Chemical Data Reporting (CDR) Inorganic Byproducts Meeting
Negotiated Rulemaking Committee

June 8-9, 2017
U.S. Environmental Protection Agency
William Jefferson Clinton East Building, Room 1153
1201 Constitution Avenue NW, Washington, DC

Please enter at the NW corner of Constitution Avenue and 12th Street NW and allow time to go through security. Tom Smith, EPA, will be the escort and he can be reached at 202-564-7200. If you are attending as an observer, please send your name and affiliation in advance to lsneeringer@cbuilding.org in order to streamline the security process.

Agenda (as of June 1, 2017)

Thursday, June 8 (9:00 AM – 5:00 PM)

Welcome, Introductions and Agenda Review (9:00 – 9:30 AM)

Review of the Schedule for the CDR Inorganic Byproducts Negotiated Rulemaking and 2020 CDR Submission Cycle (9:30 – 9:45 AM)

- EPA will share the schedule for finalizing a Rule in time for 2020 reporting.

Review/Approve Draft Operating Protocol (9:45 – 10:15 AM)

Break (10:15 – 10:30 AM)

Overview of CDR Data Requirements, Benefits of Data, and How it is Currently Used and Could Be Used (10:30 – 11:45 AM)

- EPA will present information on: TSCA 8(a) authority, what information is required to be reported under CDR (e.g., overview of Form U); how CDR exposure-related information is used (e.g., how it is incorporated into EPA risk screening models); and any anticipated future data requirements or needs.
- States, tribes and environmental organizations will provide information on how they currently use or would like to use data.
- Q/A and discussion.

Overview of Enforcement Policy and Compliance Liability Concerns (11:45 AM – 12:15 PM)

- EPA Office of Enforcement and Compliance Assurance (OECA) will present an overview of their enforcement policy.
- Examples of industry reporting scenarios and related compliance liability concerns.
- Q/A and discussion.

Lunch (12:15 – 1:30 PM)

Byproducts Exemption Background and History (1:30 – 2:30 PM)

- EPA will present background information including historical development/rationale for the byproduct exemption.
- Q/A and discussion.

Overview of Reporting Burden for Industry, including Application of Exemptions and Characterization of Byproducts (2:30 - 4:45 PM, including break)

- Industry will share additional detail on reporting burdens/challenges to help refine where changes may be needed. Topics include:
    - Standard business practices for tracking manufacture of chemicals, byproducts and waste streams and how required CDR data is different from that already collected/ tracked.
    - Particular aspects of reporting that take a lot of time.
    - Case study examples illustrating the application of exemptions.
    - Overview of characterizing byproducts, including issues, concerns and burdens.
- Q/A and attendees share input in order to develop a full understanding of the issue.

Public Comment Period (4:45 – 5:00 PM)

Friday, June 9 (9:00 AM – 3:00 PM)

Recap of Day 1 and Agenda Review (9:00 – 9:15 AM)

Small Group Breakouts to Begin Identifying Options for Byproducts Exemption and How to Characterize Byproducts for Reporting under CDR (9:15 AM – 12:15 PM, including break)

Lunch (12:15 – 1:30 PM)

Review of Potential Topics and Clarification of Scope (1:30 – 2:30 PM)

- Review the list of topics outlined at the May meeting to ensure it is comprehensive.
- Ensure topics are within scope (e.g., inorganic byproduct reporting under TSCA Section 8(a) and does not have broader impacts).
- Identify issues to be discussed at next Reg-Neg meeting.

Public Comment Period (2:30 – 2:45 PM)

Meeting Wrap-Up, Review of Next Step and Closure (2:45 – 3:00 PM)