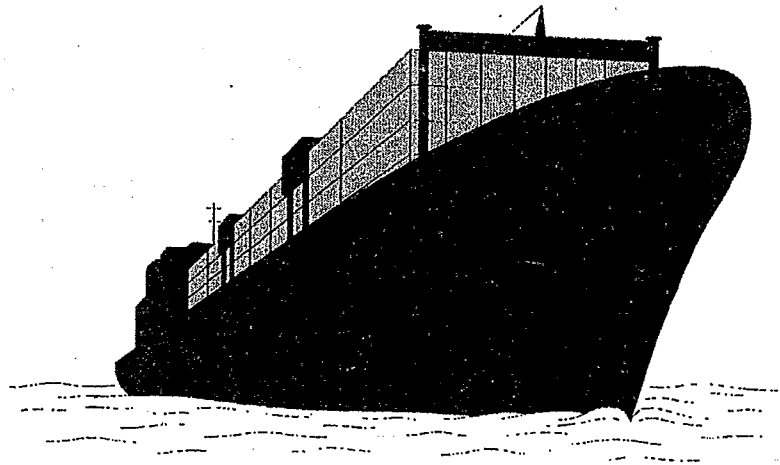




Introduction to the Chemical Import Requirements of the Toxic Substances Control Act



Notice

This document provides guidance to assist regulated entities to understand their obligations related to imports under the Toxic Substances Control Act; however, for a complete understanding of all legal requirements, the reader must refer to the applicable federal statute and regulations. This guide is a compliance assistance tool only, and it neither changes nor replaces any applicable legal requirements, nor does it create any rights or benefits for anyone. This guide includes references to the roles of the U.S. Environmental Protection Agency and U.S. Customs Service but the information is provided for context only. Any rules or orders issued by the U.S. Environmental Protection Agency or U.S. Customs Service take precedence over the guidance included herein.

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I. WHAT IS THE TOXIC SUBSTANCES CONTROL ACT (TSCA)?

Congress enacted the Toxic Substances Control Act (TSCA; the Act) in 1976. [Public Law 94-469, October 11, 1976] Under TSCA, EPA is given broad authority to issue regulations designed to gather health/safety and exposure information on, require testing of, and control exposure to individual chemical substances, chemical mixtures, and articles. This brochure is intended to assist chemical importers (including their agents) who may not be familiar with TSCA to understand better their responsibilities under TSCA by providing a basic overview of the Act and its requirements, in particular those that apply to chemical importation. This document does not replace any Federal laws or regulations. Please note that the best authority for information about TSCA is the Act itself and the regulations that are published by EPA at 40 CFR Part 700 through Part 799 and by the U.S. Customs Service (Customs) at 19 CFR sections 12.118 through 12.127 and 127.28 (amended).

II. AS AN IMPORTER, DOES TSCA APPLY TO ME?

Yes – If you import chemical substances, mixtures or articles, you are subject to TSCA and generally must meet the same requirements under TSCA as a chemical manufacturer in the United States. TSCA Section 3 defines the term “manufacture” to mean:

“to import into the customs territory of the United States (as defined in general headnote 2 of the Tariff Schedules of the United States), produce or manufacture.”¹

It is important to ensure that you are in full compliance with all applicable TSCA regulations and other relevant statutes (e.g., Clean Air Act, Resource Conservation and Recovery Act) **before** you import TSCA-covered chemical substances, mixtures, or articles into the United States. Non-compliance with TSCA can result not only in detained shipments and/or denied entry, but can lead to substantial civil and/or criminal penalties.

III. WHAT CHEMICAL SUBSTANCES, MIXTURES AND ARTICLES ARE COVERED BY TSCA?

EPA's authority under TSCA extends to all materials that are considered “chemical substances,” “mixtures,” or “articles” as defined under TSCA. TSCA regulations currently exempt certain classes of materials (e.g., the TSCA Section 13 Import Certification regulation currently exempts imported articles). The definitions of these terms are provided below.

¹ General headnote 2 of the Tariff Schedules of the United States is as follows: Customs Territory of the United States. The term “customs territory of the United States,” as used in the tariff schedule, includes only the States, the District of Columbia, and Puerto Rico.

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TSCA Section 3 defines the term "chemical substance" as:

"... any organic or inorganic substance of a particular molecular identity, including -- (i) any combination of such substances occurring in whole or in part as a result of a chemical reaction or occurring in nature and (ii) any element or uncombined radical."

It is important to note that the term "chemical substance" also includes microorganisms.

TSCA Section 3 states that the term chemical substance does **not** include the following:

- **"tobacco or any tobacco product"**
- a **"pesticide"** as defined under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) when produced, imported, processed or distributed in commerce for use as a pesticide
- a **"source material," "special nuclear material," or "byproduct material"** as these terms are defined in the Atomic Energy Act of 1954 and regulations issued under that act
- an article (i.e., **firearms and ammunition**) the sale of which is subject to the tax imposed by section 4181 of the Internal Revenue Service Code of 1954 (determined without regard to the exemptions from such tax provided by section 4182 or 4221 or any other provision of such code)
- a **"food," "food additive," "drug," "cosmetic," or "device"** as those terms are defined in section 201 of the Federal Food, Drug, and Cosmetic Act (FFDCA) when produced, imported, processed or distributed in commerce for use as a food, food additive, drug, cosmetic, or device.

A "mixture" is defined under Section 3 of TSCA as:

"Any combination of two or more chemical substances if the combination does not occur in nature and is not, in whole or in part, the result of chemical reaction; except that such term does not include any combination which occurs, in whole or in part, as a result of a chemical reaction if none of the chemical substances comprising the mixture is a new chemical substance and if the combination could have been manufactured [(including imported)] for commercial purposes without a chemical reaction at the time the chemical substances comprising the combination were combined."

"Article" is not defined under TSCA itself, but is defined under various TSCA regulations implemented by the Customs Service or EPA. Under the Customs Service regulations at 19 CFR section 12.120(a), concerning, among other things, the entry of chemical substances into the customs territory of the United States under TSCA Section 13, "article" is defined as follows:

(a) Article —

(1) Article means a manufactured item which: (i) Is formed to a specific shape or design during manufacture, (ii) Has end use functions dependent in whole or in part upon its shape or design during the end use, and (iii) Has either no change of chemical composition during its end use or only those changes of composition which have no commercial purpose separate from that of the article and that may occur as described in § 12.120(a)(2); except that fluids and particles are not considered articles regardless of shape or design.

(2) The allowable changes of composition, referred to in § 12.120(a)(1), are those which result from a chemical reaction that occurs upon the end use of other chemical substances, mixtures, or articles such as adhesives, paints, miscellaneous cleaners or other household products, fuels and fuel additives, water softening and treatment agents, photographic films, batteries, matches, and safety flares in which the chemical substance manufactured upon end use of the article is not itself manufactured for distribution in commerce or for use as an intermediate.

Article is also defined under TSCA regulations at 40 CFR sections 704.3, 710.2(e), and 720.3(c).

It is also important to note that chemical substances and mixtures are considered to be imported as part of an article **only** if the substances or mixtures are not intended to be removed/released from the article and they have no end use or commercial purpose separate from the article of which they are a part. See 42 FR 64583 (December 23, 1977).

IV. WHAT TSCA PROVISION SPECIFICALLY CONCERNS THE ENTRY OF CHEMICAL SUBSTANCES, MIXTURES, AND ARTICLES INTO THE UNITED STATES?

IV.A TSCA Section 13 Entry Into the Customs Territory of the United States (see 40 CFR Part 707.20 "General Import Requirements and Restrictions" and 19 CFR sections 12.118 through 127.128)

TSCA Section 13 requires that any chemical substance, mixture, or article containing a chemical substance or mixture be refused entry into the customs territory of the United States if it fails to comply with any rule in effect under TSCA or is offered for entry in violation of section 5, 6, or 7 of TSCA. EPA's

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Policy Statement, 40 CFR 707.20, requires that importers "certify" their imported chemical substances or mixtures are either: (1) in compliance with TSCA Sections 5, 6 and 7 at the time of import; or (2) not subject to TSCA. The current TSCA Import Rule does not pertain to importation of articles.

In addition, Section 13 provides that the Treasury Department (U.S. Customs), in conjunction with EPA, implement these requirements. For that reason, Customs can refuse entry of any shipment that does not have a TSCA certification. An importer of record provides the certification by signing one of the following statements to be typed, preprinted on the invoice, or otherwise included in the entry documentation:

- + **Positive Certification Statement:** *"I certify that all chemical substances in this shipment comply with all applicable rules or orders under TSCA and that I am not offering a chemical substance for entry in violation of TSCA or any applicable rule or order under TSCA."*
- **Negative Certification Statement:** *"I certify that all chemicals in this shipment are not subject to TSCA."*

IV.B. Abbreviated Overview of TSCA Certification Requirements

<u>Item</u>	<u>Certification Action</u>
Article	No Certification Required
Tobacco or tobacco product	No Certification Required
Pesticides (but not pesticide intermediates), nuclear materials, food, food additives, drugs, cosmetics, or medical devices	Negative Certification Generally Required
Chemical substances or mixtures (other than articles) subject to TSCA	Positive Certification Required

IV.C Other Certification Considerations

Certification is also required for substances that are imported and are received by mail or commercial carrier, including those intended for research and development. In addition, a "blanket" certification may be requested from the Customs District Director on an annual basis to cover several shipments of the same chemical over a one year period.

V. WHAT ARE THE MAJOR SECTIONS OF TSCA FOR WHICH TSCA IMPORT CERTIFICATION IS REQUIRED, AND WHAT REQUIREMENTS APPLY?

Current TSCA import certification requirements apply specifically to compliance with sections 5, 6, and 7 of TSCA. The following briefly and generally describes certain major requirements under those sections.

V.A. TSCA Section 5 New Chemical Substances

V.A.1 TSCA Section 5 Premanufacture Notification (see 40 CFR Parts 700, 720, 723, 725 and 747)

If you are importing chemicals or chemical-containing items into the U.S., you must determine whether or not any chemical imported in bulk or as a part of a mixture, is a TSCA chemical substance and/or a "new chemical substance" prior to its importation for a nonexempt commercial purpose. Under Section 5 of TSCA, persons who intend to manufacture or import a "new chemical substance" into the United States must seek EPA approval by submitting a pre-manufacture notice (PMN) to EPA at least 90 days prior to importation to enable EPA to determine whether the new chemical may present an unreasonable risk to human health or the environment. A new chemical substance is one that is not already in commerce in the United States, as determined by inclusion in the TSCA Inventory of Chemical Substances maintained by EPA. New chemical substances include certain genetically modified microorganisms (also known as intergeneric microorganisms). When the PMN is approved and the substance is imported, a "Notice of Commencement" (NOC) is required to be submitted to EPA within 30 days of first importation. Following receipt of this NOC, the subject chemical substance will be added to EPA's TSCA Inventory of existing chemical substances for the purposes of future importation and/or domestic production.

V.A.2 TSCA Section 5 (e) Consent Orders

If you are a manufacturer or importer who has signed a consent order issued by EPA under section 5(e) of TSCA, you must also ascertain whether a chemical substance intended to be imported into the United States is subject to that order. If so, the chemical substance must be in compliance with the provisions of the consent order before it may be imported into the United States.

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V.A.3 TSCA Section 5 Significant New Use Rules (SNURs) (see 40 CFR Part 721)

In addition, prior to importation of a chemical substance subject to TSCA into the United States, an importer of record must determine whether the substance is subject to a Significant New Use Rule issued under Section 5 of TSCA. Section 5 of TSCA authorizes EPA to designate use of a chemical substance as a "significant new use," and require the submission of information to EPA prior to the chemical substance being manufactured (including imported) or processed for that use.

V.A.4 Exemptions to Section 5 of TSCA

Section 5 of TSCA also provides for certain exemptions to the 90-day review of new chemicals. For specific details, see the regulations cited below and section 5 of TSCA. Please note, TSCA compliance certification is still required to import these chemicals.

- Research and Development Exemption - See 40 CFR Section 720.36
- Test Marketing Exemption - See 40 CFR Section 720.38
- Low volume/low release/low exposure Exemption - See 40 CFR Section 723.50
- Polymer Exemption - See 40 CFR Section 723.250.

V.B TSCA Section 6 Regulation of Hazardous Chemical Substances and Mixtures (See also TSCA Section 6 and also 40 CFR Parts 745, 747, 749, 750, 761, and 763)

An importer must also determine whether a chemical substance it intends to import into the United States is subject to a rule issued under Section 6 of TSCA. Section 6 of TSCA authorizes EPA to take regulatory action to protect against unreasonable risk of injury to human health or the environment due to the manufacture (including importation), processing, distribution in commerce, use, or disposal of a chemical substance or mixture. For example, EPA has promulgated regulations under Section 6 of TSCA applicable to polychlorinated biphenyls (PCBs) and asbestos. The importation of PCBs, or articles containing PCBs, is banned under TSCA with a few minor exemptions. In addition, the importation of certain asbestos-containing products, such as flooring felt, commercial paper, corrugated paper, rollboard, and specialty paper is banned under TSCA.

V.C. TSCA Section 7 Imminent Hazards

Because imports are required to comply with any judicial orders that may be issued under Section 7 of TSCA, importers need to be aware of Section 7 requirements. TSCA Section 7 authorizes EPA to commence a judicial action for seizure of a chemical substance, mixture, or article containing such a

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chemical substance or mixture, which EPA has determined is imminently hazardous, and/or for other relief against any person who manufactures (imports), processes, distributes in commerce, uses, or disposes of an imminently hazardous chemical substance or mixture or any article containing such a substance or mixture.

V.D. TSCA Section 13 Import Certification Decision-Making Process

1.	Is the material in the shipment to be imported an "article," or tobacco or tobacco product?	If Yes -- Import certification is not required (positive or negative).
		If No -- Continue to #2.
2.	Is the material in the shipment to be imported (a) a pesticide; (b) a source or special nuclear material or byproduct; (c) a firearm or ammunition; or (d) a food, food additive, drug, cosmetic, or device; as those terms are described in Part III of this guide?	If Yes -- The material is not subject to TSCA, but a "negative" TSCA import certification is required unless the shipment is clearly identified as being a pesticide or other chemical not subject to TSCA [for example, the shipment is accompanied by FDA Form FD701 or EPA (FIFRA) Form 3540-1].
		If No -- Continue to #3.
3.	Does the shipment contain any chemical substances or mixtures regulated under TSCA Section 5 (including new chemical substances), TSCA Section 6, or TSCA Section 7?	If Yes -- Continue to #4.
		If No -- A positive TSCA import certification can be made.
4.	Have you complied with TSCA sections 5, 6, and 7 with respect to the chemical substances and/or mixtures in your shipment?	If Yes -- A positive TSCA import certification can be made.
		If No -- Import certification cannot be provided and the shipment cannot be imported until you have complied with all applicable requirements under TSCA sections 5, 6, and 7.

[Note that importers' responsibilities under TSCA Sections 4, 8, and 12(b) are dealt with briefly in the following section of this document. Because TSCA Sections 4, 8, and 12(b) regulations/requirements do not affect importers' responsibilities under TSCA Section 13, they are not reflected in this TSCA Section 13 decision process.]

VI. WHAT OTHER TSCA PROVISIONS APPLY TO ME AS AN IMPORTER?

Importers need to be aware that imports must also be in compliance with certain other sections of TSCA, although current regulations require certification at the time of import only for compliance with TSCA sections 5, 6, and 7.

**VI.A. TSCA Section 4 Testing of Chemical Substances and Mixtures
(see 40 CFR Parts 790, 791, 792, 799, and 766)**

Under Section 4 of TSCA, EPA has the authority to require manufacturers (including importers) and processors of chemical substances and mixtures to conduct testing on the health and environmental effects of chemical substances and mixtures. A person who imports or intends to import a chemical substance or mixture subject to a test rule under Section 4 must comply with Section 4 requirements unless the importation qualifies for an exemption included in the regulations at 40 CFR Section 790.42, or under a specific test rule listed under Parts 766 or 799. Following promulgation of a test rule under Section 4 of TSCA, the responsibility to comply with the rule continues for a period of five years from the date the data from all required tests have been submitted or an amount of time equal to that which was required to develop the test data, whichever is longer. Importers therefore have a continuing responsibility to determine whether a chemical substance or mixture which they import or intend to import is subject to a test rule.

VI.B. TSCA Section 8 Reporting and Retention of Information

Section 8 of TSCA authorizes EPA to require persons engaged in the manufacture (includes import), processing, and distribution in commerce of TSCA-covered chemical substances and mixtures to keep certain records and report certain information to EPA. Specific TSCA Section 8 rules (and implementing policy documents in the case of TSCA Section 8(e)) that apply to importers are:

- *TSCA Section 8(a) Inventory Update Rule* – see 40 CFR Part 710
- *TSCA Section 8(a) Preliminary Assessment Information Reporting (PAIR) Rule* – see 40 CFR Part 712
- *TSCA Section 8(a) Chemical Specific Recordkeeping and Reporting Rules* – see 40 CFR Part 704 Subpart B
- *TSCA Section 8(c) Allegations of Significant Adverse Reactions Recordkeeping and Reporting Rule* – see 40 CFR Part 717
- *TSCA Section 8(d) Unpublished Health and Safety Data Reporting Rule* – see 40 CFR Part 716

- TSCA Section 8(e) Substantial Risk Information Reporting Requirement (Statutory Provision) – see implementing Policy Statement (43 FR 11110, March 16, 1978) as well as the TSCA Section 8(e) Reporting Guide (June 1991-- available in hard copy from TSCA Hotline).

VI.C. TSCA Section 12(b) "Export Notification" Rule (see 40 CFR Part 707 Subpart D)

Chemical importers, if also exporters, are potentially subject to Section 12(b) of TSCA. EPA's TSCA Section 12(b) export notification requirements apply to chemical substances or mixtures for which data are required under TSCA Section 5(b), an order has been issued under TSCA Section 5, a proposed or final rule has been issued under TSCA Sections 5 or 6, or an action is pending or relief has been granted under TSCA Sections 5 or 7. With regard to Section 4 of TSCA, only those chemical substances or mixtures listed in *final* TSCA Section 4 test rules and TSCA Section 4 Enforceable Consent Agreements (ECAs) are subject to the export notice requirements under TSCA Section 12(b). Notification of export is generally not required for articles, as provided by 40 CFR section 707.60(b).

VII. CONTACTS AND RESOURCES FOR TECHNICAL ASSISTANCE

VII.A. TSCA Assistance Information Service (TAIS)/TSCA Hotline

U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics
Environmental Assistance Division
401 M Street, SW
Washington, D.C. 20460
Phone: (202) 554-1404
TDD: (202) 554-0551
Fax: (202) 554-5603
E-mail: tsca-hotline@epa.gov
Hours of Service: 8:30 a.m. - 5:00 p.m. (EST) M-F

Sponsored by the Office of Pollution Prevention and Toxics, the TSCA Hotline provides information assistance to chemical manufacturers, processors, users, storers, disposers, importers and exporters concerning regulations under TSCA. The Service also operates as an information center for labor associations, government agencies, domestic and foreign governments, embassies, attorneys, and private citizens.

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VII.B. EPA Regional Contacts

For guidance on the proper procedures to correct any deficiencies in a shipment, contact the following EPA regional offices:

EPA Region 1 (CT, MA, ME, NH, RI, VT)

Pesticides, Toxics, and Radiation Office
Mail Code: CPT
One Congress Street
John F. Kennedy Federal Building
Boston, MA 02203-0001
Phone: (617) 918-3225
Website: www.epa.gov/region01/

EPA Region 2 (NJ, NY, PR, VI)

Pesticides and Toxic Substances Branch
Mail Code: 105
2890 Woodbridge Ave.
Edison, NJ 08837-3679
Phone: (732) 321-6765
Website: www.epa.gov/region02/

EPA Region 3 (DC, DE, MD, PA, VA)

Toxics Program and Enforcement Branch
Mail Code: 3WC33
1650 Arch Street
Philadelphia, PA 19106-2029
Phone: (215) 814-2080
Website: www.epa.gov/region03/

EPA Region 4 (AL, FL, GA, KY, MS, NC, SC, TN)

Pesticides and Toxic Substances Branch
Mail Code: APTMD/TS
61 Forsyth Street SW
Atlanta, GA 30303-8909
Phone: (404) 562-8956
Website: www.epa.gov/region04/

EPA Region 5 (IL, IN, MI, MN, OH, WI)

Pesticides and Toxics Enforcement Section
Mail Code: DT8J
77 West Jackson Boulevard
Chicago, IL 60604
Phone: (312) 886-7061
Website: www.epa.gov/region5/

EPA Region 6 (AR, LA, NM, OK, TX)

Toxics Section
Mail Code: 6PD-T
1445 Ross Avenue, Suite 1200
Dallas, TX 75202
Phone: (214) 665-6714
Website: www.epa.gov/region06/

EPA Region 7 (IA, KS, MO, NE)

Air, RCRA, and Toxics Division
Mail Code: ARTD/CRIB
726 Minnesota Avenue
Kansas City, MO 66101
Phone: (913) 551-7020
Website: www.epa.gov/region07/

EPA Region 8 (CO, MT, ND, SD, UT, WY)

Pollution Prevention and Pesticides and Toxics Program
Mail Code: 8P-P3T
999 18th Street, Suite 500
Denver, CO 80202-2466
Phone: (303) 312-6147
Website: www.epa.gov/region08/

EPA Region 9 (AZ, CA, HI, NV, AS GU)

Toxics Section
Mail Code: CMD-4-2
75 Hawthorne Street
San Francisco, CA 94105
Phone: (415) 744-1069
Website: www.epa.gov/region09

EPA Region 10 (AK, ID, OR, WA)

Solid Waste and Toxics Unit
Mail Code: WCM-128
1200 6th Avenue
Seattle, WA 98101
Phone: (206) 553-1716
Website: www.epa.gov/region10/

VII.C. Internet Sites

ChemAlliance Regulatory Information for the Chemical Process Industry

Website: www.ChemAlliance.org

ChemAlliance is a source of up-to-date information concerning the environmental regulations affecting the chemical industry. ChemAlliance is operated by a partnership of environmental professionals in academia, government and industry. The site offers access to feature articles, regulatory information, regulatory and compliance tools, and pollution prevention information.

U.S. EPA Office of Pollution Prevention and Toxics (OPPT)

Website: www.epa.gov/opptintr/

OPPT is responsible for implementing TSCA and certain other U.S. environmental rules and legislation. The OPPT website contains information about and links to: OPPT projects and programs (e.g., New Chemicals Program); other information resources (e.g., dockets, clearinghouses, libraries, and hotlines); OPPT publications; and chemical and regulatory information databases and software.

TSCA Inventory Update Rule (IUR) Reporting

Website: www.epa.gov/opptintr/iur98/

Phone: (202) 260-2523

This site provides information on the latest reporting cycle. Additional information may be obtained from the Records and Dockets Management Branch.

TSCA Section 13 Requirements Program

Website: www.epa.gov/opptintr/chemtest/sect13.htm

Phone: (202) 260-8130

This site provides information on Section 13 import certification requirements. Additional information may be obtained from the Chemical Information and Testing Branch.

Existing Chemicals Program

Website: www.epa.gov/opptintr/opptexis.htm

Phone: (202) 260-3945

This site provides information on existing chemicals. Additional information may be obtained from the Existing Chemicals Branch.

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Bona Fide Searches

Website: www.epa.gov/opptintr/newchems/findsubs.htm

Phone: (202) 260-2659

This site provides information on how to determine if a chemical is on the confidential portion of the TSCA Inventory. Additional information may be obtained from the Industrial Chemistry Branch.

New Chemicals Program

Website: www.epa.gov/opptintr/newchms/

Phone: (202) 260-3725

This site describes the procedure for filing TSCA Section 5 "Pre-manufacture Notifications," obtaining forms, and reaching appropriate contacts. Additional information may be obtained from the New Chemicals Branch.

TSCA Testing Program

Website: www.epa.gov/opptintr/chemtest/

Phone: (202) 260-8130

This site describes OPPT's TSCA Testing and Information Gathering Program and its objectives, and serves as the major link to information about core TSCA regulations. Additional information can be obtained from the Chemical Information and Testing Branch.

TSCA, 15 U.S.C. Chapter 53

Website: uscode.house.gov/download.htm

Search for Title 15, Chapter 53.

The TSCA statute and all of its amendments are available for downloading through the U.S. House of Representatives' Internet Law Library.

TSCA Inventory (Public Version)

Website: www.pdc.cornell.edu

Cornell University offers users access to the non-confidential (public) TSCA Inventory through a searchable database in the Health and Safety section of their homepage. To conduct a search, the user must enter a CAS number or a full chemical name. *Important Note: For the most accurate information about the status of a chemical in regard to the public portion of the TSCA Inventory, contact the Chemical Abstract Service (CAS) at 800-631-1884 and select option #2.*

TSCA Federal Register Notices

Website: www.epa.gov/fedrgstr/EPA-TOX/

TSCA Federal Register Notices are arranged by date for those issued since October of 1994. Important Federal Register Notices published before that date are archived by date and title.

CORR Database

Website: www.epa.gov/opptintr/CORR/

The Chemicals on Reporting Rules List is a quarterly publication that contains two files to be downloaded into the user's own database software. Those files include a list of chemicals by CAS number referenced in proposed and/or final rules or orders under TSCA Sections 4, 5, 6, and 8 and EPCRA Section 313, and a list of relevant FR citations. *Please Note: The CORR List is simply a compliance aid and should not be used in place of the CFR and Federal Register Notices.*

Biotechnology Home Page

Website: www.epa.gov/opptintr/biotech/

Phone: (202) 260-3725

Under the scope of TSCA, genetically engineered microorganisms are reportable under the TSCA Inventory reporting regulations (40 CFR 710). At this Internet site, users can download the regulations, guidance documents for reporting, risk assessments for certain organisms, and status reports. For additional information, contact the New Chemicals Branch.

Chemical Abstract Service

Website: www.cas.org/

Phone: (800) 631-1884, Select option #2.

Chemical Abstract Service, a division of the American Chemical Society, is the producer of the world's largest and most comprehensive databases of chemical information. The public (i.e., non-confidential) portion of the TSCA Inventory is available online for members for searches through the Scientific and Technical Information Network (STIN). CAS also provides information regarding chemical lists of other countries. Please see, "Bona Fide Searches" for information about the confidential portion of the TSCA Inventory.

Toxics & Pesticides Enforcement Division

Website: es.epa.gov/oeca/ore/tped/

This division of the Office of Enforcement and Compliance Assurance (OECA) handles enforcement activities for TSCA, FIFRA, and EPCRA. Users have access to enforcement response policies, enforcement guidance, civil penalty policies, and information about Supplemental Environmental Projects (SEPs).

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The Right to Know Network

Website: www.rtk.net/

RTK Net was started in 1989 in support of the Emergency Planning and Community Right to Know Act (EPCRA), which requires that information be made available via the TRI. TSCA information is available through chemical fact sheets, IRIS, and other databases such as the TSCA Test Submissions (TSCATS) database. TSCATS contains unpublished toxicologic and ecologic data submitted by industry under Section 4 test rules, 8(d) health and safety studies, 8(e) substantial risk notices, and "For Your Information" FYI submissions.

VII.D. Publications and Other Information Sources

The following publications contain supplementary information on TSCA and TSCA-related issues:

Toxic Substances Control Act: A Guide for Chemical Importers/Exporters (EPA 560/1-91-001), U.S. EPA, Office of Toxic Substances, April 1991.

New Chemicals Program (Brochure) (EPA 743-F-95-001), U.S. EPA, Office of Pollution Prevention and Toxics (OPPT), May 1995.

Layman's Guide to TSCA (Brochure) (EPA 560/1-87-011), U.S. EPA, Office of Toxic Substances, June 1987.

TSCA Inventory (Public Version)

Website: www.ntis.gov/

Phone: (800) 553-NTIS

To buy a full copy of the public (i.e., non-confidential) portion of the TSCA Inventory, users must purchase it on disk or CD ROM from the National Technical Information Service (NTIS). At this site, the user can get price information and ordering numbers to get the latest copy.

1996 Master Testing List

Website: www.epa.gov/opptintr/chemtest/mtl.htm/

The Master Testing List (MTL) is used by OPPT to establish the TSCA Existing Chemical Testing Program agenda. The MTL presents a consolidated listing of OPPT's existing chemical testing priorities as well as those of other EPA program offices, other federal agencies, the TSCA Interagency Testing Committee, and international organizations such as OECD.

OPPT Chemical Fact Sheets

Website: www.epa.gov/opptintr/chemfact/

Introduction to the Chemical Import Requirements of TSCA

To obtain copies of these and other publications, contact the TSCA Assistance Information Service, or you may contact:

National Service Center for Environmental Publications (NSCEP)

U.S. Environmental Protection Agency
PO Box 42419
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Website: www.epa.gov/cincli/

NEPI allows users to search, view, and print from a collection of over 6,000 of EPA's technical and public information documents.

Chemicals in Our Community

Website: www.epa.gov/cie/

The publication provides the general public, environmental groups, educational organizers, state and local organizations, and other interested parties with access to many of OPPT's information products and services.

National Technical Information Service (NTIS)

U.S. Department of Commerce
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Environmental Fact Sheet

Ideas To Reduce Reporting Requirements at Hazardous Waste Facilities

Background

The Paperwork Reduction Act establishes a 40 percent reduction goal for federal agencies to reduce their reporting and recordkeeping burdens on the regulated community, states, and the public by September 2001. "Burden" is the time that the regulated community, states, and private citizens spend submitting information to federal agencies, such as the Environmental Protection Agency (EPA), keeping records on file and/or developing the information they report. To meet the goals of the Paperwork Reduction Act, EPA aims to reduce the regulatory burden associated with the hazardous waste management regulations while protecting human health and the environment.

Action

EPA is publishing a Notice of Data Availability in compliance with the Paperwork Reduction Act. The Agency reviewed its hazardous waste reporting and recordkeeping requirements, and developed ideas for streamlining them. After obtaining input from a small number of state experts, EPA developed the following burden reduction ideas:

- Allowing electronic reporting and recordkeeping for all information that is kept by facilities and sent to EPA;
- Reducing reporting requirements for generators and treatment, storage, and disposal facilities (TSDFs);
- Lengthening the periods between facility self-inspections;
- Streamlining personnel training in hazardous waste requirements;
- Streamlining the land disposal restrictions notification, determination, and certification requirements, and;

- Reducing the amount of information collected in the Agency's Biennial Report.

The Agency is requesting comment on these ideas. Comments may be submitted electronically to rcra-docket@epa.gov, or by post mail to: RCRA Information Center, Environmental Protection Agency, Mail Code 5305G, Washington, DC 20460. All comments must include reference number F-1999-IBRA-FFFFF.

For More Information

This fact sheet, the notice, and related background documents are available on the Internet at <http://www.epa.gov/epaoswer/hazwaste/data/burdenreduction>. Documents include a summary of burden estimates; other burden reduction ideas not included in the NODA; a list of hazardous waste reporting requirements; and a list of nonregulatory burden ideas. For additional information or to order paper copies of any documents, call the RCRA Hotline. Callers within the Washington Metropolitan Area must dial 703-412-9810 or TDD 703-412-3323 (hearing impaired). Long-distance callers may call 1-800-424-9346 or TDD 1-800-553-7672. The RCRA Hotline operates weekdays, 9:00 a.m. to 6:00 p.m. Send written requests to: RCRA Information Center (5305W), US EPA, 401 M Street, SW, Washington, DC 20460.