

**§ 710.48****40 CFR Ch. I (7-1-03 Edition)**

CAS NUMBERS OF PARTIALLY EXEMPT CHEMICAL SUBSTANCES UNDER § 710.46(B)(2)—Continued

CAS No.	Chemical
68952-94-3	Soaps, stocks, vegetable-oil
68989-98-0	Fats and glyceridic oils, vegetable, residues
73138-67-7	Lard, hydrogenated
129813-58-7	Benzene, mono-C10-13-alkyl derivs.
129813-59-8	Benzene, mono-C12-14-alkyl derivs.
129813-60-1	Benzene, mono-C14-16-alkyl derivs.

(3) *Inorganic chemical substances.* For purposes of this subpart, an inorganic chemical substance is any chemical substance which does not contain carbon or contains carbon only in the form of carbonato [=CO<sub>3</sub>], cyano [--CN], cyanato [--OCN], isocyano [--NC], or isocyanato [--NCO] groups or the chalcogen analogues of such groups. During the 2006 submission period, manufacturers are excluded only from the reporting requirements under § 710.52(c)(4) for inorganic chemical substances. During the 2006 submission period, manufacturers of inorganic chemical substances are not excluded from the other reporting requirements under this part. During submission periods following the 2006 submission period, manufacturers of inorganic chemical substances are subject to all of the reporting requirements in this subpart.

**§ 710.48 Persons who must report.**

Except as provided in §§ 710.49 and 710.50, the following persons are subject to the requirements of this subpart. Persons must determine whether they must report under this section for each chemical substance that they manufacture (including import) at an individual site.

(a) *Persons subject to recurring reporting.* Any person who manufactured (including imported) for commercial purposes 25,000 lbs. (11,340 kg) or more of a chemical substance described in § 710.45 at any single site owned or controlled by that person at any time during calendar year 2005 or during the calendar

year at 4-year intervals thereafter is subject to reporting.

(b) *Special provisions for importers.* For purposes of this section, the site for a person who imports a chemical substance described in § 710.45 is the site of the operating unit within the person's organization which is directly responsible for importing the substance and which controls the import transaction. The import site may in some cases be the organization's headquarters in the United States (see also § 710.55(b)).

**§ 710.49 Persons not subject to this subpart.**

A person described in § 710.48 is not subject to the requirements of this subpart if that person qualifies as a small manufacturer as that term is defined in § 704.3 of this chapter. Notwithstanding this exclusion, a person who qualifies as a small manufacturer is subject to this subpart with respect to any chemical substance that is the subject of a rule proposed or promulgated under section 4, 5(b)(4), or 6 of the Act, or is the subject of an order in effect under section 5(e) of the Act, or is the subject of relief that has been granted under a civil action under section 5 or 7 of the Act.

**§ 710.50 Activities for which reporting is not required.**

A person described in § 710.48 is not subject to the requirements of this subpart with respect to any chemical substance described in § 710.45 that the person solely manufactured or imported under the following circumstances:

(a) The person manufactured or imported the chemical substance described in § 710.45 solely in small quantities for research and development.

(b) The person imported the chemical substance described in § 710.45 as part of an article.

(c) The person manufactured the chemical substance described in § 710.45 in a manner described in § 720.30(g) or (h) of this chapter.

**§ 710.52 Reporting information to EPA.**

Any person who must report under this subpart, as described in § 710.48, must submit the information described

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in this section for each chemical substance described in § 710.45 that the person manufactured (including imported) for commercial purposes in an amount of 25,000 lbs. (11,340 kg) or more at any one site during calendar year 2005 or during the calendar year at 4-year intervals thereafter. (See § 710.48(b) for the "site" for importers). A separate form must be submitted for each chemical substance at each site for which the submitter is required to report. A submitter of information under this subpart must report information as described in paragraphs (c)(1), (c)(2), and (c)(3) of this section to the extent that such information is *known to or reasonably ascertainable by* that person whereas a submitter must report information as described in paragraph (c)(4) of this section only to the extent that such information is *readily obtainable* by that person. A submitter under this subpart must report information that applies to the calendar year for which the person is required to report (i.e., calendar year 2005 and the calendar year at 4-year intervals thereafter).

(a) *Reporting in writing.* Any person who chooses to report information to EPA in writing must do so by completing the reporting form available from EPA at the address set forth in § 710.59. The form must include all information described in paragraph (c) of this section. Persons reporting in writing must submit a separate form for each site for which the person is required to report.

(b) *Reporting by magnetic media.* Any person who chooses to report information to EPA by means of magnetic media must submit the information described in paragraph (c) of this section. Magnetic media submitted in response to this subpart must meet EPA specifications, as described in the instruction booklet available from EPA at the address set forth in § 710.59.

(c) *Information to be reported.* Manufacturers (including importers) of a reportable chemical substance in an amount of 25,000 lbs. (11,340 kg) or more at a site during a reporting year must report the information described in paragraphs (c)(1), (c)(2), and (c)(3) of this section. Manufacturers (including importers) of a reportable chemical substance in an amount of 300,000 lbs.

(136,077 kg) or more at a site during a reporting year must report the information described in paragraph (c)(4) of this section in addition to the information described in paragraphs (c)(1), (c)(2), and (c)(3) of this section. As described in § 710.46(b)(3), manufacturers of certain inorganic chemical substances are not required to report the information described in paragraph (c)(4) of this section during the 2006 submission period, but are required to report this information during subsequent submission periods. As described in § 710.46(b)(1) and (b)(2), manufacturers of certain chemicals are not required to report the information described in paragraph (c)(4) of this section.

(1) *A certification statement signed and dated by an authorized official of the submitter company.* Persons reporting by means of magnetic media must submit this information on the reporting form available as described in § 710.59.

(2) *Company and plant site information.* The following company and plant site information must be reported for each site at which at least 25,000 lbs. (11,340 kg) of a reportable chemical substance is manufactured (including imported) during calendar year 2005 or during the calendar year at 4-year intervals thereafter (see § 710.48(b) for the "site" for importers):

(i) The name of a person who will serve as technical contact for the submitter company, and who will be able to answer questions about the information submitted by the company to EPA, the parent company name and Dun and Bradstreet Number, the contact person's full mailing address, the contact person's telephone number and the contact person's e-mail address.

(ii) The name and full street address of each site. A submitter under this subpart must include the appropriate Dun and Bradstreet Number for each plant site reported, and the county or parish (or other jurisdictional indicator) in which the plant site is located.

(3) *Specific information for chemicals manufactured in amounts of 25,000 lbs. or more.* The following chemical-specific information must be reported for each reportable chemical substance manufactured at (including imported into)

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each site in amounts of 25,000 lbs. (11,340 kg) or more during calendar year 2005 or during the calendar year at 4-year intervals thereafter:

(i) The specific chemical name and CAS Number of each reportable chemical substance at each site. A submitter under this subpart may use an EPA-designated Accession Number for confidential substances, or a premanufacture notice (PMN) case number (see § 720.65 of this chapter) in lieu of a CAS Number when a CAS Number is not known to or reasonably ascertainable by the submitter. In addition to reporting the number itself, submitters must specify the type of number they are reporting by selecting from among the following codes:

**CODES TO SPECIFY TYPE OF CHEMICAL IDENTIFYING NUMBER**

Codes	Number Type
A .....	Accession Number
C .....	CAS Registry Number
P .....	PMN Number

(ii) A statement indicating, for each reportable chemical substance at each site, whether the substance is manufactured in the United States, imported into the United States, or both manufactured in the United States and imported into the United States.

(iii) A designation indicating, for each reportable chemical substance at each site, whether the substance is site-limited.

(iv) The total volume (in pounds) of each reportable chemical substance manufactured (including imported) at each site. This amount must be reported to two significant figures of accuracy provided that the reported figures are within plus or minus 10% of the actual volume.

(v) Any person claiming that the volume reported under paragraph (c)(3)(iv) of this section is confidential business information under § 710.58 must indicate, for each reportable chemical substance at each site, whether the total volume range (in pounds) which corresponds with the specific volume figure reported in response to paragraph (c)(3)(iv) of this section is also confidential. Volume ranges are listed in the following table:

**VOLUME RANGES**

From	To
25,000 lbs. ....	300,000 lbs.
300,000 lbs. ....	1,000,000 lbs.
1,000,000 lbs. ....	10,000,000 lbs.
10,000,000 lbs. ....	50,000,000 lbs.
50,000,000 lbs. ....	100,000,000 lbs.
100,000,000 lbs. ....	500,000,000 lbs.
500,000,000 lbs. ....	1,000,000,000 lbs.
Greater than 1,000,000,000 lbs..	

(vi) The total number of workers reasonably likely to be exposed to each reportable chemical substance at each site. For each reportable substance at each site, the submitter must select from among the ranges of workers listed in the following table and report the corresponding code (i.e., W1 through W8):

**CODES FOR REPORTING NUMBER OF WORKERS REASONABLY LIKELY TO BE EXPOSED**

Codes	Range
W1 .....	Less than 10 workers
W2 .....	At least 10 but less than 25 workers
W3 .....	At least 25 but less than 50 workers
W4 .....	At least 50 but less than 100 workers
W5 .....	At least 100 but less than 500 workers
W6 .....	At least 500 but less than 1,000 workers
W7 .....	At least 1,000 but less than 10,000 workers
W8 .....	At least 10,000 workers

(vii) The maximum concentration, measured by percentage of weight, of each reportable chemical substance at the time it is sent off-site from each site. If the chemical is site-limited, you must report the maximum concentration, measured by percentage of weight, of the reportable chemical substance at the time it is reacted on-site to produce a different chemical substance. This information must be reported regardless of the physical form(s) in which the substance is sent off-site/reacted on-site. For each substance at each site, select the maximum concentration of the substance from among the ranges listed in the following table and report the corresponding code (i.e., M1 through M5):

**CODES FOR REPORTING MAXIMUM CONCENTRATION OF CHEMICAL SUBSTANCE**

Codes	Concentration Range (% weight)
M1 .....	Less than 1% by weight
M2 .....	From 1 to 30% by weight
M3 .....	From 31 to 60% by weight
M4 .....	From 61 to 90% by weight

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**CODES FOR REPORTING MAXIMUM CONCENTRATION OF CHEMICAL SUBSTANCE—Continued**

Codes	Concentration Range (% weight)
M5 .....	Greater than 90% by weight

(viii) The physical form(s) of the reportable chemical substance as it is sent off-site from each site. If the chemical is site-limited, you must report the physical form(s) of the reportable chemical substance at the time it is reacted on-site to produce a different chemical substance. For each substance at each site, the submitter must report as many physical forms as apply from among the physical forms listed below:

- (A) Dry powder.
- (B) Pellets or large crystals.
- (C) Water- or solvent-wet solid.
- (D) Other solid.
- (E) Gas or vapor.
- (F) Liquid.

(ix) Submitters must report the percentage, rounded off to the closest 10%, of total production volume of the reportable chemical substance, reported in response to paragraph (c)(3)(iv) of this section, that is associated with each physical form reported under paragraph (c)(3)(viii) of this section. The sum of the percentages reported must not add up to more than 100%.

(4) Specific information for chemical substances manufactured in amounts of 300,000 lbs. or more. In addition to the information required under paragraphs (c)(1), (c)(2), and (c)(3) of this section, the following information must be reported for each reportable chemical substance manufactured (including imported) in an amount of 300,000 lbs. (136,077 kg) or more at any one site during calendar year 2005 or during the calendar year at 4-year intervals thereafter. Persons subject to paragraph (c)(4) of this section must report the information described in paragraphs (c)(4)(i) and (c)(4)(ii) of this section for each reportable chemical substance at sites under their control and at sites that receive a reportable chemical substance from the submitter directly or indirectly (including through a broker/distributor, from a customer of the submitter, etc.). Information reported in response to this paragraph must be reported only to the extent

that it is readily obtainable by the submitter. If information responsive to a given data requirement under this paragraph, including information in the form of an estimate, is not readily obtainable, the submitter is not required to respond to the requirement.

(i) Industrial processing and use information.

(A) A designation indicating the type of industrial processing or use operation(s) at each site that receives a reportable substance from the submitter site directly or indirectly (whether the recipient site(s) are controlled by the submitter site or not). For each chemical substance, report the letters which correspond to the appropriate processing or use operation(s). A particular designation may need to be reported more than once, to the extent that a submitter reports more than one NAICS code (under paragraph (c)(4)(i)(B) of this section) that applies to a given designation under this paragraph.

Designation	Operation
PC .....	Processing as a reactant
PF .....	Processing - incorporation into formulation, mixture or reaction product
PA .....	Processing - incorporation into article
PK .....	Processing - repackaging
U .....	Use - non-incorporative activities

(B) The five-digit North American Industrial Classification System (NAICS) codes which best describe the industrial activities associated with each industrial processing or use operation reported under paragraph (c)(4)(i)(A) of this section. Information about how to find these codes is provided in the instruction booklet available from EPA at the address set forth in § 710.59. A particular NAICS code may need to be reported more than once, to the extent that a submitter reports more than one industrial function code (under paragraph (c)(4)(i)(C) of this section) that applies to a given NAICS code under this paragraph.

(C) For each NAICS code reported under paragraph (c)(4)(i)(B) of this section, code(s) from the following list must be selected to designate the industrial function category(ies) that best represents the specific manner in which the chemical substance is used.

A particular industrial function category may need to be reported more than once, to the extent that a submitter reports more than one industrial processing or use operation/NAICS code combination (under paragraphs (c)(4)(i)(A) and (c)(4)(i)(B) of this section) that applies to a given industrial function category under this paragraph. If more than 10 unique combinations of industrial processing or use operations/NAICS codes/industrial function categories apply to a chemical substance, submitters need only report the 10 unique combinations for the chemical substance that cumulatively represent the largest percentage of the submitter's production volume for that chemical, measured by weight.

CODES FOR REPORTING INDUSTRIAL FUNCTION CATEGORIES

Codes	Category
U01 .....	Adsorbents and absorbents
U02 .....	Adhesives and binding agents
U03 .....	Aerosol propellants
U04 .....	Agricultural chemicals (non-pesticidal)
U05 .....	Anti-adhesive agents
U06 .....	Bleaching agents
U07 .....	Coloring agents, dyes
U08 .....	Coloring agents, pigments
U09 .....	Corrosion inhibitors and anti-scaling agents
U10 .....	Fillers
U11 .....	Fixing agents
U12 .....	Flame retardants
U13 .....	Flotation agents
U14 .....	Fuels
U15 .....	Functional fluids
U16 .....	Intermediates
U17 .....	Lubricants
U18 .....	Odor agents
U19 .....	Oxidizing agents
U20 .....	pH-regulating agents
U21 .....	Photosensitive chemicals
U22 .....	Plating agents and metal surface treating agents
U23 .....	Processing aid, not otherwise listed
U24 .....	Process regulators, used in vulcanization or polymerization processes
U25 .....	Process regulators, other than polymerization or vulcanization processes
U26 .....	Reducing agents
U27 .....	Solvents (for cleaning or degreasing)
U28 .....	Solvents (which become part of product formulation or mixture)
U29 .....	Solvents (for chemical manufacture and processing and are not part of product at greater than one percent by weight)
U30 .....	Stabilizers
U31 .....	Surface active agents
U32 .....	Viscosity adjustors
U33 .....	Other

(D) The estimated percentage, rounded off to the closest 10%, of total production volume of the reportable chemical substance associated with each

combination of industrial processing or use operation, NAICS code and industrial function category. Where a particular combination of industrial processing or use operation, NAICS code and industrial function category accounts for 5% or less of the submitter's site's total production volume of a reportable chemical substance, the percentage must not be rounded off to zero % if the production volume attributable to that industrial processing or use operation, NAICS code and industrial function category combination is 300,000 lbs. (136,077 kg) or more during the reporting year. Instead, in such a case, submitters must report the percentage, rounded off to the closest 1%, of the submitter's site's total production volume of the reportable chemical substance associated with the particular combination of industrial processing or use operation, NAICS code and industrial function category.

(E) For each combination of industrial processing or use operation, NAICS code and industrial function category, the submitter must estimate the number of sites at which each reportable chemical substance is processed or used. For each combination associated with each substance, the submitter must select from among the ranges of sites listed in the following table and report the corresponding code (i.e., S1 through S7):

CODES FOR REPORTING NUMBERS OF SITES

Codes	Range
S1 .....	Less than 10 sites
S2 .....	From 10 to 25 sites
S3 .....	From 25 to 100 sites
S4 .....	From 100 to 250 sites
S5 .....	From 250 to 1,000 sites
S6 .....	From 1,000 to 10,000 sites
S7 .....	More than 10,000 sites

(F) For each combination of industrial processing or use operation, NAICS code and industrial function category, the submitter must estimate the number of workers reasonably likely to be exposed to each reportable chemical substance. For each combination associated with each substance, the submitter must select from among the worker ranges listed in paragraph (c)(3)(vi) of this section and report the corresponding code (i.e., W1 through W8).

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(ii) *Commercial and consumer use information.*

(A) Using the codes listed in this paragraph, submitters must designate the commercial and consumer product category or categories that best describe the commercial and consumer products in which each reportable chemical substance is used (whether the recipient site(s) are controlled by the submitter site or not). If more than 10 codes apply to a chemical substance, submitters need only report the 10 codes for the chemical substance that cumulatively represent the largest percentage of the submitter's production volume for that chemical, measured by weight:

CODES FOR REPORTING COMMERCIAL AND CONSUMER PRODUCT CATEGORIES

Codes	Category
C01 .....	Artists' supplies
C02 .....	Adhesives and sealants
C03 .....	Automotive care products
C04 .....	Electrical and electronic products
C05 .....	Glass and ceramic products
C06 .....	Fabrics, textiles and apparel
C07 .....	Lawn and garden products (non-pesticidal)
C08 .....	Leather products
C09 .....	Lubricants, greases and fuel additives
C10 .....	Metal products
C11 .....	Paper products
C12 .....	Paints and coatings
C13 .....	Photographic chemicals
C14 .....	Polishes and sanitation goods
C15 .....	Rubber and plastic products
C16 .....	Soaps and detergents
C17 .....	Transportation products
C18 .....	Wood and wood furniture
C19 .....	Other

(B) Submitters must determine, within each commercial and consumer product category reported under paragraph (c)(4)(ii)(A) of this section, whether any amount of each reportable chemical substance manufactured (including imported) by the submitter is present in (for example, a plasticizer chemical used to make pacifiers) or on (for example, as a component in the paint on a toy) any consumer products intended for use by children up to the age of 14, regardless of the concentration of the substance remaining in or on the product. Submitters must select from the following options: the chemical substance is used in or on any consumer products intended for use by children, the chemical substance is not used in or on any consumer products intended for use by children, or infor-

mation as to whether the chemical substance is used in or on any consumer products intended for use by children is not readily obtainable.

(C) The estimated percentage, rounded off to the closest 10%, of the submitter's site's total production volume of the reportable chemical substance associated with each commercial and consumer product category. Where a particular commercial and consumer product category accounts for 5% or less of the total production volume of a reportable chemical substance, the percentage must not be rounded off to zero % if the production volume attributable to that commercial and consumer product category is 300,000 lbs. (136,077 kg) or more during the reporting year. Instead, in such a case, submitters must report the percentage, rounded off to the closest 1%, of the submitter's site's total production volume of the reportable chemical substance associated with the particular commercial and consumer product category.

(D) Where the reportable chemical substance is used in commercial or consumer products, the estimated typical maximum concentration, measured by weight, of the chemical substance in each commercial and consumer product category reported under paragraph (c)(4)(ii)(A) of this section. For each substance in each commercial and consumer product category reported under paragraph (c)(4)(ii)(A) of this section, submitters must select from among the ranges of concentrations listed in the table in paragraph (c)(3)(vii) of this section and report the corresponding code (i.e., M1 through M5).

**§ 710.53 When to report.**

All information reported to EPA in response to the requirements of this subpart must be submitted during an applicable submission period. The first submission period is from August 25, 2006, to December 23, 2006. Subsequent recurring submission periods are from August 25 to December 23 at 4-year intervals after the first submission period. Any person described in § 710.48(a)