

Attachment E. Screenshot of Updated CBI Substantiation Step for Electronic Submission

CSPP Home Submissions User Management Michael Seavey, Primary Authorized Official

Instructions for Substantiating Confidential Business Information (CBI) Claims

The Frank R. Lautenberg Chemical Safety for the 21st Century Act created a number of new requirements for those making confidential business information (CBI) claims in TSCA submissions. Among these requirements is an obligation to substantiate most CBI claims at the time of submission.

Information which may be claimed as CBI without substantiation is identified at TSCA 14(c)(2). This information includes:

- A. Specific information describing the processes used in manufacture or processing of a chemical substance, mixture, or article;
- B. Marketing and sales information;
- C. Information identifying a supplier or customer;
- D. In the case of a mixture, details of the full composition of the mixture and the respective percentages of constituents;
- E. Specific information regarding the use, function, or application of a chemical substance or mixture in a process, mixture, or article;
- F. Specific production or import volumes of the manufacturer or processor; and
- G. Prior to the date on which a chemical substance is first offered for commercial distribution, the specific chemical identity of the chemical substance, including the chemical name, molecular formula, Chemical Abstracts Service number, and other information that would identify the specific chemical substance, if the specific chemical identity was claimed as confidential at the time it was submitted in a notice under TSCA 5.

For other submissions where the submitter has claimed information as CBI, the submitter will be required to upload a document substantiating those CBI claims at the time of submission. The substantiation document should provide EPA any information believed to support the validity of the CBI claims. In order to assist submitters in substantiating their CBI claims, EPA has developed substantiation templates that may be used as a starting point in preparing their CBI substantiations. Submitters are encouraged to use these substantiation template documents, but are not required to do so. The templates and other information relating to substantiating CBI claims can be found at <https://www.epa.gov/tsc-cbi/what-information-include-cbi-substantiations>.

The Agency is required to review and make a determination on the validity of many CBI claims. Failure to substantiate a CBI claim or a substantiation that does not adequately justify the claim may result in a denial of claims and subsequent public release of information. If you have any questions concerning the options or the substantiation process, please contact:

- Scott Sherlock, 202-564-8257, sherlock.scott@epa.gov
- Jessica Barkas, 202-250-8880, barkas.jessica@epa.gov

If you believe all of the information you have claimed as CBI is exempt from substantiation under TSCA section 14(c)(2) or has been previously substantiated, select the following "Substantiation Opt Out" checkbox and provide a detailed explanation why you believe substantiation is not required.

Substantiation Opt-Out

Select a file to attach (will write over previously attached file if present):

Save Preview Validate Submit CDX Links - CDX Helpdesk: (888) 800-1995