



**U.S. Environmental Protection Agency  
NOTICE OF ACTIVITY OF MANUFACTURE,  
IMPORT, OR PROCESSING – FORM A**

Submission Date:

Revised Date:

**Part I – Submitter Identification**

Manufacturer, Importer, Processor (in U.S.)	Name of Authorized Official		Mailing Address (street, city, zip code)	CBI*
	(first)	(last)		
	Company Name		Mailing Address (street, city, zip code)	
Technical Contact (in U.S.)	Name		Telephone Number	
	(first)	(last)		

\* CBI refers to the term "Confidential Business Information." Mark (X) in the CBI box(es) if the submitter information is to be held confidential.

**Part II – Chemical Substance Identity**

CASRN	TSCA Inventory Chemical Name (if specific chemical identity is not CBI)	
Accession Number	Generic Chemical Name (if specific chemical identity is CBI)	

**Part III – Status of Confidential Chemical Substance Identity**

<input type="checkbox"/>	I am seeking to maintain an existing claim of confidentiality for the specific chemical identity, as listed on the TSCA Inventory.
<input type="checkbox"/>	I am not seeking to maintain an existing claim of confidentiality for the specific chemical identity, as listed on the TSCA Inventory.

**Part IV – Certification**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and the information contained therein, to the best of my knowledge, is true, accurate, and complete. I also certify that I have manufactured, imported, or processed the above chemical substance between the dates of June 21, 2006 and June 21, 2016. I am aware it is unlawful to knowingly submit incomplete, false and/or misleading information, and there are significant criminal penalties for such unlawful conduct, including the possibility of fine and imprisonment.

Signature of authorized official:		Date:	
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**Form A is for retrospective reporting.** Domestic manufacturers and importers must submit a completed notice not later than 180 calendar days after August 11, 2017. Processors can voluntarily submit a completed notice not later than 420 calendar days after August 11, 2017. Requests to maintain an existing CBI claim for specific chemical identity must be substantiated according to the Review Plan required under TSCA (not yet published, as of August 11, 2017), but may be substantiated at the time this notice is submitted. Assertions of CBI claims for information other than specific chemical identity must be substantiated at the time this notice is submitted.

The public reporting and recordkeeping burden for this collection of information is estimated to average 5.7 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed EPA Form [insert] to this address.

## Part V - CBI SUBSTANTIATION

This substantiation contains CBI: Yes  No

Pursuant to TSCA section 14(c)(3), you must substantiate any CBI claims for information elements other than specific chemical identity at the time this notice is submitted. EPA guidance for complying with TSCA section 14(c)(3) may be found at <https://www.epa.gov/tsca-cbi/substantiating-cbi-claims-under-tsca-time-initial-submission>. You may also substantiate a request to maintain an existing CBI claim for a specific chemical identity at the time this notice is submitted, but this is not required. Rather, you must substantiate the existing CBI claim for the specific chemical identity by the deadline established in a forthcoming Review Plan, to be promulgated at a later date in accordance with TSCA section 8(b)(4)(C).

If you do not assert a CBI claim at time of submission of this form, or otherwise fail to assert a proper CBI claim (i.e., by failing to substantiate your CBI claim or not providing a certification statement), the information shall be treated as not subject to a CBI claim, and may be made public without further notice. If a single substantiation response applies for all or a class of information claimed as CBI, you should indicate this in your substantiation response. If different substantiation responses are necessary to support CBI claims for different information types, you should provide separate substantiation responses for each information type, clearly identifying the information for which each substantiation applies in the free text boxes (e.g. Question A. 1. or 2) or in the additional information box at the end of this form.

### Information element(s) that you identified as CBI in previous parts:

Name of Authorized Official/Mailing address (Part I)

Company Name/Mailing Address (Part I)

Technical Contact/Telephone Number (in U.S.) (Part I)

Specific Confidential Chemical Identity (as listed on the TSCA Inventory) (Part II/III)

### A. APPLICABLE TO ANY CBI CLAIM

1. Do you believe that the information is exempt from substantiation pursuant to TSCA section 14(c)(2)<sup>i</sup>?
- Yes  
 No
- If you answered yes, you must individually identify the specific information claimed as confidential and specify the applicable exemption(s).*
- If the Agency disagrees with this assertion, you may be asked to provide additional information to support your claim.*

Click or tap here to enter text.

2. Will disclosure of the information likely result in substantial harm to your business's competitive position?
- Yes  
 No
- If you answered yes, please describe with specificity the substantial harmful effects that would likely result to your competitive position if the information is made available to the public.*
- If, for example, it is not publicly known that the submitter manufactures, imports or processes the reported chemical, describe with specificity the harmful effects that would result if this information were made available to the public. If you are claiming technical contact name or name of authorized official as CBI, describe with specificity the harmful effects that would result if this information were made available to the public.*
- If you are claiming multiple information elements as CBI, please provide information for EACH element you identified above.*

Click or tap here to enter text.

3. To the extent your business has disclosed the information to others (both internally and externally), what precautions has your business taken? Please identify the measures or internal controls your business has taken to protect the information claimed as confidential.

1. Non-disclosure agreement required prior to access.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Access is limited to individuals with a need-to-know	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Information is physically secured (e.g. locked in room or cabinet) or electronically secured (encrypted, password protected, etc.).	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Other internal control measure(s). <i>If yes, please explain.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Click or tap here to enter text.

4. Does the information appear in any public documents, including (but not limited to) safety data sheets, advertising or promotional material, professional or trade publication, or any other media or publications available to the general public?

Yes  
 No

*If you answered yes, please explain why the information should be treated as confidential.*

Click or tap here to enter text.

5. Is the claim of confidentiality intended to last less than 10 years (see TSCA section 14(e)(1)(B)<sup>ii</sup>)? If so, please indicate the number of years (between 1-10 years) or the specific date/occurrence after which the claim is withdrawn.

Click or tap here to enter text.

6. Has EPA, another federal agency, or court made any confidentiality determination regarding information associated with this chemical substance?

Yes  
 No

*If you answered yes, please explain the outcome of that determination and provide a copy of the previous confidentiality determination or any other information that will assist in identifying the prior determination.*

Click or tap here to enter text.

**Additional comments:**

Click or tap here to enter text.

**B. APPLICABLE ONLY TO A SPECIFIC CHEMICAL IDENTITY CBI CLAIM**

1. Are you providing a substantiation at this time to maintain a specific confidential chemical identity as CBI?

Yes  
 No

*If you answered yes, please respond to questions below and in Section A.*

*If you answered no, please leave all questions below blank. You must substantiate by the deadline established in a forthcoming Review Plan, to be promulgated at a later date in accordance with TSCA section 8(b)(4)(C).*

2. Is the confidential chemical substance publicly known to have ever been offered for commercial distribution in the United States?

Yes  
 No

*If you answered yes, please explain why the information should be treated as confidential.*

Click or tap here to enter text.

3. Does this particular chemical substance leave the site of manufacture or processing in any form, e.g., as product, effluent, emission? If so, what measures have been taken to guard against the discovery of its identity?

Yes  
 No

Click or tap here to enter text.

4. If the chemical substance leaves the site in a product that is available to the public or your competitors, can the chemical substance be identified by analysis of the product?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Click or tap here to enter text.		
<b>Additional comments:</b>		
Click or tap here to enter text.		
<b>C. CERTIFICATION</b>		
<p>I certify that all claims for confidentiality made or sought to be maintained with this submission are true and correct, and all information submitted herein to substantiate such claims is true and correct. I further certify that it is true and correct that:</p> <ul style="list-style-type: none"> <li>(i) My company has taken reasonable measures to protect the confidentiality of the information;</li> <li>(ii) I have determined that the information is not required to be disclosed or otherwise made available to the public under any other Federal law;</li> <li>(iii) I have a reasonable basis to conclude that disclosure of the information is likely to cause substantial harm to the competitive position of my company; and</li> <li>(iv) I have a reasonable basis to believe that the information is not readily discoverable through reverse engineering.</li> </ul> <p>Any knowing and willful misrepresentation is subject to criminal penalty pursuant to 18 U.S.C. § 1001.</p>		
Signature of authorized official	Date	

<sup>i</sup> **TSCA section 14(c)(2) states:**

Information generally not subject to substantiation requirements

Subject to subsection (f), the following information shall not be subject to substantiation requirements under paragraph (3):

- (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.
- (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 Registry 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 section 2604 of this title.

<sup>ii</sup> **TSCA section 14(e)(1)(B) states**

(B) in the case of information other than information described in subsection (c)(2)—

- (i) for a period of 10 years from the date on which the person asserts the claim with respect to the information submitted to the Administrator; or
- (ii) if applicable before the expiration of such 10-year period, until such time as—
  - (I) the person that asserted the claim notifies the Administrator that the person is withdrawing the claim, in which case the information shall not be protected from disclosure under this section; or
  - (II) the Administrator becomes aware that the information does not qualify for protection from disclosure under this section, in which case the Administrator shall take any actions required under subsections (f) and (g).