

The background features a complex molecular structure graphic. It consists of numerous interconnected spheres of varying sizes and colors (shades of green and yellow) connected by thin lines, representing atoms and bonds in a chemical or biological network. The structure is more dense and detailed on the left side and fades into a lighter, less detailed pattern towards the right.

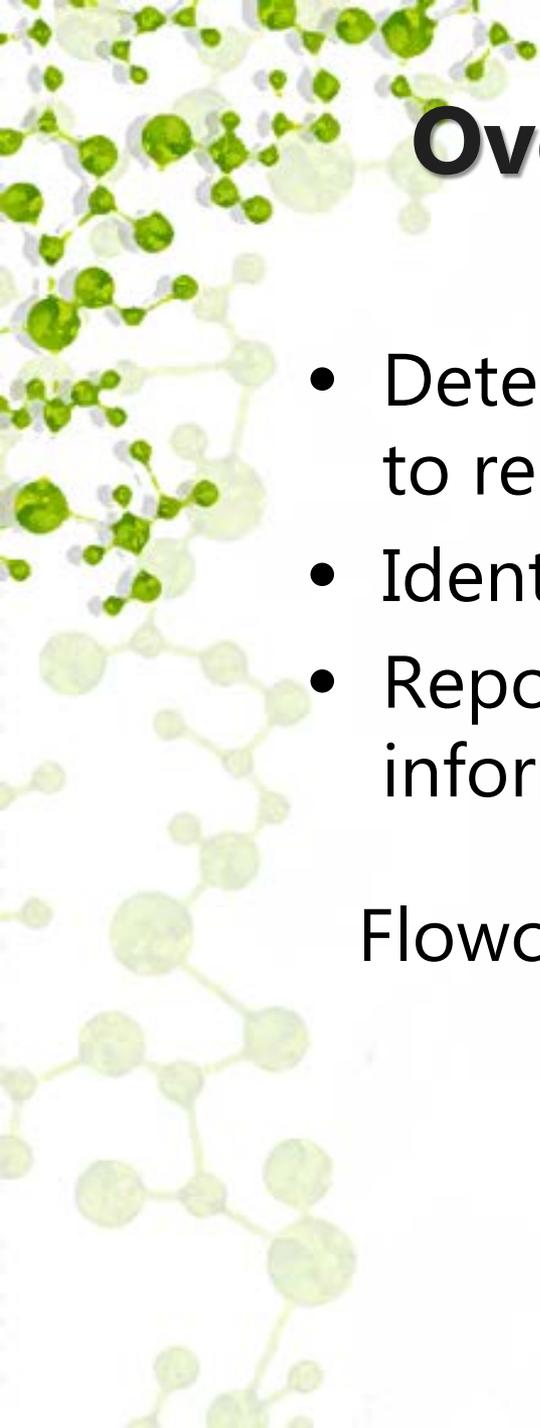
Approach A: Simplifying Reporting

Wednesday

August 16, 2017

Objectives

- Maintain adequate data to ensure effective implementation of TSCA
 - For chemical prioritization and risk evaluation
- Address industry concerns about reporting burdens
- Ensure that necessary information on the byproduct chemical substances such as potential exposure and amounts is not lost.
- Ensure that the Agency is able to continue to evaluate these inorganic chemical substances as is done for all other chemical substances.
- Meet the statutory requirements expressed in the FACA charge.



Overview of Approach A

- Determining whether you are required to report
- Identification of reportable substance
- Reporting processing and use information

Flowchart of Approach A – see next slide

Reporting by Byproduct Manufacturer – Simplifying Reporting Draft Option

Determine need to report byproduct

Is chemical a byproduct?

(If yes, check box and proceed. If no, follow reporting requirements for non-byproducts)

Is the byproduct used for a separate commercial purpose?

**If no, no report.
If yes, next box**

Is byproduct chemical inorganic?

(add checkbox)

**Yes (blue)
No (black)**

Is inorganic byproduct chemical recycled, remanufactured, reprocessed, or reused?
(existing check box)

No

Byproduct disposed as a waste, including in a landfill or for enriching soil?

**If yes, no report.
If no, next box**

Byproduct burned as a fuel?

**If yes, no report.
If no, next box**

Byproduct used in process to extract a chemical component?

**If yes, no report.
If no, next box**

Report manufacturing information from Form U Part 2

Yes

Determine whether it fits within a defined category (like TRI categories (e.g., copper compounds)). Report either by category or as listed on TSCA Inventory.

Report manufacturing information from Form U Part 2

Would no longer apply to recycled inorganic byproducts; feedback is that these exemptions cause confusion and uncertainty. This change increases number of reporters, but reduces their burden when determining if they need to report.

Categories reduce reporting challenges and reduce burden. EPA will not use this as a trigger for enforcement actions.

Reporting under Revised Processing & Use Reporting Requirements

Check all that apply and add % Production Volume for each:

- Used to manufacture a chemical substance*
- Directly used (e.g., landfill cover, mine fill, land application, burned as a fuel)*
- Directly used and incorporated into a product (e.g., wallboard, cement)*
 - Select product category*
 - Intended for children's use?*
- Other (specify)*
 - Select product category*
 - Intended for children's use?*

Significantly reduces processing and use reporting requirements. Less burden, but less processing and use information.

Black text: Current reporting

Blue text: Changes under option EPA is describing

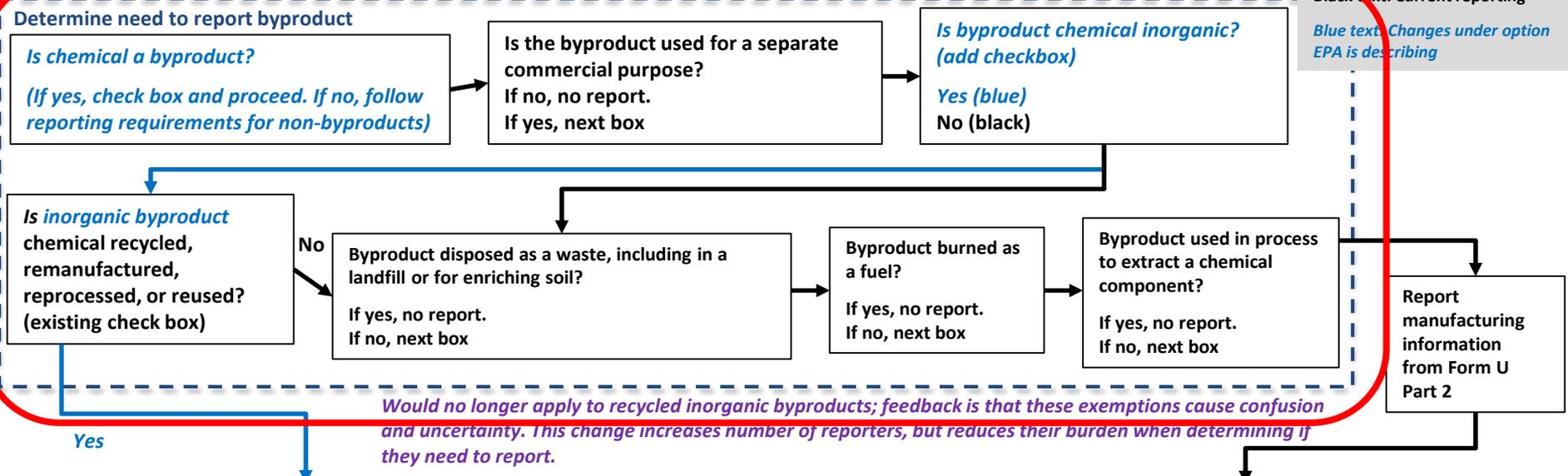
Reporting under current Processing & Use Reporting Requirements in Form U Part 3

PART III. PROCESSING AND USE INFORMATION												
SECTION A. INDUSTRIAL PROCESSING AND USE										N/A		
	a. Type of Process or Use		b. Sector(s)		c. Industrial Function Category		d. Percent Production Volume		e. Number of Sites		f. Number of Workers	
	Code	CBI*	Code	CBI*	Code	CBI*	%	CBI*	Code	CBI*	Code	CBI*
3.A.1												
3.A.2												
3.A.3												
3.A.4												
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3.A.10												
SECTION B. CONSUMER AND COMMERCIAL USE										N/A		
	a. Product Category		b. Consumer or Commercial or both		c. Used in Products Intended for Children?		d. Percent Production Volume		e. Maximum Concentration		f. Number of Commercial Workers Reasonably Likely to be Exposed	
	Code	CBI*	Code	CBI*	Code	CBI*	%	CBI*	Code	CBI*	Code	CBI*
3.B.1												
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3.B.10												

*Substantiation required for CBI claims on chemical identity, site identity, and processing or use information.

Reporting by Byproduct Manufacturer – Simplifying Reporting Draft Option

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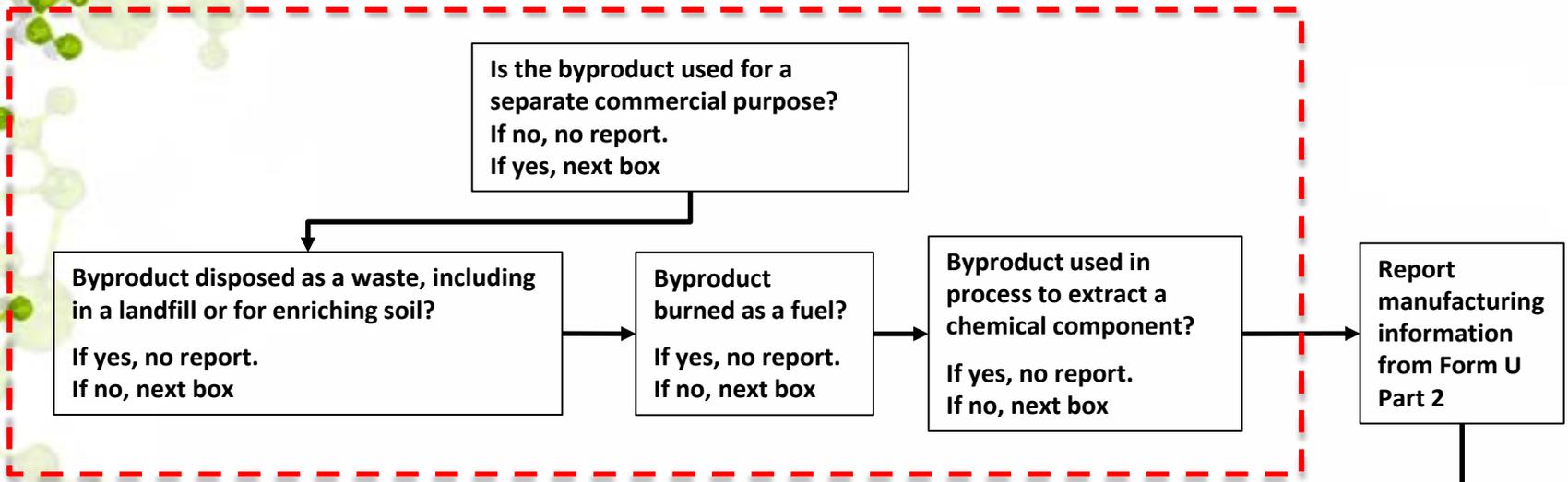
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3.A.10												

SECTION B. CONSUMER AND COMMERCIAL USE												
										N/A		
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	Code	CBI*	Code	CBI*	Code	CBI*	%	CBI*	Code	CBI*	Code	CBI*
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Current Process: Are you required to report?



The current process would continue to apply to byproducts that are not inorganic byproducts that are recycled, reprocessed, or reused

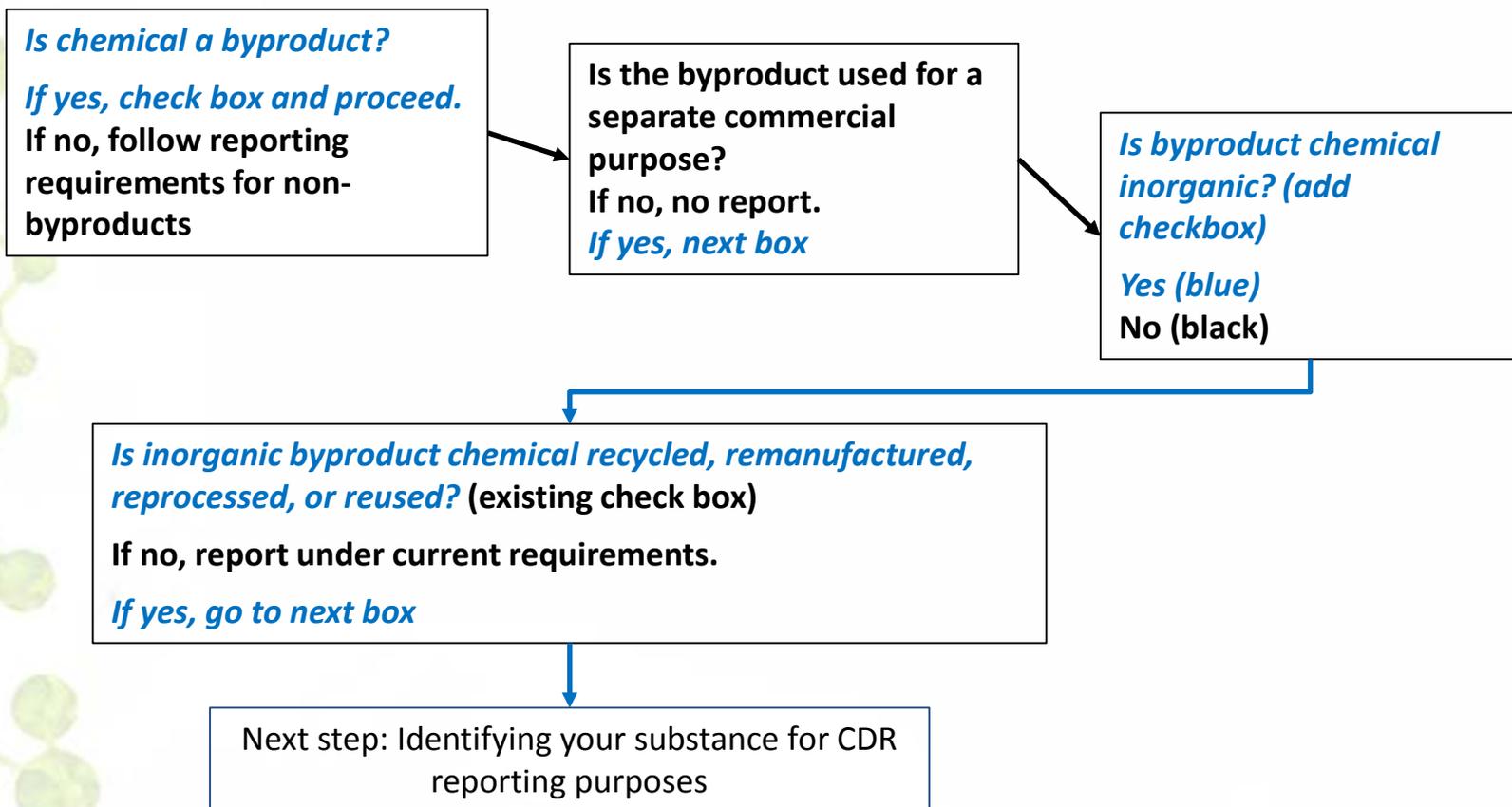
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Approach A: Are you required to report?

A simplified process for determining the need to report for inorganic byproducts that are recycled, reused, or reprocessed



Reporting by Byproduct Manufacturer – Simplifying Reporting Draft Option

Determine need to report byproduct

Is chemical a byproduct?

(If yes, check box and proceed. If no, follow reporting requirements for non-byproducts)

Is the byproduct used for a separate commercial purpose?

If no, no report.
If yes, next box

Is byproduct chemical inorganic?

(add checkbox)

Yes (blue)
No (black)

Is inorganic byproduct chemical recycled, remanufactured, reprocessed, or reused?
(existing check box)

No

Byproduct disposed as a waste, including in a landfill or for enriching soil?

If yes, no report.
If no, next box

Byproduct burned as a fuel?

If yes, no report.
If no, next box

Byproduct used in process to extract a chemical component?

If yes, no report.
If no, next box

Report manufacturing information from Form U Part 2

Yes

Determine whether it fits within a defined category (like TRI categories (e.g., copper compounds)). Report either by category or as listed on TSCA Inventory.

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Check all that apply and add % Production Volume for each:

- Used to manufacture a chemical substance*
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 - Select product category*
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- Other (specify)*
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*Substantiation required for CBI claims on chemical identity, site identity, and processing or use information.

Approach A: Identifying your substance

- Report as listed on the TSCA Inventory *OR*
- Select appropriate category

Example Categories as used for TRI reporting*:

- Antimony compounds
- Arsenic compounds
- Cadmium compounds
- Chromium compounds
- Copper compounds
- Lead compounds
- Manganese compounds
- Mercury compounds
- Nickel compounds

** Categories applicable to CDR would need to be determined.*

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If no, no report.
If yes, next box

Is byproduct chemical inorganic?

(add checkbox)

Yes (blue)
No (black)

Is inorganic byproduct chemical recycled, remanufactured, reprocessed, or reused?
(existing check box)

No

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If yes, no report.
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Approach A: Processing & Use Lite

Check all that apply		...and report
✓	Used to manufacture a chemical substance	% PV
✓	Directly used (e.g., landfill cover, mine fill, land application, burned as a fuel)	% PV
✓	Directly used and incorporated into a product (e.g., wallboard, cement)	% PV
	Select product category	Choose from list*
	Intended for children's use?	Yes, no, NKRA**
✓	Other (specify)	% PV
	Select product category	Choose from list*
	Intended for children's use?	Yes, no, NKRA**

*Product category lists to include industrial, consumer, and commercial categories

**NKRA = Not Known or Reasonably Ascertainable

Example List: Current CDR Consumer and Commercial Product Categories

Chemical Substances in Furnishing, Cleaning, Treatment Care Products

Floor coverings.

Foam seating and bedding products.

Furniture and furnishings not covered elsewhere.

Fabric, textile, and leather products not covered elsewhere.

Cleaning and furnishing care products.

Laundry and dishwashing products.

Water treatment products.

Personal care products.

Air care products.

Apparel and footwear care products.

Chemical Substances in Construction, Paint, Electrical, and Metal Products

Adhesives and sealants.

Paints and coatings.

Building/construction materials—wood and engineered wood products.

Building/construction materials not covered elsewhere.

Electrical and electronic products.

Metal products not covered elsewhere.

Batteries.

Chemical Substances in Packaging, Paper, Plastic, Toys, Hobby Products

Food packaging.

Paper products.

Plastic and rubber products not covered elsewhere.

Toys, playground, and sporting equipment.

Arts, crafts, and hobby materials.

Ink, toner, and colorant products.

Photographic supplies, film, and photochemicals.

Chemical Substances in Automotive, Fuel, Agriculture, Outdoor Use Products

Automotive care products.

Lubricants and greases.

Anti-freeze and de-icing products.

Fuels and related products.

Explosive materials.

Agricultural products (non-pesticidal).

Lawn and garden care products.

Chemical Substances in Products not Described by Other Codes

Non-TSCA use.

Other (specify).

*Actual list to be determined, would include industrial, consumer, and commercial categories.