacturing on Friday?

Tracy Williamson: Absolutely, yes, I'm sorry, I …

(Tony Tantillo): OK, OK. That's it.

Tracy Williamson: So the timing of a form B is in the statue it says that the notice must be submitted in advance to EPA before you put that chemical back in commerce. EPA in the rule requires that it be submitted no more than 90 days to EPA. So we do not want a scenario where a company thinks and two years are going to put it back in commerce and submit their form B and then things can change, you know, that the earlier you submit a form, the more likely these things could possibly change in terms of, you know, the commercialization.

And so we wanted to limit the amount of time and advance somebody could submit. But you could submit that chemical an hour before you put in

commerce and that's in advance. So it just has to be done in advance, but not more than 90 days in advance.

(Tony Tantillo): OK. Thank you for answering the questions.

Tracy Williamson: OK.

Kathy Schechter: Thanks, (Tony).

Operator: Your next question comes from the line of (Gary Smart).

(Gary Smart): Yes, hi, I have a question about mixtures, OK. So, we manufacture product in some of the chemicals that we put into our product are mixtures already. Do the individual components of those mixtures have to be reported as being processed or only pure chemicals applied for the processing?

Tracy Williamson: Mixture, so that's – we'll address that as a – sort of two-part question. Mixtures are not reportable as a mixture, but individual components of mixtures are reportable.

(Gary Smart): Right. As being (inaudible), but you also said that – if you're a processor, you're not required to or …

Tracy Williamson: (Inaudible). Correct.

(Gary Smart): So can we assume that, you know, those mixtures have been reported by the people but actually made the mixtures.

Tracy Williamson: I don't know, that I would assume. It's again – we would suggest maybe having a conversation with your supplier and asking. And the reason why is processors do have options, so you can report voluntarily for retrospective reporting.

Now, if you process some chemicals in the 10-year reporting period, but weren't currently processing and don't anticipate processing in the future that they're the same chemicals then you really aren't subject to any required reporting. You could voluntary report that as retrospective processing.

What you need to be concern about is if you are continuing to process any of this chemicals and do anticipate processing in the future, such that that activity falls in to the future reporting period, these chemicals will need to mark active on the inventory or you will need to submit a form B for them to, if they're inactive to then be more to active in order for you to continue the processing in the future.

So it's – for processors in that situation, you know, our suggestion is, you know, have a conversation with your supplier if you are going to be processing in the future see if they do get that reporting done, retrospectively, there's been – there's chemical should be mark active and then you are – you're requirements to report in the future is taking care of because the chemicals are should already been marked active.

(Inaudible)

(Gary Smart): I'm sorry. But going back to the other guy questions, you know, about some of the substance in that mixture being listed down to trade secret, then we would have to submit a joint submission to that company.

Tracy Williamson: Correct.

(Gary Smart): OK.

Tracy Williamson: You know, there or have them give you proof the fact that it has already been reported.

(Gary Smart): OK. And then one other question. So we also manufacture some pure chemical. So, I think I heard you say that, there's no limit to the amount of submissions under the active, inactive way you can have. And since manufactures are required to submit a chemicals been manufactured within 90 days to – if we're like those one I talked about processing, can we then submit another submission for the process chemicals within the 420 days, or do all of the things that we process and then manufacture to be submitted on one notice.

Tracy Williamson: No processes have options. So if you know – so it's a 180 days required for retrospective reporting, 180 days submission period from manufacturing (reported), so …

(Gary Smart): Or import, right?

Tracy Williamson: Yes, so if you have some process chemicals and if you want to upload a batch table of chemicals, you can certainly at your process chemicals to that same table and report those. If you wanted to focus on reporting just your manufactured and imported chemicals during that 180 days to make sure that, you know, your – you got all those submitted during that near or time frame. You could do that and then focus on submitting process chemicals during the additional 240 days. It's really up to you, you know, how many …

(Gary Smart): OK. So that ask so I can do multiple submissions in that …

Tracy Williamson: Yes, correct.

(Gary Smart): … in that submission.

Tracy Williamson: Yes.

(Gary Smart): OK.

Tracy Williamson: And you can – we've seen submissions from companies already where a company will send in a dozen single submission – single chemical submissions and then the next submissions has a 100 chemicals. So it's – that's entirely up to you how you want to report.

I think some companies for example that may have number of chemicals to report as they're going to their files, you know, they might just stop when they have a batch that pertains to as certain subset of their files and make sure to report that way and then they move on to the next batch in their files. It's really up to you how you want to do that.

(Gary Smart): OK, all right, great.

Tracy Williamson: Yes. So far we have – we'll mention that, the – the – we've mentioned the exemption list a couple of times. That has just over 13,000 chemicals on it, so those that exemption list, those are chemicals that are already marked active. So far we're about three months into the 180-day reporting since the rule was promulgated and so far we have about 1,100 chemicals have been reported.

(Gary Smart): And pesticide chemicals are exempt. We do manufacture one plus pesticide chemical.

Tracy Williamson: Correct, correct, yes.

(Gary Smart): Which is bleach. And it is only pesticide, so that – was not reportable then?

Tracy Williamson: If it's only uses as a pesticide, it's not reportable.

(Gary Smart): Well, we only sell best pesticide once we have registered – registered with the EPA pesticide division.

Tracy Williamson: Correct, OK.

(Gary Smart): So we'll fully sell it under registration number so then that's not reportable then.

Tracy Williamson: Correct.

(Gary Smart): OK.

Tracy Williamson: Right, that is not reportable.

(Gary Smart): OK, great. Thank you very much. I appreciate it.

Operator: Your next question comes from the line of (Linda Santry).

(Linda Santry): Hello. I know that form A appears to say that the technical contact should reside in the U.S. I don't believe this is a requirement for the CDR. Why is it different in this case?

Scott Sherlock: Hello. The general feeling is that the technical contact should always be in the United States. We understand that sometimes that is not the case.

(Linda Santry): So does that mean that …

Scott Sherlock: Which of these is the challenge associated. The reason we're looking for the person to be in the United States is so that we are able to contact him or her.

Tracy Williamson: Or readily contact.

Scott Sherlock: Right. And in some instances recently we found that that is a more challenging thing to do.

(Linda Santry): OK. This line is in Canada and I am literally the only person in my company who has any, you know, the necessary information to answer any questions.

Scott Sherlock: What I suggest – why don't – could you please contact us offline and we'll provide you a response?

(Linda Santry): OK, thank you.

Scott Sherlock: Thank you.

Operator: Your next question comes from the line of (Carrie McMichael), sorry, (Carrie McMichael).

(Carrie McMichael): Hi, yes, it's a little bit similar to some other questions that other people asked. We have a foreign supplier whose product is a trade secret, they don't want to give us the task numbers but they're giving us the letter stating that the chemicals are already on the active CDR list. It is a letter like that's suspicion because we can not prove it. So if we were to get audits, it is a letter from that supplier OK for a file.

Tracy Williamson: No, EPA will not view that as sufficient. Again, there's, you know, there's specifics in the rules that address, you know, what is sufficient documentation to know that something well is already been submitted and that is specifically the CDX receipt exemption, you know.

(Carrie McMichael): I can't submit it on CDX if it's already on the CDR that's the issue.

Tracy Williamson: I see I'm sorry.

(Carrie McMichael): It's publicly listed on a CDR but they don't want to tell us what it is.

Scott Sherlock: Something – so the joint – so the foreign suppliers actually tried to …

Tracy Williamson: To submit.

Scott Sherlock: … to submit.

Tracy Williamson: It's ...

(Carrie McMichael): If they checked the list and seeing on EPA's list that it's already on the active list prior from the 2012 CDR and they don't want to tell us what the CAS number is.

Kathy Schechter: Then what they need to is like I was telling you before, the primary submitter then needs to remove it from their submission application because, I'm sorry, they report it. If it's active.

Tracy Williamson: If it's active and it's not recorded at all.

Kathy Schechter: Yes. I was going to say, it's already active, it's already been reported, meaning from that CDR whatever.

(Carrie McMichael): Right. How do we prove that as the importer because we don't know the CAS numbers if we were get audited, that's my whole question.

Kathy Schechter: As long as they send you an email to explain that these materials are already been reported. I think that …

Scott Sherlock: Right.

(Inaudible)

Scott Sherlock: … it's on the detail of how they know that it's already been afforded.

Kathy Schechter: Right, yes.

Scott Sherlock: And when we say details, we're looking for the date that they did it, any information which will allow us to understand how this decision was made.

Tracy Williamson: And that it's – and because it's dependent on equivalent notice as Scott said, you know, more details that help us to …

Kathy Schechter: And this is mostly for their records ...

Tracy Williamson: Yes.

Kathy Schechter: ... in case they get …

Scott Sherlock: And that's exactly right, is for their record, this is why they want as much detail as humanly as possible.

Tracy Williamson: Yes, yes. And that's not that similar to a question that we also receive about relying on SDS, you know, a number of which say, you know, the ingredients are all on the TSCA inventory. SDS is aren't always complete for TSCA purposes, you know, the hazardous agreements may be listed but then an SDS may say that, you know, 1, 5, 10 percent, other ingredients and not provide those ingredients. And for the purposes of TSCA, all of the ingredients may be reportable.

So when it's SDS indicates that all substances are in much with TSCA, it may only be referring to those that are actually listed and the other ingredients may or may not be listed on the inventory or reportable or not. So, you know, the additional information either for reporting purposes or for record keeping purposes, it's going to be helpful to, you know, assure that there's at least some documentation that points to a notice or a chemical being reportable or not.

All right. (Trina), do we have other questions?

Operator: Yes ma'am. Your next question comes from the line of (Mike Osanesi).

(Mike Osanesi): I have several substances that are not on the interim active list but our flag would be designation of X.U. Does that mean that I don't have to report them with NOA Form A?

Tracy Williamson: The assumptions that has the X.U. flag on the inventory main set, it is not subject to reporting in CDR, in Chemical Data Reporting. Because the interim list is based on chemicals that were reported in CDR in 2012 and 2016, any chemical that's not subject to CDR reporting would not have been reported and therefore is not going to be marked active for that reason.

It's possible some of those chemicals might be marked active if they were received by EPA in notice of commencement during the 10-year retrospective reporting period.

So again, our suggestion is look at the exemption list but not the interim list. The interim list is a subset of the exemption list. So if you look at the exemption list and you find that those chemicals are not on the exemption list and they are subject to reporting. If it's on the function list, it should be marked active on, you know, all the chemicals on the exemption list are active but we kept that field on that list so you'll see that they're all marked active.

So yes, there could be another reason why it's – it's marked active other than CDR but yes. If it has an X.U. flag it was – it's not reported at all under CDR, therefore, it would not be exempt because of – for that reason but it could be exempt because of the NOC.

So check the exemption list, if it's listed, it will be marked active. It's not reportable but it's not listed on the exemption list, it's reportable. And now it's possible it could meet another exemption but that would then need to be determined at that point.

(Mike Osanesi): Yet none of them are listed on the exemption list.

Female: OK.

(Mike Osanesi): It can actually have a close to 10 of them.

Tracy Williamson: OK. The next thing is – that you can check is – what you were given to the application and try to upload them, or we can also check the TSCA inventory in the mixture that are actually on the inventory which just sounds like they probably should be. But you could either at this point start to notice

load them one by one to the application or load them in a batch file and if the application picks them up, then they're reportable chemicals.

(Mike Osanesi): OK. Thank you.

Operator: And your next question comes from the line of (Heusan Soliman).

(Heusan Soliman): Can you hear me?

Kathy Schechter: Yes, we can.

(Heusan Soliman): OK. My question again is going to go back to the CDX receipt that when a submitted gets after he, you know, submit his NOA. Now, you know, this is processors we all manufacture but also we process a lot of products. Now for this big company sometimes they don't fill-up, you know, applications. When you send them, ask them if material X, Y, Z if it's on the active inventory they will send you, it's OK yes it is.

So its kind of sometimes its hard to get this receipt from, you know, from this manufacturer. How this is going to be handled? I mean, I think you may need to think about this process a little bit because in many case is going to be a very difficult to get this receipt from the supplier of the raw material for any reason.

Tracy Williamson: We understand that. We know that is this situation that comes up, you know, including with PMN reporting. If you find yourself in a situation where you are relying on supplier to provide information to EPA in a joined submission or if they – there's – just other information that you're hoping to obtain from them to document reporting. And if you're having trouble getting information from the supplier, let us know. I mean EPA can try to facilitate a conversation with the supplier. Sometimes that's successful, sometimes it's not successful because the, you know, the relationship is one of a business relationship between two companies.

And so we are very sensitive to the fact that, you know, company said that find themselves meaning to report but are depending on the supplier they may not be, you know, entirely forth coming with information. You know that is a

problem. So, you know, again what we can say is just contact us so we can try to help facilitate a conversation to get the information flowing.

(Heusan Soliman): OK. But also there in many cases the contacts that we have for chemical control that we have on the – our hands is coming from our procurement and that gives the sales people. And then when you send to sales people there are different departments, different division in that big companies. OK. And have different product cured or chemical control people that they have all this. OK.

And in many cases when you send it to the sales people they respond back that everything is final or this gone the company, you know, the policy of the company that we don't do this and this. And this is the letters that conform that, you know, the raw material that you are buying it is on the inventory and everything, you know, life is good.

And this is the fact. I'm, you know, what I'm saying is from what I see and what, you know, would deal with everyday. You know, that's, you know, I found the letter of myself. And the only thing I have is sales people. And, you know, I ask in my e-mail please forward this your chemical control person that can respond to this question and understand this. And in many cases I receive the letter back signed by a director of technical, you know, process or whatever.

Scott Sherlock: (Heusan), this is Scott.

(Heusan Soliman): Yes.

Scott Sherlock: You and I spoke earlier today.

(Heusan Soliman): Yes.

Scott Sherlock: How are you?

(Heusan Soliman): Very good.

Scott Sherlock: All right. What sounds like a miserable situation you have here. You know, obviously you and your customers were actually the supplier at a commercial relationship. Part of that commercial relationship is the help you, your company comply with the requirements of the United States.

What I would do is be make sure and I would talk to you the appropriate people within your organization to make sure that the foreign suppliers or adequately informed and alert to the fact that this is a statutory and regulatory base requirement and that this is something that needs to be dealt with in a very serious and timely manner.

(Heusan Soliman): OK.

Scott Sherlock: That's what I would do.

Operator: As a reminder if you would like to ask a question please press star one on your telephone keypad. That is star one to ask a question.

And your next question comes from the life of (Jennifer Hadlin).

(Jennifer Hadlin): Hello. How you guys doing?

Tracy Williamson: Good. Thank you.

(Jennifer Hadlin): Thank you for all. I appreciate all the information. So I do have one question, BASF actually answered – or you guys, thanks to BASF, answered my second one.

So we submitted a lot of PMNs, you know, 10-20 years ago for new substances. And at the time, we did not have CAS numbers for them. We do now have CAS numbers, and some of them that may not want to maintain confidentiality. So is there a way to get you the CAS number if you don't have it? How do this work if we don't maintain the confidentiality but you don't the CAS number?

Tracy Williamson: OK. So again, if you've submitted an NOC, you mentioned you submitted PMN 10-20 years ago. If the NOC came in between, you know, between

2000 – June of 2006 to June of 2016, those are already going to be marked active.

Now, if they're confidential and the inventory marked active, there's a couple of as to PMN submitter, there's a couple of things you can do. You can – if you don't wish to maintain the claim, you could – because the chemical is CBI now, it's going to be in the PIC list even though it's active. You could submit an NOA and check the box that you do not wish to maintain the claim. As the PMN filer, you could also send us an inventory correspondents which is basically just a letter and also say that you wish to now declassify the chemical identity on the inventory. So as a PMN filer, you have a couple of options to do that.

If you choose one of those options and you don't have CAS number, you know, contact us. You can do that by phone. You don't have to do it by an ICS for PMN file or – and we will give you the CAS number that is currently on the inventory.

(Inaudible)

(Jennifer Hadlin): If it's the other way like when we submitted the information, we didn't actually get a CAS number from CAS …

Tracy Williamson: Right.

(Jennifer Hadlin): … when we originally did this. So there is no CAS number on the file with – so.

Kathy Schechter: Yes. Then it's either on the inventory within accession number or with that CAS.

Tracy Williamson: It's going to have a CAS number like, you know, because when we process chemicals at NOC time, if a CAS number had not yet been assigned, one is likely will have been assigned for chemical substances. And EPA does that through our contract with CAS.

(Jennifer Hadlin): OK. Thank you.

Operator: Your next question comes from the line of (Caden Murray). Mr. (Murray), your line is open.

(Caden Murray): So far so good. The simple question regarding the CDX receipt, I think a while ago, when we're getting advice but perhaps it's not such a good idea to get the CDX receipt and now, we're getting advice that it is a good idea to get the receipt. And the, I guess the concern had been all along that what if we rely on the supplier CDX receipt that is he or she has notified? And then, they resend it. What's our – what happens to us if they actually do resend it? And is that a possibility or is that even a probability?

Tracy Williamson: Well, it's a possibility. I'm not sure if that's quite probability but our suggestion would be to when we published a draft inventory this winter and then that initial inventory next fall, you need to double check if you have the identifiers to check and see that it was marked active. And if you have any questions, contact us. You know, we will look up individual chemicals and check the status for you.

(Caden Murray): Thank you. We will.

Operator: As a reminder, if you would like to ask a question, please press star one. That is star one to ask a question.

Tracy Williamson: I think we're through the questions that came in over the phone. So at this point, we'll switch gears. We have some time left. Switch gears. We have a number of questions that came in to the Q&A box. We'll try to find. There's a number of questions here. We're going to try to find some that maybe have and already answered so give us just a moment to read many of these.

(Inaudible)

Kathy Schechter: All right. A question has been submitted through the Q&A. And it says, why was the program designed so that the pass phrase can not be recovered? And …

Kathy Schechter: The pass phrase there's an exception key in CBI. So if you forget it, nobody at EPA, nobody at (CGI) will be able to reset it and look at your form in any way. So, you know, ultimately …

(Inaudible).

Tracy Williamson: Yes. So it's just a security measure.

Kathy Schechter: Right.

Tracy Williamson: Yes. Another question is, can a primary support role prepare and submit the form? The answer to that is a primary support person can only edit documents to which had been assigned to them. You need to have the primary authorized official or an agent consultant to create the form and then assign – the authorized official has to assign you that document in order for you to edit, if you are a primary support role. Authorized officials can do everything.

Kathy Schechter: (Inaudible) the CDX receipt. So the question about can we share what CDX receipt looks like, I don't think we can follow-up on right now. But if you want to send us an e-mail, we can send an example to you. So send an e-mail to the TSCA inventory to epa.gov and we can provide that.

Tracy Williamson: Another question is available guidance documentation for reporting. We talked our full year to develop the proposed rule and published the final rule. We did not have time to develop guidance. And there is a number of reasons why if we did have time, we likely may not have as well. We did make a number of changes based on comments received between a proposed rule and final rule. So we do not have guidance specific to this reporting.

There is guidance available to certain aspects of reporting. The guidance is for other TSCA submission types. So in response to comments document for example, some of our responses, we do reference guidance from CDR reporting for example, that can be useful for this reporting.

There was a number of comments on reasonably known or ascertainable. Because this retrospective reporting covers a 10-year reporting period, you know, quite a number of person who had comments about what if our record is we don't have records to know chemicals that we manufactured or imported or processed, you know. Do we have the report?

And we applied that known to reason last ascertainable standard to this notice of activity, reporting as well. We don't have separate guidance on that but in our response to those comments in the, response for comments (document) and we do reference the CDR guidance on known or reasonably ascertainable as guidance that it should be useful for this reporting as well because that known or reasonably ascertainable standard is being applied, you know, in the same manner for this reporting as it is for CDR. So there are – there is aspects to this reporting that there is guidance for other types of TSCA reporting that maybe useful.

Any other?

Kathy Schechter: Will a mixture of manganese and aluminum being reported?

Tracy Williamson: OK. So, a mixture of magnesium and aluminum.

Kathy Schechter: Manganese.

Tracy Williamson: Manganese, not magnesium. Manganese and aluminum are on the inventory. I do not know if they are currently marked active. But if it's a mixture, that – would not be reportable as a mixture. Those individual components would be reportable if they are not already marked active or if they don't need another exemption. So, you know, that's an example of the mixture …

Kathy Schechter: (Inaudible).

Scott Sherlock: Oddly enough, I know for a fact that aluminum is …

Tracy Williamson: Is marked active.

Scott Sherlock: … is now marked active.

Tracy Williamson: Is now marked active, OK.

Scott Sherlock: It is. It's an odd and sad thing that I know about.

Tracy Williamson: So for those who want to know if they need to report aluminum, it is marked active. And it's not CBI in the inventory. Those metals are all on the inventory, they're not marked CBI, so.

So check. You know, again, that's a mixture, would not be reportable as a mixture. Look at the individual components. Check and see if they're on the inventory. And then at that point, check and see if they are marked active on the inventory. And at that point, if they are in the inventory not marked active, they are potentially reportable, so you would then check other – some of the other exemptions.

Other questions?

If the manufacturer has registered their chemicals on TSCA, then does the TSCA, sir, have to follow the same chemicals under form B? The only scenario where you would have to report chemicals in form B is if it shows up as inactive on the – that initial inventory that EPA will publish next fall. So, you know, there's a good chance that a lot of the chemicals on the inventory are going to be reported in a form A. They'll report it in a form A. They will be marked active.

We have the exempt chemicals that are already marked active. Again, right now, well, there's about 25 – I think about 25,000 chemicals on the inventory out of the 85,000 chemicals that are either already marked active or have been already reported in an NOA form A. So it remains to be seen how chemicals, after all the retrospective reporting is done, how many chemicals are going to actually be designated as inactive. But it's only the inactive chemicals that are subject to reporting under a form B.

Any further questions?

Question about a copy of the slides. Again, we're hoping to post the slide deck. In the meantime, please send us an e-mail at the TSCA inventory e-mail box, TSCAinventory@epa.gov. And we're happy to directly e-mail you a copy of the slides. So as soon as the webinar is done, you can do that or the next few days.

All right, so another question. (Inaudible). OK. May a corporation with several subsidiaries, separate legal entities or under comment ownership report a substance in its own name on behalf of all its subsidiaries without specifying which particular subsidiary made or imported the substance or must each subsidiary report?

The key is not so much subsidiary but legal entity. So if a subsidiary is under the legal umbrella of a parent company, then either the parent, you know, corporate office with the company or the subsidiary can report that chemical on behalf of that legal entity.

If a subsidiary is a separate legal entity, that is has a requirement to report, and other company can't report on their behalf per se because the reporting obligation is tied to the company that had the activity, the legal entities that had the activity.

However, it may be possible that, you know, some sort of agreement could be made between the two separate legal entities where a representative at one legal entity could be authorized to act as an agent on behalf of the other legal entity. So that, well, that might be unusual if the two companies are in a manufacturing and importing companies, but that's fairly common with, for example, consulting companies, you know.

There's quite a number of consulting companies that are authorized and authorized agent to report TSCA's missions for a manufacturing or importing our processing company. So we see that with PMN's and that is certainly a, you know, a possibility for notice of activity reporting as well. But the obligation is attached to a legal entity that had the activity that's subject to reporting. So unless another company is authorized to act on behalf of that

legal entity, then it really should be that legal entity that's reporting. So hopefully, that answers that question.

Another – we'll move on to another question.

Can you report both as an importer manufacturer and a processor? Yes, you can. The forms had been simplified for the final rule. In the proposed rule, EPA actually had proposed that submitters provide additional information to what is in the final rule and what ended up being in the form. One of the fields that we had in the forms that proposed rule time was checkboxes where a company would check the activity.

So for example, and this is relevant question, a company could've been at the reporting retrospective, they could have been just a manufacturer, they could have been just an importer, and they could have been just a processor. Of course, the processor would be a voluntary reporting. Or they could be two of those or all three of those.

And so, that was a data element that we had included in the proposed rule that we removed in the final rule. But yes, a company could actually be a manufacturer and importer and processor of the same chemical. And again, you would be required to report as a manufacturer reporter, but as voluntary for processor. But if you were – your activity included all three, then you're already reporting as a manufacturer or importer.

Question.

If you want to submit multiple small form As, does the primary authorized official need to create each form A individually? I'll let Kathy answer that.

Kathy Schechter: Yes. The software allows you to create A submission or multiple submissions. Within each submission, you can list several chemicals. Each chemical will have its own form A. So it's kind of convoluted. But it's up to you as to how many submissions in CDX you want to create. But each chemical that gets reported will have its own form, whether you do each submission or one submission with multiple chemicals.

The PDF that's generated for each chemical is the same no matter if you have one submission or for each chemical or one submission with multiple chemicals. It will be generating a PDF of the form for that chemical no matter which way you report.

Tracy Williamson: So, other questions. Notice, just there are several questions about the slides. Again, we're hoping to have them posted at some point. They're not to distant future on the website for download. But again, e-mail us and we'll send you the – a PDF of the slides now.

Kathy Schechter: And the audio for the …

Tracy Williamson: Yes. There's questions about audio. We are recording this webinar. Once we receive the audio, we're, again, hoping to get that through quick approval to post on the website.

Kathy Schechter: And video.

Tracy Williamson: And also a transcript. So there will be a transcript generated from the webinar. And hoping again to be able to get that through the approval process real quick to post as well. So, check in at the inventory website and as we are approved to put those products up, they will be available.

(Inaudible)

Tracy Williamson: Oh sorry. So question is on joint submissions, if we submit a joint report to a foreign vendor for a chemical, does our responsibility end there? Is there any way to determine if the foreign vendor responded to the joint submission? I'm going to have Kathy answer the second part of that.

Kathy Schechter: Yes. I don't think the software …

Scott Sherlock: It doesn't notify the primary.

Kathy Schechter: … doesn't notify the primary when it was submitted. I think that the first one kind of answers the second one. Your responsibility is to notify that person to provide that information. If we go to the end of the reporting period and we

find that we have several trade products to which the joint did not submit, then we may end up having to reach out …

Tracy Williamson: Yes.

Kathy Schechter: … reach out to either the primary and/or secondary, depending upon the situation.

Tracy Williamson: Right. Yes. So if EPA does not receive that secondary information from the supplier, we will likely be contacting you in order to then reach out to the supplier to complete that submission.

Kathy Schechter: We may have had that issue before.

Tracy Williamson: OK. Bear with us just a minute. We're scrolling through questions. So, there's a lot of duplicate questions. We're seeing if there's some others we might want to address at this time.

Kathy Schechter: Are there any other questions on the phone, (Toni)?

Operator: There are no questions on the phone.

Kathy Schechter: I don't there are any relevant questions anymore.

Tracy Williamson: Yes, we're not – we're scrolling through and we apologize if we missed any. But we're seeing any questions that we haven't already addressed. You know, there's a lot of questions on similar subject matter. If there's – if somebody does have a question that they want addressed and you're dialed in, please raise your hand, that way – or if you can dial in, we have another five minutes to take a few more questions.

And we've got one person I think just raised their hand. And if not, you know, feel free to submit your questions by e-mail to us. We will, again, get a transcript to that. That will include all of the questions in the Q&A box. And we'll be able to go – in that format, we'll be able go through it more several ways. And again, as long as you provide a contact information, we can

contact you directly. If you did not provide contact information, we won't be able to contact you.

So again, if you e-mail your question to us, we'll probably see it more quickly first of all, and then we'll be assured that we're responding directly to you to answer your question.

Kathy Schechter: (Inaudible) but I'm not sure what to do with that.

Tracy Williamson: We'll give people one more minute to raise any questions through the operator.

Kathy Schechter: Or through the Q&A, yes.

Operator: As a reminder, if would like to ask a question, please press star, one on your telephone keypad. That is star, one to ask a question.

Tracy Williamson: Here you are at the bottom.

Kathy Schechter: Yes. Can you only send an identifier e-mail for a joint in case company had a CDX.

Tracy Williamson: Do you want to answer that?

Let me read the question. So question, can you only send an identifier e-mail for a joint submission in case the company has the DCX account?

Kathy Schechter: You can send the e-mail for the unique identifier, this just lets the company that is receiving the e-mail know that they are under an obligation to report. It's up to that company to create a CDX account if they don't have already had one. And sign up as a secondary authorized official to submit. If they need assistance on how to do that, they can always contact us at the TSCA inventory.

Tracy Williamson: So yes. In other words, if somebody doesn't have an account, they're not getting an e-mail to an account. They are getting an e-mail directly.

Kathy Schechter: Yes.

Tracy Williamson: And so should be notified regardless of whether they have a CDX account or not. Next question.

Kathy Schechter: … overseas suppliers out of business …

Tracy Williamson: So, what is – and so what is your – this is a good question. What is your guidance with respect to a joint submission where the overseas suppliers out of business, non-existent?

So, if a supplier is out of business and there's no records available, then that false into the known or reasonably ascertainable situation. Again, you know, that's particularly relevant for the retrospective reporting because it does go back 10 years, and there could have been chemicals bought and sold, companies may not no longer be in business. And if they aren't in business and records aren't available, then the information is not known and it's not reasonably ascertainable, it's likely not known or not reasonably ascertainable. In which case, a company cannot get the information they need to report, therefore they are not obligated to report.

So that encompasses, you know, potentially quite a number of different scenarios giving, you know, acquisitions and merges and stuff. So if you do have questions about that, if you find yourself in that situation, you know, contact us if you're not sure. But there's – there are going to be scenarios where records are not available. You know, that's always going to be the case for retrospective reporting that has a long, long reporting period. But, you know, if the information is not available report, you're not obligated to report.

So, next question.

Kathy Schechter: (OK), and this one.

Tracy Williamson: Is there a chemical on the current TSCA list that is not considered active but you are researching a process to manufacture it at a later date? Can we register the CAS number for active now or do we have to wait until the 90-day pre-manufacturing period?

If it's – if the chemical was not in commerce during the 10-year retrospective reporting period, it should not report – be reported now because for – if it would be reported now but it wasn't active in commerce and EPA may not know that, we may process the NOA and market active. In which case, that's, you know, erroneous information that we are going to be putting on the inventory. So it is not subject to reporting retrospectively if it was not in commerce during that specific reporting period. So that would not be a valid submission.

So, you know, our suggestion is if you do anticipate putting it in commerce in the future, you know, report it at the time when it's required to be reported so that the information we're going to be putting on the inventory is accurate.

There's a couple more questions but I think they're similar to previous questions, and we are at 4:00. So I think with those questions, we'll close the webinar. Again, you know, please don't hesitate to e-mail your questions directly to us at the TSCA inventory e-mail box.

And in closing, we want to thank everybody very much for your participation today. We will have – we do have one more webinar scheduled and that is the last Wednesday in November, November 29th.

And again, in the meantime, don't hesitate to contact us. If you have questions about reporting or as you start to prepare notice, submit those to EPA. So, thank you very much, everybody.

Kathy Schechter: Thank you, (Toni).

Tracy Williamson: Yes, thank you, (Toni).

Operator: This does conclude today's conference call. You may now disconnect your lines.

END