

## Summary

Under the new TSCA Inventory notification (Active-Inactive) rule, manufacturers and importers have until 7 February 2018 (i.e., 180 days after the rule was published) to comply with the reset procedure. Processors have until 5 October 2018 to comply.



## SAFETY ASSESSMENT

# TSCA Inventory Reset (Active/Inactive) Rule [40 CFR 710] Compliance: What you need to know.

### General

The TSCA Inventory notification (Active-Inactive) requirements Rule [40 CFR 710] requires industry to report chemicals manufactured/imported in the U.S. during the 10-year time period ending on 21 June 2016, through the submission of a new “Notice of Activity” (NOA) Form A.

The Rule was published on 11 August 2017.

The reporting period for manufacturers/importers ends on 7 February 2018, and the reporting period for processors ends on 5 October 2018.

Understand how your company is defined under TSCA: are you a manufacturer, importer, or processor?

There is no tonnage threshold for this rule, but both Notice of Activity Forms A and B require electronic reporting via the Central Data Exchange (CDX). Make sure to register for a CDX account in time.

### Notice of Activity Form A (“retrospective reporting”):

Applicable to all non-exempt chemical substances that a manufacturer, importer, or processor has manufactured, imported, or processed for a nonexempt purpose during a 10-year period ending before 22 June 2016.

If no notice is received during the complete submission period for a specific chemical substance, that substance will be designated as “inactive”.

### Notice of Activity Form B (“future reporting”):

Applicable to all persons who intend to manufacture, import, or process a chemical substance that is designated as an inactive substance when EPA publishes the updated TSCA Inventory around January or February 2019, which is 90 days after EPA publishes the initial updated TSCA Inventory (expected in November 2018).

Future reporting Notice of Activity Form B can only be submitted 90 days prior to the substance becoming effectively inactive and not sooner. So future reporting can only start around November 2018.

### Considerations for Manufacturers/Importers

- Determine whether your substance is designated inactive on the interim TSCA list, or was in commerce during the designated 10-year period (21 June 2006 – 21 June 2016). You may have to act.
- Report all your substances currently on the confidential TSCA inventory (no active/inactive status is published) and decide whether Substance ID Confidential Business Information (CBI) claims are to be kept.
- Check the status of any substance your company produces/imports as components of a mixture, and/ or any substance that is produced or imported under a TSCA section 5(h)(4) exemption (e.g. LVE, LOREX, polymer) but which is also listed on TSCA inventory.
- Action may be required upon request of your customers/processors/downstream users.
- The Notice of Activity Form A reporting deadline is **7 February 2018**.

### Considerations for Processors

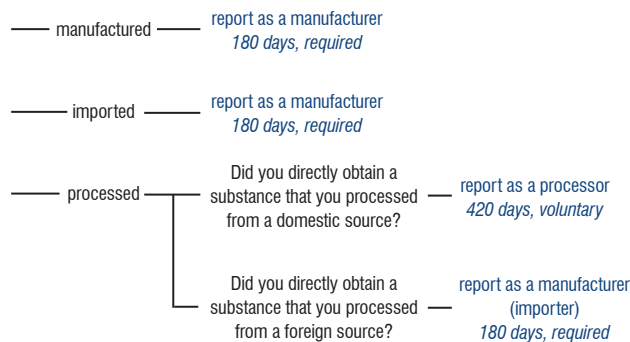
- Check whether all substances used by your business are reported by your manufacturer or importer, and subsequently published as active on the interim list (March 2018); if not, you will need to act.
- Request notification submission proof (CDX receipt/ statement) from your supplier.
- You can submit Notice of Activity Form A at any time, though deadline for reporting this form is **5 October 2018**.

### How Charles River Can Help

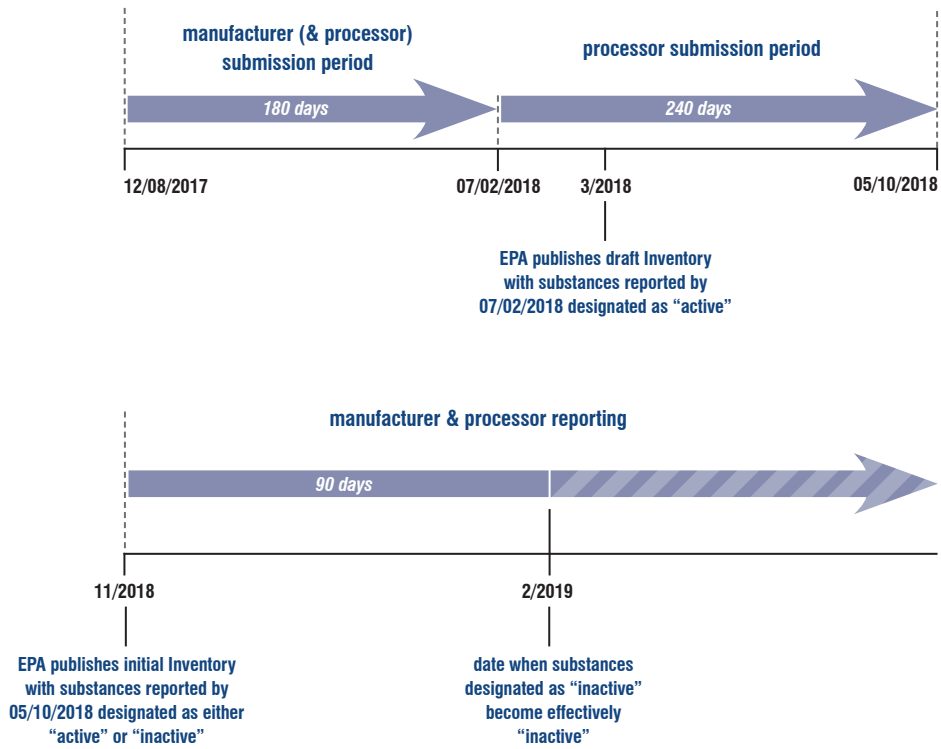
Our experienced Regulatory Affairs team can consult on what is required under this rule, prepare and support the submission as a CDX primary agent/consultant.

### Who Reports

**If you manufactured, imported, or processed 1) a TSCA Inventory-listed chemical substance 2) for non-exempt commercial purpose 3) at any time during the 10-year reporting period (21 June 2006 – 21 June 2016):**



## Timelines



## Timeline - All Reporting (Forms A&B)

