

of the information that will be required pursuant to §§716.10 and 717.5 of the CWCR. You must submit an amended declaration to BIS no later than 45 days following your receipt of BIS's post-inspection letter.

(d) *Non-substantive changes.* If, subsequent to the submission of your declaration to BIS, you discover one or more non-substantive typographical errors in your declaration, you are not required to submit an amended declaration to BIS. Instead, you may correct these errors in a subsequent declaration.

(e) *Documentation required for amended declarations.* If you are required to submit an amended declaration to BIS pursuant to paragraph (a), (b), or (c) of this section, you must submit either:

(1) A letter containing all of the corrected information required, in accordance with the provisions of this section, to amend your declaration; or

(2) Both of the following:

(i) A new Certification Form; and

(ii) The specific form required for the declaration containing the corrected information required, in accordance with the requirements of this section, to amend your declaration.

§715.3 Declarations returned without action by BIS.

If you submit a declaration and BIS determines that the information contained therein is not required by the CWCR, BIS will return the original declaration to you, without action, accompanied by a letter explaining BIS's decision. In order to protect your confidential business information, BIS will not maintain a copy of any declaration that is returned without action. However, BIS will maintain a copy of the RWA letter.

§715.4 Deadlines for submitting UDOC declarations, No Changes Authorization Forms, Change in Inspection Status Forms, and amendments.

Declarations, No Changes Authorization Forms, Change in Inspection Status Forms, and amendments required under this part must be postmarked by the appropriate dates identified in Supplement No. 3 to this part 715 of the CWCR. Required documents under this part include:

(a) *Annual Declaration on Past Activities* (UDOC production during the previous calendar year);

(b) *No Changes Authorization Form* (may be completed and submitted to BIS when there are no changes to any information in your plant site's previously submitted annual declaration on past activities, except the certifying official and the dates signed and submitted); and

(c) *Change in Inspection Status Form*—May be completed and submitted to BIS if your plant site is currently subject to inspection, pursuant to §715.1(d)(1) of the CWCR, and you anticipate that the production of UDOCs at your plant site during the *current* calendar year will remain below the inspection threshold level indicated therein (i.e., 200 metric tons aggregate); and

(d) Amended declaration.

[71 FR 24929, Apr. 27, 2006, as amended at 72 FR 14408, Mar. 28, 2007]

SUPPLEMENT NO. 1 TO PART 715—DEFINITION OF AN UNSCHEDULED DISCRETE ORGANIC CHEMICAL

Unscheduled discrete organic chemical means any chemical: (1) Belonging to the class of chemical compounds consisting of all compounds of carbon except for its oxides, sulfides and metal carbonates identifiable by chemical name, by structural formula, if known, and by Chemical Abstract Service registry number, if assigned; and (2) that is not contained in the Schedules of Chemicals (see Supplements No. 1 to parts 712 through 714 of the CWCR). Unscheduled discrete organic chemicals subject to declaration under this part are those produced by synthesis that are isolated for use or sale as a specific end-product.

NOTE: Carbon oxides consist of chemical compounds that contain only the elements carbon and oxygen and have the chemical formula C_xO_y , where x and y denote integers. The two most common carbon oxides are carbon monoxide (CO) and carbon dioxide (CO₂). Carbon sulfides consist of chemical compounds that contain only the elements carbon and sulfur, and have the chemical formula C_aS_b , where a and b denote integers. The most common carbon sulfide is carbon disulfide (CS₂). Metal carbonates consist of chemical compounds that contain a metal (i.e., the Group I Alkalis, Groups II Alkaline Earths, the Transition Metals, or the elements aluminum, gallium, indium, thallium, tin, lead, bismuth or polonium), and the elements carbon and oxygen. Metal carbonates

have the chemical formula $M_d(CO_3)_e$, where d and e denote integers and M represents a metal. Common metal carbonates are sodium carbonate (Na_2CO_3) and calcium carbonate ($CaCO_3$). In addition, metal carbides or other compounds consisting of only a metal, as described in this Note, and carbon (e.g., calcium carbide (CaC_2)), are exempt from declaration requirements (see § 715.1(a)(2)(ii)(D) of the CWCR).

SUPPLEMENT NO. 2 TO PART 715—EXAMPLES OF UNSCHEDULED DISCRETE ORGANIC CHEMICALS (UDOCs) AND UDOC PRODUCTION

(1) Examples of UDOCs not subject to declaration include:

- (i) UDOCs produced coincidentally as by-products that are not isolated for use or sale as a specific end product, and are routed to, or escape from, the waste stream of a stack, incinerator, or waste treatment system or any other waste stream;
- (ii) UDOCs, contained in mixtures, which are produced coincidentally and not isolated for use or sale as a specific end-product;
- (iii) UDOCs produced by recycling (i.e., involving one of the processes listed in para-

graph (3) of this supplement) of previously declared UDOCs;

- (iv) UDOCs produced by the mixing (i.e., the process of combining or blending into one mass) of previously declared UDOCs; and
- (v) UDOCs that are intermediates and that are used in a single or multi-step process to produce another declared UDOC.

(2) Examples of UDOCs that you must declare under part 715 of the CWCR include, but are not limited to, the following, unless they are not isolated for use or sale as a specific end product:

- (i) Acetophenone (CAS #98-86-2);
- (ii) 6-Chloro-2-methyl aniline (CAS #87-63-8);
- (iii) 2-Amino-3-hydroxybenzoic acid (CAS #548-93-6); and
- (iv) Acetone (CAS #67-64-1).

(3) Examples of activities that are not considered “production by synthesis” under part 715 of the CWCR, which means the end products resulting from such activities would not be declared under part 715, are as follows:

- (i) Fermentation;
- (ii) Extraction;
- (iii) Purification;
- (iv) Distillation; and
- (v) Filtration.

SUPPLEMENT NO. 3 TO PART 715— DEADLINES FOR SUBMISSION OF DECLARATIONS, NO CHANGES AUTHORIZATION FORMS, AMENDMENTS FOR UNSCHEDULED DISCRETE ORGANIC CHEMICAL (UDOC) FACILITIES, AND CHANGE IN INSPECTION STATUS FORMS

Declarations	Applicable forms	Due dates
Annual Declaration on Past Activities (previous calendar year). Declared plant site.	Certification, UDOC, A (as appropriate), B (optional).	February 28 of the year following any calendar year in which the production by synthesis of UDOCs exceeded the applicable declaration threshold in § 715.1(a)(1) of the CWCR.*
No Changes Authorization Form (declaration required, but no changes to data contained in previously submitted annual declaration on past activities—previous calendar year). Declared plant site Amended Declaration:	No Changes Authorization Form Certification, UDOC, A (as appropriate), B (optional).	February 28 of the year following any calendar year in which the production by synthesis of UDOCs exceeded the applicable declaration threshold in § 715.1(a)(1) of the CWCR.
—Declaration information —Company information —Post-inspection letter	—15 calendar days after change in information. —30 calendar days after change in information. —45 calendar days after receipt of letter.
Change in Inspection Status Form (applies only if your plant site is currently subject to inspection, pursuant to § 715.1(d)(1) of the CWCR, and you anticipate that the production by synthesis of UDOCs at your plant site during the current calendar year will remain below the inspection threshold level specified therein).	Change in Inspection Status Form	December 15th of any calendar year in which the production by synthesis of UDOCs is anticipated to be below the inspection threshold level specified in § 715.1(d)(1) of the CWCR.*

*You may submit the Annual Declaration on Past Activities (ADPA) described in § 715.1(b)(1), instead of the Change in Inspection Status Form, if you anticipate that UDOC production at your plant site during the current calendar year will be below the inspection threshold level specified in § 715.1(d)(1), but you expect your plant site to remain subject to the UDOC declaration requirements in § 715.1(a)(1). In this case, the due date for the Annual Declaration on Past Activities will be December 15th of the current calendar year, instead of February 28th of the next calendar year.