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## Title 40 – Protection of Environment

Chapter I – Environmental Protection Agency

## Subchapter R — Toxic Substances Control Act

#### Part 704 — Reporting and Recordkeeping Requirements

## Subpart B — Chemical-Specific Reporting and Recordkeeping Rules

Authority: 15 U.S.C. 2607(a).

#### §704.180 Asbestos.

(a) **Definitions**. The definitions in subpart A of this part apply to § 704.180 unless otherwise specified in this section.

Asbestos is a collective term meaning any of the substances listed in Table 1 of this paragraph (a).

CASRN	Asbestos type	
1332-21-4	Asbestos.	
12001-29-5	Chrysotile.	
12001-28-4	Crocidolite.	
12172-73-5	Amosite.	
77536-67-5	Anthophyllite.	
77536-68-6	Tremolite.	
77536-66-4	Actinolite.	
NA	Libby amphibole asbestos (mainly consisting of tremolite [CASRN 77536-68-6], winchite [CASRN 12425-92-2], and richterite [CASRN 17068-76-7]).	

# Table 1 to Paragraph (a)–CASRN of Asbestos Types

- *Bulk asbestos* means any quantity of asbestos fiber of any type or grade, or combination of types or grades, that is mined or milled with the purpose of obtaining asbestos. This term does not include asbestos that is produced or processed as a contaminant or an impurity.
- *Bulk materials containing asbestos* means bulk materials in which asbestos is being mined or milled as an impurity.
- *Chemical Information Submission System* or *CISS* means EPA's electronic, web-based reporting tool for the completion and submission of CDR data, reports, and other information, or its successors.
- *Form A* means an abbreviated form for persons who know or can reasonably ascertain that they manufactured (including imported) or processed asbestos, including as an impurity, during the reporting period described in paragraph (f) of this section but do not know and cannot reasonably ascertain the amount of asbestos manufactured (including imported) or processed by them.

- *Form B* means the standard form to be used by persons who know or can reasonably ascertain that they manufactured (including imported) or processed asbestos, including as an impurity, during the reporting period described in paragraph (f) of this section and know or can reasonably ascertain how much asbestos they manufactured (including imported) or produced.
- *Primary processor* means a person who starts with bulk asbestos or bulk materials containing asbestos, and makes a mixture that contains asbestos as a component.
- Secondary processor means a person who further processes asbestos, after primary processing of asbestos is completed, including as a component of a mixture, or an article containing asbestos.

*Small processor* means any processor whose total annual sales, when combined with those of its parent company (if any), are less than \$12 million.

- (b) Substance for which reports must be submitted. The requirements of this section apply to asbestos, including asbestos in bulk form, in an article and/or product, as an impurity, or as a component of a mixture.
- (c) *Persons who must report*. Persons (*i.e.*, plant sites) who have manufactured (including imported), or processed asbestos, including asbestos as a component of a mixture, asbestos in articles, or asbestos as an impurity in the four full calendar years prior to the effective date of this rule, and with annual sales greater than or equal to \$500,000, in any calendar year from 2019 to 2022, when combined with those of their ultimate parent company (if any), must report under this subpart.
- (d) **Persons exempt from reporting.** A person who is subject to reporting requirements pursuant to paragraph (c) of this section is exempt from the requirements in this subpart to the extent that the person and that person's use of asbestos is described in this paragraph (d).
  - (1) Non-isolated intermediate. A person who manufactures or proposes to manufacture asbestos, as described in paragraph (c) of this section, solely as a non-isolated intermediate is exempt from the reporting requirements of this subpart.
  - (2) **Research and development.** A person who manufactures (including imports), processes, or proposes to manufacture (including import), or process asbestos, as described in paragraph (c) of this section, only in small quantities solely for research and development is exempt from the reporting requirements of this subpart.
  - (3) Small manufacturers (including importers) and processors. Small manufacturers (including importers) and processors are exempt from the reporting requirements of this subpart for Libby amphibole asbestos only.
  - (4) **Byproducts**. A person who manufactures (including imports) or proposes to manufacture (including import) asbestos solely as a byproduct is exempt from the reporting requirements of this subpart.
- (e) **Reporting information to EPA.** Persons described in paragraph (c) of this section and not described and exempted in paragraph (d) of this section must report to EPA the following information, to the extent known to or reasonably ascertainable by them. In the event that specific numeric data are not known or are not reasonably ascertainable by the submitter, then reasonable estimates may be submitted.
  - (1) *Required forms.* Report using the appropriate Form, based on whether you know or can reasonably ascertain a quantity for asbestos.

- (i) Form A. Report using Form A if you know or can reasonably ascertain that asbestos, including as a component of a mixture or article, or as an impurity, but are unable to determine the asbestos quantity by weight.
- (ii) Form B. Report using Form B if you know or can reasonably ascertain a quantity for asbestos, including as a component of a mixture or article, or as an impurity.
- (2) A certification statement signed and dated by an authorized official of the submitter company. The authorized official must certify that the submitted information has been completed in compliance with the requirements of this part and that the confidentiality claims made on Form A or Form B are true and correct. The certification must be signed and dated by the authorized official for the submitter company, and provide that person's name, official title, and email address.
- (3) Company and plant site information. The following currently correct company and plant site information must be reported for each site at which a reportable chemical substance is manufactured (including imported) or processed (see § 704.3 for the definition of "site," which includes what "site" means for importers):
  - (i) **Company name.** The highest-level U.S. parent company name, address, and Dun and Bradstreet D-U-N-S® (D&B) number. A submitter under this part must obtain a D&B number for the U.S. parent company if none exists.
  - (ii) Authorized official. The name of a person who will serve as Authorized Official for the submitter company, and who will be able to sign the certification statement as described in paragraph (e)(2) of this section, the Authorized Official's full mailing address, telephone number, and email address.
  - (iii) **Point of contact.** 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 contact person's full mailing address, telephone number, and email address.
  - (iv) *Site information*. The site name, full street address, including the county or parish (or other jurisdictional indicator) in which the plant site is located. Also report the following:
    - (A) The appropriate D&B number for the plant site. If none exists, you must obtain a D&B number for the reported site.
    - (B) Other site identification numbers, including the Facility Registry Service (FRS) identification number, if they exist.
  - (v) Applicable NAICS code. The six-digit North American Industry Classification System (NAICS) code(s) of the site.
  - (vi) **Number of employees.** The total number of employees at the site. Select from among the ranges of employees listed in Table 2 of this paragraph (e) and report the corresponding code (*i.e.*, W1 through W8):

Table 2 to Paragraph (e)—Codes for Reporting Number of Employees

Code	Range
W1	Fewer than 10 employees.

Code	Range
W2	At least 10 but fewer than 25 employees.
W3	At least 25 but fewer than 50 employees.
W4	At least 50 but fewer than 100 employees.
W5	At least 100 but fewer than 500 employees.
W6	At least 500 but fewer than 1,000 employees.
W7	At least 1,000 but fewer than 10,000 employees.
W8	At least 10,000 employees.

- (4) Activity information. The following activity information must be reported.
  - (i) Type of activity at reporting site. Report all that apply.
    - (A) Mining of bulk asbestos or bulk materials containing asbestos, including as an impurity.
    - (B) Milling of bulk asbestos or bulk materials containing asbestos, including as an impurity.
    - (C) Importing of bulk asbestos or bulk materials containing asbestos, including as an impurity.
      - (1) For importing only. For importing only, if the imported bulk material was never physically present at the reporting site.
      - (2) [Reserved]
    - (D) Primary processing of bulk asbestos or bulk materials containing asbestos, including as an impurity.
    - (E) Secondary processing of asbestos, including as a component of a mixture, or an article containing asbestos.
    - (F) Importing of asbestos, including as a component of a mixture, or an article containing asbestos.
  - (ii) *For importing only*. For importing only, if the imported bulk material was never physically present at the reporting site.
  - (iii) *Form B only*. For mining, milling, or importing of bulk asbestos reported under activity in paragraphs (e)(4)(i)(A) through (C) of this section, report by year:
    - (A) The most specific asbestos type that applies. Select from among the asbestos types listed in Table 1 of paragraph (a) in this section. If the specific asbestos type is not known or reasonably ascertainable, report the general listing, "asbestos CASRN 1332-21-4".
    - (B) *Report.* For each asbestos type, report the following:
      - (1) Quantity of asbestos, in pounds.
      - (2) Disposition of asbestos (see Table 3 to this paragraph (e)).

# Table 3 to Paragraph (e)—Disposition

Code	Disposition description
1	Used on-site, including further processed.

Code	Disposition description	
2	Stored on-site.	
3	Sent to another U.S. site (including intra-company transfer) for use or processing.	
4	Stored at another U.S. site (including intra-company transfer).	
5	Exported outside of the U.S. without further processing.	
6	Disposed of within the U.S. (explain).	
7	Other (explain).	

- (iv) Reporting information for mining, milling, or importing of bulk materials containing asbestos, including as an impurity. For mining, milling, or importing of bulk materials containing asbestos reported under the activity identified in paragraphs (e)(4)(i)(A) through (C) of this section, report by year:
  - (A) Bulk material type manufactured or processed.
  - (B) For Form B only, for each bulk material type:
    - (1) Quantity of bulk material manufactured or processed.
    - (2) Percent asbestos impurity by weight in bulk material.
    - (3) The most specific asbestos type that applies. Select from among the asbestos types listed in Table 1 to paragraph (a) of this section. If the specific asbestos type is not known or reasonably ascertainable, report the general listing, asbestos CASRN 1332-21-4.
    - (4) Any testing of or test results assessing the asbestos content of your bulk material in the applicable reporting years.
      - (*i*) If testing was conducted, specify how often testing was conducted on the presence of asbestos in your bulk material and what method and type of test was used for determining asbestos content, and provide the test results.
      - (*ii*) If testing was not conducted, explain how you knew or reasonably ascertained the presence and amount of asbestos in the bulk materials.
  - (C) For each bulk material type, the disposition of bulk material (see Table 3 of this paragraph (e)).
  - (D) For importing only, if the imported bulk material was never physically present at the reporting site.
- (v) **Reporting information for primary processors.** For primary processing reported under activity identified in paragraph (e)(4)(i)(D) of this section, report by year:
  - (A) For Form B only, the total quantity of asbestos processed.
  - (B) End product type, selecting from products listed in Table 4 of this paragraph (e). If your end product is not listed, report "other" and provide a brief description. For each end product type, report:

- (1) For Form B only, the most specific asbestos types that apply. Select from among the asbestos types listed in Table 1 in paragraph (a) of this section. If the specific asbestos types are not known or reasonably ascertainable, report the general listing, "asbestos CASRN 1332-21-4". Report also the total annual quantity of each of the asbestos types processed.
- (2) The total annual production quantity of end products produced, using the associated unit of measure listed in Table 4 of this paragraph (e). If a unit of measure is not listed, provide the unit of measure associated with the quantity reported.
- (3) For Form B only, the percentage of asbestos in the end product.
- (4) For Form B only, the disposition of the end product (see Table 3 of this paragraph (e)).
- (5) For Form B only, explain if you tested or received test results assessing the asbestos content of your end product in the applicable reporting years.
  - (*i*) If testing was conducted, specify how often testing was conducted on the presence of asbestos in your end product and what method and type of test was used for determining asbestos content, and provide the test results.
  - (*ii*) If testing was not conducted, explain how you knew or reasonably ascertain the presence and amount of asbestos in the end product.

Code	Name	End product unit of measure		
	Papers, Felts, and Related Products			
01	Commercial paper	Short Tons.		
02	Rollerboard	Short Tons.		
03	Millboard	Short Tons.		
04	Pipeline wrap	Short Tons.		
05	Beater-add gasketing paper	Short Tons.		
06	High-grade electrical paper	Short Tons.		
07	Unsaturated roofing felt	Short Tons.		
08	Saturated roofing felt	Short Tons.		
09	Flooring felt	Short Tons.		
10	Corrugated paper	Short Tons.		
11	Specialty paper (specify generic name)	Short Tons.		
12	Other (specify generic name)	(Specify).		
	Floor Coverings			
13	Vinyl asbestos floor tile	Square yards.		
14	Asbestos felt backed vinyl flooring	Square yards.		
15	Other (specify generic name)	(Specify).		
Asbestos Cement Products				

# Table 4 to Paragraph (e)—End Product Types

Code	Name	End product unit of measure
16	A/C pipe and fittings	Short Tons.
17	A/C sheet, flat	100 sq. ft.
18	A/C sheet corrugated	100 sq. ft.
19	A/C shingle	Squares.
20	Other (specify generic name)	(Specify).

Transportation Friction Materials (including aircrafts, marine vessels, railroad engine and railcars, and other vehicles)

	and railcars, and other vehicles)	
21	Drum brake lining (light-medium vehicle)	Pieces.
22	Disc brake pads (light-medium vehicle)	Pieces.
23	Disc brake pads (heavy vehicle)	Pieces.
24	Brake block (heavy equipment)	Pieces.
25	Clutch facings (all)	Pieces.
26	Automatic transmission friction components	Pieces.
27	Friction materials (industrial and commercial)	Pieces.
28	Custom automotive body filler	Pieces.
29	Transmissions	Pieces.
30	Mufflers	Pieces.
31	Radiator top insulation	Pieces.
32	Radiator sealant	Pieces.
33	Other (specify generic name)	(Specify).
	Appliances	·
34	Appliance Industrial and consumer (specify generic name)	Pieces.
35	Other (specify generic name)	(Specify).
	Construction Products	·
36	Boiler and furnace baffles	Pieces.
37	Decorated building panels	Pieces.
38	Asbestos cement sheet	Pieces.
39	Flexible Air Conductor	Pieces.
40	Hoods and Vents	Pieces.
41	Portable construction building	Pieces.
42	Roofing, saturated	Pieces.
43	Roof shingles	Pieces.
44	Wallboard	Pieces.
45	Wall/roofing panels	Pieces.
46	Other (specify generic name)	(Specify).
	Electrical Products and Components	;
47	Cable insulation	Pieces.
48	Electronic motor components	Pieces.
49	Electrical resistance supports	Pieces.

Code	Name	End product unit of measure
50	Electrical switchboard	Pieces.
51	Electrical switch supports	Pieces.
52	Electrical wire insulation	Pieces.
53	Motor armature	Pieces.
54	Other (specify generic name)	(Specify).
	Fire and Heat Shielding Equipment and Comp	onents
55	Arc deflectors	Pieces.
56	Fire doors	Pieces.
57	Fireproof absorbent paper	Short Tons.
58	Heat shields	Pieces.
59	Molten metal handling equipment	Pieces.
60	Oven and stove insulation	Short Tons.
61	Pipe wrap	Pieces.
62	Stove lining, wood and coal	Pieces.
63	Stove pipe rings	Pieces.
64	Sleeves	Pieces.
65	Thermal Insulation	Short Tons.
66	Other (specify generic name)	(Specify).
	Textiles and Clothing	
67	Cloth	Pounds.
68	Thread, yarn, lap, roving, cord, rope, or wick	Pounds.
69	Aprons	Pieces.
70	Boots	Pieces.
71	Gloves and mittens	Pieces.
72	Hats and helmets	Pieces.
73	Overgaiters	Pieces.
74	Suits	Pieces.
75	Aluminized cloth	Short Tons.
76	Rope or braiding	Short Tons.
77	Yarn, lap or roving	Short Tons.
78	Wicks	Short Tons.
79	Bags	Pieces.
80	Belting	Short Tons.
81	Blankets	Pieces.
82	Carpet padding	Short Tons.
83	Commercial/industrial dryer felts	Short Tons.
84	Draperies	Pieces.
85	Drip cloths	Pieces.
86	Fire hoses	Pieces.

Code	Name	End product unit of measure
87	Ironing board pads and insulation	Pieces.
88	Mantles, lamp or catalytic heater	Pieces.
89	Packing and packaging components	Pieces.
90	Piano and organ felts	Pieces.
91	Rugs	Pieces.
92	Таре	Pieces.
93	Theater curtains	Pieces.
94	Umbrellas	Pieces.
95	Other (specify generic name)	(Specify).
	Gaskets	(0) 000 000
96	Sheet gasketing, rubber encapsulated beater addition	Pieces.
97	Sheet gasketing, rubber encapsulated compressed	Pieces.
98	Compressed sheet gasketing (other)	Pieces.
99	Metal reinforced gaskets	Pieces.
100	Automotive gaskets	Pieces.
101	Other (specify generic name)	(Specify).
	Marine Equipment and Supplies	
102	Caulks, marine	Pounds.
103	Liners, pond or canal	Pieces.
104	Marine bulkheads	Pieces.
105	Other (specify generic name)	(Specify).
	Paints, Coatings, Sealants and Compoun	lds
106	Asphaltic compounds	Pounds.
107	Automotive/truck body coatings	Gallons.
108	Buffing and polishing compounds	Pounds.
109	Caulking and patching compounds	Pounds.
110	Drilling fluid	Gallons.
111	Flashing compounds	Pounds.
112	Furnace cement	Pounds.
113	Glazing compounds	Pounds.
114	Plaster and stucco	Pounds.
115	Pump valve, flange and tank sealing components	Pieces.
116	Roof coatings	Gallons.
117	Textured paints	Gallons.
118	Tile cement	Pounds.
119	Other (specify generic name)	(Specify).
	Other Products	
120	Sheet gasketing (other than beater-add)	Square yards.
		Pounds.

Code	Name	End product unit of measure
123	Paints and surface coatings	Gallons.
124	Adhesives and sealants	Gallons.
125	Asbestos-reinforced plastics	Pounds.
126	Insulation materials not elsewhere classified (specify generic name)	(Specify).
127	Mixed or repackaged asbestos	Short Tons.
128	Aerial distress flares	Pieces.
129	Acoustical product	Pieces.
130	Ammunition wadding	Pieces.
131	Ash trays	Pieces.
132	Baking sheets	Pieces.
133	Blackboards	Pieces.
134	Candlesticks	Pieces.
135	Chemical tanks and vessels	Pieces.
136	Filters	Pieces.
137	Grommets	Pieces.
138	Gun grips	Pieces.
139	Jewelry making equipment	Pieces.
140	Kilns	Pieces.
141	Lamp sockets	Pieces.
142	Light bulbs (all types)	Pieces.
143	Linings for vaults, safes, humidifiers and filing cabinets	Pieces.
144	Phonograph records	Pieces.
145	Pottery clay	Pounds.
146	Welding rod coatings	Pieces.
147	Other (specify generic name)	(Specify).

- (vi) **Reporting information for secondary processors.** For secondary processing reported under the activity identified in paragraph (e)(4)(i)(E) of this section, report by year:
  - (A) For Form B only, the estimated total quantity of asbestos processed.
  - (B) End product type listed in Table 4 of this paragraph (e). For each product type, report:
    - (1) For Form B only, the most specific asbestos types that apply. Select from among the asbestos types listed in Table 1 in paragraph (a) of this section. If the specific asbestos type is not known or reasonably ascertainable, report the general listing, asbestos CASRN 1332-21-4. Also report the quantity of each type of asbestos.
    - (2) The total annual production quantity of the end products produced, using the associated unit of measure listed in Table 4 of this paragraph (e).
    - (3) For Form B only, the percentage of asbestos in the end product.

- (*i*) If testing was conducted, specify how often testing was conducted on the presence of asbestos in your products and what method and type of test was used for determining asbestos content, and provide the test results.
- (*ii*) If testing was not conducted, explain how you knew or reasonably ascertained the presence and amount of asbestos in the end product.
- (4) For Form B only, the disposition of the end product (see Table 3 of this paragraph (e)).
- (vii) **Reporting information for importers**. For importing reported under an activity identified in paragraph (e)(4)(i)(F) of this section, report by year:
  - (A) For Form B only, the estimated total quantity of asbestos imported.
  - (B) Imported product type (Table 4 of this paragraph (e)). For each imported product type, report:
    - (1) Whether the imported product is a mixture or an article.
    - (2) For Form B only, the most specific asbestos types that apply. Select from among the asbestos types listed in Table 1 in paragraph (a) of this section. If a specific asbestos type is not known or reasonably ascertainable, report the general listing, "asbestos CASRN 1332-21-4". Also report the quantity of each asbestos type.
    - (3) The total annual import quantity of the imported product, using the associated unit of measure listed in Table 4 of this paragraph (e).
    - (4) Whether the imported asbestos was never physically present at the reporting site.
    - (5) For Form B only, the percentage of asbestos in the product.
    - (6) For Form B only, explain if you tested or received test results assessing the asbestos content of your imported product in the applicable reporting years.
      - (*i*) If testing was conducted, specify how often testing was conducted on the presence of asbestos in your imported product and what method and type of test was used for determining asbestos content, and provide the test results.
      - (*ii*) If testing was not conducted, explain how you knew or reasonably ascertained the presence and amount of asbestos in the imported product.
    - (7) For Form B only, the disposition of the imported product (see Table 3 of this paragraph (e)).
- (5) *Employee information*. For each activity reported, report the following information about employees at the associated site:
  - (i) Number of employees involved with activity. Select from among the ranges of employees listed in Table 2 of this paragraph (e) and report the corresponding code (*i.e.*, W1 through W8).
  - (ii) Is personal protective equipment used? If yes, identify the type(s) of personal protective equipment used.
  - (iii) For Form B only, submit any workplace exposure measurement assessments and data (*e.g.*, monitoring).

- (f) When to report. All information reported to EPA under this section must be submitted during the applicable submission period. The submission period shall begin six months following the effective date of this rule and last for three months.
- (g) **Recordkeeping requirements.** Each person who reports under this part must maintain records that document information reported under this part and in accordance with TSCA, permit access to, and the copying of such records by EPA officials. Relevant records must be retained for a period of five years beginning on the last day of the submission period.
- (h) Confidentiality claims -
  - (1) Assertion of confidentiality claims
    - (i) Generally. Any person submitting information under this part may assert a confidentiality claim for that information, except for information described in paragraph (h)(1)(ii) of this section. Any such confidentiality claims must be asserted electronically, pursuant to § 704.180(i), at the time the information is submitted. Information claimed as confidential in accordance with this section will be treated and disclosed in accordance with the procedures in 40 CFR part 2 and section 14 of TSCA.
    - (ii) *Exceptions*. Confidentiality claims may not be asserted with respect to the following:
      - (A) Site NAICS code required by § 704.180(e)(3)(v);
      - (B) For chemical identities and bulk material forms required by §§ 704.180(e)(4)(iii)(A), (iv)(A), (iv)(B)(3), (v)(B)(1), (vi)(B)(1), and (vii)(B)(2);
      - (C) Any data element that is left blank or designated as "not known or reasonably ascertainable;" or
      - (D) Health and safety data required by § 704.180(e)(5)(iii), except that the following information may be claimed as confidential:
        - (1) Information that would reveal processes used in the manufacturing, importing, or processing of the substance or mixture, or the portion of a mixture comprised by any of the substances in the mixture, provided that the information is expressly identified as revealing processing information or portion of a mixture;
        - (2) Company name or address, financial statistics, and product codes used by a company and contained in a study; and
        - (3) Information other than company name or address, financial statistics, and product codes used by a company, which is contained in a study, the disclosure of which would clearly be an unwarranted invasion of personal privacy (such as individual medical records).
    - (iii) **Certification statement for claims.** An authorized official representing a person asserting a claim of confidentiality must certify that the submission complies with the requirements of this part by signing and dating the following certification statement:

"I certify that all claims for confidentiality asserted with this submission are true and correct, and all information submitted herein to substantiate such claims is true and correct. Any knowing and willful misrepresentation is subject to criminal penalty pursuant to 18 U.S.C. 1001. I further certify that: I have taken reasonable measures to protect the confidentiality of the information; I have determined

that the information is not required to be disclosed or otherwise made available to the public under any other Federal law; I have a reasonable basis to conclude that disclosure of the information is likely to cause substantial harm to the competitive position of my company; and I have a reasonable basis to believe that the information is not readily discoverable through reverse engineering."

- (2) Substantiation
  - (i) **Requirement to substantiate.** Confidentiality claims must be substantiated at the time of submission to EPA, unless exempt under paragraph (h)(2)(iv) of this section.
  - (ii) Information in substantiations may be claimed as confidential. Such claims must be accompanied by the certification described in paragraph (h)(1)(iii) of this section, but need not be themselves substantiated.
  - (iii) **Substantiation questions for all claims**. Answers to the following questions must be provided for each confidentiality claim in a TSCA submission:
    - (A) Please specifically explain what harm to the competitive position of your business would be likely to result from the release of the information claimed as confidential. How would that harm be *substantial*? Why is the substantial harm to your competitive position *likely* (*i.e.*, probable) to be caused by release of the information rather than just *possible*? If you claimed multiple types of information to be confidential (*e.g.*, site information, exposure information, environmental release information), explain how disclosure of each type of information would be likely to cause substantial harm to the competitive position of your business.
    - (B) Has your business taken precautions to protect the confidentiality of the disclosed information? If yes, please explain and identify the specific measures, including but not limited to internal controls, that your business has taken to protect the information claimed as confidential. If the same or similar information was previously reported to EPA as non-confidential (such as in an earlier version of this submission), please explain the circumstances of that prior submission and reasons for believing the information is nonetheless still confidential.
    - (C)
      - (1) Is any of the information claimed as confidential required to be publicly disclosed under any other Federal law? If yes, please explain.
      - (2) Does any of the information claimed as confidential otherwise appear in any public documents, including (but not limited to) safety data sheets; advertising or promotional material; professional or trade publications; state, local, or Federal agency files; or any other media or publications available to the general public? If yes, please explain why the information should be treated as confidential.
      - (3) Does any of the information claimed as confidential appear in one or more patents or patent applications? If yes, please provide the associated patent number or patent application number (or numbers) and explain why the information should be treated as confidential.

- (D) Is the claim of confidentiality intended to last less than 10 (ten) years (see TSCA section 14(e)(1)(B))? If yes, please indicate the number of years (between 1 (one) and 10 (ten) years) or the specific date after which the claim is withdrawn.
- (E) Has EPA, another federal agency, or court made any confidentiality determination regarding information associated with this chemical substance? If yes, please provide the circumstances associated with the prior determination, whether the information was found to be entitled to confidential treatment, the entity that made the decision, and the date of the determination.
- (iv) Exemptions from the substantiation requirement. Confidentiality claims are exempt from the requirement to substantiate the claim at the time of submission for the data elements required pursuant to paragraphs (e)(4)(iii)(B)(1), (iv)(B)(1), (v)(A), (v)(B)(2), (vi)(A), (vi)(B)(2), (vii)(A), and (vii)(B)(3) of this section.
- (v) **No claim of confidentiality.** Information not claimed as confidential in accordance with the requirements of this section may be made public without further notice.
- (vi) *Public copies.* Submissions and their accompanying attachments that include a confidentiality claim must be accompanied, at the time of submission, by a public version of the submission and any attachments, with all information that is claimed as confidential removed. Only information that is claimed as confidential may be redacted or removed. Generally, a public copy that removes all or substantially all of the information would not meet the requirements of this paragraph.
  - (A) Where the electronic reporting tool contains a checkbox or other means of designating with specificity what information is claimed as confidential, no further action by the submitter is required to satisfy this requirement.
  - (B) For all other information claimed as confidential, including but not limited to information in attachments and in substantiations required under paragraph (h) of this section, the submitter must prepare and attach a public copy. Submissions with public or sanitized copies that are entirely blank or that are substantially reduced in length as compared to the CBI version will not meet the requirements of this paragraph (h)(2)(vi) of this section.
- (i) Electronic reporting. You must use the EPA Central Data Exchange (CDX) to complete and submit the information required under this section. Submissions may only be made as set forth in this paragraph. Submissions must be sent electronically to EPA using the asbestos reporting tool in CDX. The information submitted and all attachments (unless the attachment appears in scientific literature) must be in English. All information must be true and correct. Access the asbestos reporting tool and instructions, as follows:
  - (1) *By website*. Access the asbestos reporting tool via the CDX homepage at *https://cdx.epa.gov/* and follow the applicable instructions.
  - (2) By phone or email. Contact the EPA TSCA Hotline at (202) 554-1404 or TSCA-Hotline@epa.gov.

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