



**EPA**

United States  
Environmental Protection  
Agency

# 2016 Chemical Data Reporting Under the Toxic Substances Control Act -- What You Need to Know

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Office of Chemical Safety and Pollution Prevention

# AGENDA

Speaker:

- Welcome and Overview
- Background on TSCA Inventory and IUR/CDR
- 2016 CDR Reporting
  - Overview
  - Determining Need to Report
  - What Information is Reported?
  - Processing and Use Codes
- CDR Information Resources
- Questions



# Background on the TSCA Inventory and IUR/CDR

## TSCA Chemical Substance Inventory (TSCA Inventory)

- Comprehensive listing of chemicals in commerce
- Chemicals added through the New Chemicals program
- Created in late 1970's and currently lists over 84,000 chemicals

## Inventory Update Reporting (IUR) Rule

- EPA created IUR in 1986 to keep the TSCA Inventory current
- Used to collect updated information initially (1986-2002) on the manufacture and now (2006 on) also on the processing and use of a subset of TSCA Inventory-listed chemicals

## Chemical Data Reporting (CDR) Rule

- In 2011, EPA renamed the IUR the Chemical Data Reporting (CDR) rule
- Transition from IUR to CDR was phased in over the 2012 and 2016 CDR reporting periods



# The 2016 CDR: Overview

- **When**: The submission period is June 1 to September 30, 2016; the next submission period will be in 2020
- **Who**: Manufacturers, including importers, of chemical substances:
  - Listed on the **TSCA Inventory** as of June 1, 2016
  - With a **production volume of 25,000 lb** or greater at a site in at least **one of the years 2012-2015\***
  - Unless **subject to certain TSCA regulatory actions**, in which case the **production volume is 2,500 lb or greater**
  - Are not eligible for a full or partial exemption from CDR

**\* This is a requirement phasing in for 2016**



# The 2016 CDR: Overview

- **What:** Submitters must report for each chemical substance at a single site:
  - Annual production volume for 2012-2015
  - Certain manufacturing information for 2015
  - Processing and use information for 2015
  - Some exemptions may reduce reporting
- **How:** Submitters are required to report electronically
- **Where:** Submitters report through EPA's CDX
  - Register with EPA's Chemical Data Exchange (CDX)
  - Access e-CDRweb, the CDR reporting tool
  - Create and submit a separate Form U for each site
  - Submit completed Form U following instructions in e-CDRweb

# The 2016 CDR: Overview

## Important to Know:

- Reporting is site-specific:
  - One Form U per site
  - One or more chemical substance reports on each Form U
- Reporting standard is “known to or reasonably ascertainable by” for all data
- Confidential Business Information (CBI) claims - upfront substantiation is required for:
  - Site and chemical identity claims
  - Processing and use information claims



# The 2016 CDR: Determining Need to Report

To determine whether you are required to report, for **each chemical substance** that you domestically manufacture and/or import at a single **site** in any years between 2012-2015, consider the following steps:

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

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



# The 2016 CDR: Determining Need to Report

## Step I: Is Your Chemical Substance Subject to the CDR Rule?

- Is your chemical substance **manufactured for commercial purposes**?
- Is your chemical substance listed on the **TSCA Inventory**?
- Is your chemical substance potentially **exempt** from reporting?
- Is your chemical substance **ineligible** for exemption?





# The 2016 CDR: Determining Need to Report

## Chemical-Specific Exemptions -- 40 CFR 711.6

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



# The 2016 CDR: Determining Need to Report

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

- Did you manufacture a chemical substance in an amount that exceeded the **reporting threshold** for the chemical?
- Do you qualify for a **Small Manufacturer** exemption?
- Did you manufacture a chemical substance subject to reporting due to its **TSCA regulatory status**?
- Do you qualify for any other reporting **exemptions**?



# The 2016 CDR: Determining Need to Report

## Importers are subject to CDR

- Under TSCA, manufacture includes import
- If two or more persons meet the “importer” definition, they may determine who will report
- Site is defined for importers in 40 CFR 711.3
  - U.S. site of the unit directly responsible for importing
  - Must be a U.S. address, even if it’s for an agent acting for the importer
- An importer will indicate whether each imported chemical is physically present at the reporting site
- If a mixture is imported, the importer reports the individual chemical components of the mixture
- Imported articles are exempt under 40 CFR 711.10(b)



# The 2016 CDR: Determining Need to Report

## Toll manufacturers are co-manufacturers

- Toll manufacturers & contracting manufacturers are defined as “co-manufacturers” under CDR
- The co-manufacturers must decide who will submit a report
- “Site” is defined for toll manufacturing as the location where the chemical is physically manufactured
  - Regardless of who submits, the tolling site must be reported
  - Different tolling sites require different reports, even if the same contracting company has the same chemical made at each site
  - If the tolling site is outside of the U.S., the chemical is an import
- The co-manufacturers will need to share information to report, because each has part of the required information

# The 2016 CDR: Determining Need to Report

## Small manufacturer exemption – 40 CFR 711.9

- A small manufacturer must meet one of the following
  - Total annual sales <\$4 million, regardless of PV; **OR**
  - Total annual sales <\$40 million and annual PV ≤ 100,000 lb at a site
    - Reporting is required for any sites where annual PV > 100,000 lb
  - Total annual sales means annual sales of submitter combined with a parent company, domestic or foreign (if any)
- A separate determination must be made for each chemical
- A person meeting the small manufacturer definition does not have to report for that chemical, unless it is subject to:
  - A rule proposed or promulgated under TSCA Sections 4, 5(b)(4), or 6,
  - An order in effect under TSCA Section 5(e),
  - Relief granted under a civil action under TSCA Sections 5 or 7.



# The 2016 CDR: Determining Need to Report

NEW

## Reporting Thresholds

- Same reporting threshold applies to manufacturing, processing & use
  - Production volume (PV) of 25,000 lb or 2,500 lb
  - Processing & use data are only reported for the principal reporting year (2015), unless the 2015 PV is zero
- Reporting is triggered for a chemical substance if its PV met or exceeded the reporting threshold in at least one of the calendar years since the last principal reporting year.
  - For 2016, PV must be considered for calendar years 2012-2015, because 2011 was the last principal reporting year (for the 2012 CDR)
  - If at least one year triggers reporting, the PV must be reported for all four years, even if the PV is below the reporting threshold (including 0) for certain years



# The 2016 CDR: Determining Need to Report

NEW

## Chemical Substances Subject to Certain TSCA Actions

- The reporting threshold will be reduced to 2,500 lbs. for chemical substances that are the subject of:
  - A rule proposed or promulgated under **TSCA Sections 5(a)(2), 5(b)(4), or 6**, or
  - An order in effect under **TSCA Section 5(e) or 5(f)**, or
  - Relief granted under a civil action under **TSCA Sections 5 or 7**.
- Existing requirements also limit the use of certain exemptions for chemical substances subject to certain TSCA actions
- Not all TSCA actions have the same affect on the requirements
- The effect of TSCA regulatory actions is based on their status as of June 1, 2016 and covers the entire reporting period
  - e.g., Methanesulfinic acid, hydroxy-monosodium salt (CASRN 149-44-0) is subject to a TSCA section 4 rule which sunsets on March 7, 2016 and will not be in effect on June 1, 2016 to limit exemption eligibility for 2012-2015



# The 2016 CDR: Determining Need to Report

## Effect of TSCA Actions on Reporting Thresholds & Some Exemptions

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

\*Applies to both proposed & promulgated rules. <sup>†</sup>Full exemption for naturally occurring chemicals is not affected.





# The 2016 CDR: What Information is Reported?

- **Part I: Site Identification Information**
  - Reported once for each site, except Technical Contact information
- **Part II: Manufacturing Information**
  - Required for each reportable substance which meets the applicable reporting threshold
  - Annual production volume for 2012-2015
  - Additional manufacturing info for 2015
- **Part III: Processing and Use Information**
  - Required for reportable substances not eligible for the partial exemption
  - Information is for activities in 2015 only
- **Reporting standard for all Parts:**
  - Known to or reasonably ascertainable by (KRA)*

# The 2016 CDR: What Information is Reported?

## Part I: Site Identification Information

- Highest level U.S. parent company
  - Company name and address
  - Company Dun & Bradstreet number
- Manufacturing (including importing) site
  - Site name and address
  - Site Dun & Bradstreet number
  - Importers must report a U.S. address for the site
  - Upfront substantiation of CBI claims
- Technical contact(s) information
  - Name and address
  - Telephone number and email address
  - Is specific for each chemical



# The 2016 CDR: What Information is Reported?

## Part II: Manufacturing Information

### A. Chemical Identification

- Use of EPA's Substance Registry Service (SRS) database required
  - Chemical substance must be listed on TSCA Inventory
  - Non-Inventory chemical identifications will not be accepted
  - e.g., Hydrates must be identified using the anhydrous form of the chemical
- Identification of chemicals
  - For Non-CBI chemicals: CASRN and CA index name
  - For CBI chemicals: Accession number and generic chemical name
- Upfront substantiation required for CBI claims



## SUBSTANCE REGISTRY SERVICES SEARCH

Enter the specific or partial, currently correct Chemical Abstracts (CA) Index name as listed on the TSCA Inventory **and/or** the exact corresponding Chemical Abstract Services Registry Number (CASRN) for each reportable chemical substance at your site. Click Search and select the appropriate CA Index name/ CASRN combination from EPA's Substance Registry Services (SRS).

**Please search by CASRN or CA Index Name**

1. CASRN:	Matches exactly	<input type="text"/>
2. CA Index Name or Other Synonym:	Begins with <input type="text"/>	<input type="text"/>

OR

Enter the specific or partial, currently correct Accession Number as listed on the TSCA Inventory **and/or** the exact or partial corresponding Generic Name for each reportable chemical substance at your site. Click Search and select the appropriate Accession Number/ Generic Name combination from EPA's Substance Registry Services (SRS).

**Please search by Accession Number and/or Generic Name**

1. Accession Number:	Begins with <input type="text"/>	<input type="text"/>
2. Generic Name:	Begins with <input type="text"/>	<input type="text"/>

- Sort Chemicals
- Add Chemi
- Add Joint Subn
- Upload Xf

# The 2016 CDR: What Information is Reported?

## Part II: Manufacturing Information – *cont.*

### B. Production Volume

- For 2012, 2013, and 2014, provide:
  - Total annual PV = domestically manufactured + imported
- For 2015, provide:
  - Domestically manufactured and/or imported PVs
  - Volume used on site and Volume directly exported from reporting site

2015 Data	2014 Data	2013 Data	2012 Data
Domestically Manufactured PV	Total PV only	Total PV only	Total PV only
Imported PV			
Indicate whether chemical physically at reporting site			
Volume used at reporting site			
Volume directly exported from reporting site			

# The 2016 CDR: What Information is Reported?

## Part II: Manufacturing Information – *cont.*

### B. Manufacturing Information: For 2015 only

- Indicate (Y/N/NKRA):
  - Whether imported chemical is physically present at reporting site
  - Whether a manufactured chemical substance is being recycled, remanufactured, reprocessed or reused
- Provide ranges for:
  - Number of workers and Maximum concentration of chemical at site
- Check applicable Physical forms and provide % PV for each form:
  - Dry powder; Pellets or Large Crystals; Water- or Solvent-Wet Solid; Other Solid; Gas or Vapor; Liquid

# Overview of 2016 CDR – Reported Data Elements

## Part III. Processing and Use Information for 2015 only

- Upfront substantiation required for all CBI claims

### A. Industrial Processing and Use Data

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

- Each 3 code combination represents an exposure scenario

### Codes for Type of Industrial Processing or Use Operation

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.

# The 2016 CDR: Processing and Use Codes

## Codes for Industrial Sectors

Code	Sector description	NAICS Code	2007 NAICS Definition
IS2	Oil and gas drilling, extraction, and support activities.	211 213	Oil & Gas Extraction Support Activities
IS3	Mining (except oil and gas) and support activities.	212	Mining (except Oil & Gas), e.g., 2121 Coal Mining
IS4	Utilities.	22	Utilities, e.g., 2212 Natural Gas Distribution
IS11	Petroleum refineries.	32411	Petroleum Refineries
IS12	Asphalt paving, roofing, and coating materials manufacturing.	32412	Asphalt Paving, Roofing, & Saturated Materials manufacturing
IS13	Petroleum lubricating oil and grease manufacturing.	324191	Petroleum Lubricating Oil & Grease manufacturing
IS14	All other petroleum and coal products manufacturing.	324199	All Other Petroleum & Coal Products manufacturing
IS15	Petrochemical manufacturing.	32511	Petrochemical manufacturing
IS16	Industrial gas manufacturing.	32512	Industrial Gas manufacturing
IS18	Carbon Black manufacturing	325182	Carbon Black manufacturing
IS20	Cyclic crude and intermediate manufacturing.	325192	Cyclic Crude & Intermediate manufacturing
IS34	All other chemical product and preparation manufacturing.	325998	All Other Miscellaneous Chemical Product & Preparation manufacturing, e.g., synthetic oils
IS46	Wholesale and retail trade.	42 44 & 45 48 49	Wholesale Trade, e.g., 42471 Petroleum Bulk Stations & Terminals Retail Trade, e.g., 447 Gasoline Stations Transportation, e.g., 486 Pipeline Transportation Warehousing, e.g., 493 Warehousing & Storage
IS48	Other (requires additional information).	--	--





# The 2016 CDR: Processing and Use Codes

## Codes for Industrial Function Categories

Code	Category
U001	Abrasives.
U002	Adhesives and sealant chemicals.
U003	Adsorbents and absorbents.
U004	Agricultural chemicals (non-pesticidal).
U005	Anti-adhesive agents.
U006	Bleaching agents.
U007	Corrosion inhibitors and anti-scaling agents.
U008	Dyes.
U009	Fillers.
U010	Finishing agents.
U011	Flame retardants.
U012	Fuels and fuel additives.
U013	Functional fluids (closed systems).
U014	Functional fluids (open systems).
U015	Intermediates.
U016	Ion exchange agents.
U017	Lubricants and lubricant additives.
U018	Odor agents.

Code	Category
U019	Oxidizing/reducing agents.
U020	Photosensitive chemicals.
U021	Pigments.
U022	Plasticizers.
U023	Plating agents and surface treating agents.
U024	Process regulators.
U025	Processing aids, specific to petroleum production.
U026	Processing aids, not otherwise listed.
U027	Propellants and blowing agents.
U028	Solids separation agents.
U029	Solvents (for cleaning or degreasing).
U030	Solvents (which become part of product formulation or mixture).
U031	Surface active agents.
U032	Viscosity adjustors.
U033	Laboratory chemicals.
U034	Paint additives and coating additives not described by other categories.
U999	Other (specify).



# The 2016 CDR: Processing and Use Codes

## Part III. Processing and Use Information – *cont.*

### B. Consumer and Commercial Use Data

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

### Codes for Product Categories

Code	Category
C101-110	Chemical Substances in Furnishing, Cleaning, Treatment Care Products
C201-207	Chemical Substances in Construction, Paint, Electrical, and Metal Products
C301-307	Chemical Substances in Packaging, Paper, Plastic, Toys, Hobby Products
C401-407	Chemical Substances in Automotive, Fuel, Agriculture, Outdoor Use Products
C980 C909	Chemical Substances in Products not Described by Other Codes Non-TSCA use. Other (specify).

# The 2016 CDR: What Information is Reported?

## Part IV: Joint submissions

### A. When are joint submissions allowed?

- A supplier claims the chemical identity is confidential; and
- The supplier will therefore not disclose to the manufacturer (including importer) the chemical identity
- Do not file a joint submission when a manufacturer (including importer) knows or can reasonably ascertain the chemical identity (e.g., the CASRN or Accession Number) of a chemical substance

### B. How does one initiate a joint submission?

- The primary submitter asks the supplier (secondary submitter) to provide chemical identity directly to EPA
- Communication from the primary to the secondary submitter is enabled within the eCDRweb reporting tool

***A joint submission allows the supplier to retain chemical identity confidentiality from the primary submitter while enabling the primary submitter to fulfill its CDR obligations.***



# CDR Information Resources

- EPA's CDR website: [www.epa.gov/cdr](http://www.epa.gov/cdr)
- New fact sheets for 2016 CDR
  - Reporting Thresholds for 2016
  - Chemical Substances which are the Subject of Certain TSCA Actions
  - Reporting After Changes to Company Ownership or Legal Identity
- Send questions to [ecdrweb@epa.gov](mailto:ecdrweb@epa.gov)



**2016 CDR Reporting – Start Preparing Now**  
Production volumes for 2012, 2013, 2014 and 2015 are subject to reporting.  
• [Learn the new requirements](#)

**Need Reporting Help?**  
Between official reporting deadlines, you can contact us using:

- TSCA Hotline at 202-554-1404
- eCDR E-mail
- CDX Help Desk at 1-888-890-1995
- Central Data Exchange (CDX) hotline

The Chemical Data Reporting (CDR) Rule, issued under the Toxic Substances Control Act (TSCA), requires manufacturers (including importers) to give EPA information on the chemicals they manufacture domestically or import into the United States. EPA uses the data to help assess the potential human health and environmental effects of these chemicals and makes the non-confidential business information it receives available to the public. [Learn more about Chemicals Under TSCA.](#)

**Basic Information**

- [What is CDR?](#)
- [How does EPA use the information?](#)
- [Who must report?](#)
- [Submitting CDR data](#)
- [Frequently asked questions](#)
- [Legislative and regulatory authority](#)

**How to Access CDR Data**

- [ChemView](#)
- [Download the public version of the 2012 CDR database into an Access data file \(Zip format\)](#)
- [Search EPA's Chemical Data Access Tool \(CDAT\) by chemical name, and company](#)

**About the CDR Data**

- [2012 Chemical Data Reporting results](#)
- [Industrial Sectors Subject to Chemical Data Reporting](#)
- [Chemicals in Commerce, as Reported in the 2012 CDR Cycle](#)
- [Data quality assurance](#)
- [Previously collected data](#)

**Reporting under CDR**

- [How to report under CDR](#)
- [CDX Sample Form](#)
- [List of partially exempt chemicals](#)
- [Login to the Central Data Exchange](#)
- [40 CFR, Part 711, \(TSCA Data Reporting Requirements\)](#)

**2016 CDR Reporting Information**

- Industry beta testing of eCDX -- The 2016 CDR electronic reporting tool will be available for industry testing between Monday, November 2, and Friday, November 20, 2015. [Learn more.](#)
- EPA held its first 2016 CDR Submission How-To webinar on October 14, 2015 to walk submitters through using the 2016 CDR reporting application. [Learn more.](#)

**2016 CDR Reporting Fact Sheets**

Three fact sheets below explain reporting requirements for the upcoming 2016 reporting cycle and how requirements for reporting for 2016 may be affected when chemical substances are the subject of certain TSCA actions.

- [TSCA Chemical Data Reporting Fact Sheet: Chemical Substances which are the Subject of Certain TSCA Actions](#)
- [TSCA Chemical Data Reporting Fact Sheet: Reporting Thresholds for 2016](#)
- [Fact Sheet: Reporting After Changes to Company Ownership or Legal Identity](#)

<http://www.epa.gov/chemical-data-reporting/how-report-under-chemical-data-reporting>

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## Chemical Data Reporting

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# How To Report Under Chemical Data Reporting

This page contains instructions and guidance on submitting information to EPA for the 2016 Chemical Data Reporting (CDR) period.

2016 Reporting | **Instructions & guidance** | Partial exemption petitions | Petition results

### Instructions and guidance

- [2016 training and workshops](#)
- [2016 guidance documents](#)
- [2012 resources](#)

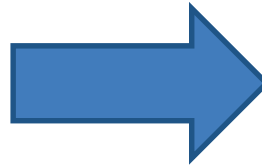
#### 2016 training and workshops

EPA is providing several webinar outreach sessions to walk submitters through using the 2016 Chemical Data Reporting (CDR) application, using the 2016 CDR reporting tool, and registering with

# How To Report

## Register with EPA's **Central Data Exchange** (CDX)

- Create registrations for individuals and sites
- Update current registration as needed
- Update current site information



## Access **eCDRweb**

- To complete Form U
- One Form U per site
- Includes step by step submission instructions



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**CDX** Central Data Exchange [Contact Us](#)

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User ID

Password

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### Welcome

Welcome to the Environmental Protection Agency (EPA) Central Data Exchange (CDX) - the Agency's electronic reporting site. The Central Data Exchange concept has been defined as a central point which supplements EPA reporting systems by performing new and existing functions for receiving legally acceptable data in various formats, including consolidated and integrated data.

#### Warning Notice and Privacy Policy

**Warning Notice**

In proceeding and accessing U.S. Government information and information systems, you acknowledge that you fully understand and consent to all of the following:

1. you are accessing U.S. Government information and information systems that are provided for official U.S. Government purposes only;
2. unauthorized access to or unauthorized use of U.S. Government information or information systems is subject to criminal, civil, administrative, or other lawful action;
3. the term U.S. Government information system includes systems created on behalf of the U.S. Government;



# Additional Resource Information

- Resources
  - Resources screen within CDR web application provides useful links and user guides
- Contacts
  - Specific CDR Reporting Questions: [eCDRweb@epa.gov](mailto:eCDRweb@epa.gov)
  - TSCA Hotline: 202-564-3011 or [TSCA-Hotline@epamail.epa.gov](mailto:TSCA-Hotline@epamail.epa.gov)
  - CDX Helpdesk: 888-890-1995 or [helpdesk@epacdx.net](mailto:helpdesk@epacdx.net)
- Additional Assistance:
  - Future training webinars will be held beginning in March 2016
  - Training slides and other materials will be added to the CDR website: [www.epa.gov/cdr](http://www.epa.gov/cdr)