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this would occur. In responding to the
question in § 720.85(b)(3)(iv)(A), explain
what harmful competitive effects
would occur from disclosure of this in-
formation.

(iii) Do you assert that disclosure of
the chemical identity is not necessary
to interpret any of the health and safe-
ty studies you have submitted? If so,
explain how a less specific identity
would be sufficient to interpret the
studies.

(c) Denial of confidentiality claim. EPA
will deny a claim of confidentiality for
chemical identity under paragraph (b)
of this section, unless:

(1) The information would disclose
processes used in the manufacture or
processing of a chemical substance or
mixture.

(2) In the case of a mixture, the inform-
ation would disclose the portion of
the mixture comprised by any of the
substances in the mixture.

(3) The specific chemical identity is
not necessary to interpret a health and
safety study.

(d) Use of generic names. When EPA
discloses a health and safety study con-
taining a specific chemical identity,
which the submitter has claimed con-
fidential, and if the Agency has not de-
nied the claim under paragraph (c) of
this section, EPA will identify the
chemical substance by the generic
name selected under § 720.85.

[48 FR 21742, May 13, 1983, as amended at 53
FR 12523, Apr. 15, 1988; 60 FR 16311, Mar. 29,
1995; 60 FR 34464, July 3, 1995]

Subpart F—Commencement of
Manufacture or Import

§ 720.102 Notice of commencement of
manufacture or import

(a) Applicability. Any person who
commences the manufacture or import
of a new chemical substance for a non-
exempt commercial purpose for which
that person previously submitted a sec-
tion 5(a) notice under this part must
submit a notice of commencement of
manufacture or import.

(b) When to report. (1) If manufacture
or import for commercial purposes be-
gins on or after the effective date of
this rule, the submitter must submit
the notice to EPA on, or no later than
30 calendar days, after the first day of
such manufacture or import.

(2) If manufacture or import for com-
mercial purposes began or will begin
before the effective date of this rule,
the submitter must submit the notice
by the effective date of this rule.

(c) Information to be reported on form.
(1) The notice must be submitted on
EPA Form 7710-56, which is available
as part of EPA’s e-PMN software. See
§ 720.40(a)(2)(iv) for information on how
to obtain e-PMN software. The form
must be signed and dated by an Au-
thorized Official (AO). All information
specified on the form must be provided.
The notice must contain the following
information:

(i) The specific chemical identity of
the PMN substance.

(ii) A generic chemical name (if the
chemical identity is claimed as con-
fidential by the submitter).

(iii) The premanufacture notice
(PMN) number assigned by EPA.

(iv) The date of commencement for
the submitter’s manufacture or import
for a non-exempt commercial purpose
(indicating whether the substance was
initially manufactured in the United
States or imported). The date of com-
 mencement is the date of completion of
non-exempt manufacture of the first
amount (batch, drum, etc.) of new
chemical substance identified in the

[48 FR 21742, May 13, 1983, as amended at 53
FR 12523, Apr. 15, 1988; 60 FR 16311, Mar. 29,
1995; 60 FR 34464, July 3, 1995]
submitter’s PMN. For importers, the date of commencement is the date the new chemical substance clears United States customs.

(v) The name and address of the submitter.

(vi) The name of the authorized official.

(vii) The name and telephone number of a technical contact in the United States.

(viii) The address of the site where commencement of manufacture occurred.

(ix) Clear indications of whether the chemical identity, submitter identity, and/or other information are claimed as confidential by the submitter.

(2) If the submitter claims the chemical identity confidential, and wants the identity to be listed on the confidential portion of the Inventory, the claim must be reasserted and substantiated in accordance with §720.85(b). Otherwise, EPA will list the specific chemical identity on the public Inventory. Submitters who did not claim the chemical identity, submitter identity, or other information to be confidential in the PMN cannot claim this information as confidential in the notice of commencement.

(d) Where to submit. All notices of commencement must be submitted to EPA on EPA Form 7710–56. Notices may only be submitted in a manner set forth in this paragraph.


(2) Newer notices. For premanufacture notices submitted on or after April 6, 2010, EPA will accept notices of commencement only if submitted in accordance with this paragraph:

(i) Notices of commencement may be submitted on paper on or before April 6, 2011. All paper-based notices of commencement must be generated using e-PMN reporting software and be completed through the finalization step of the software, and e-PMN software must be used to print the notice of commencement for submission to EPA. Paper notices of commencement must be submitted either via U.S. mail to the Document Control Office (DCO) (7407M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001 or submitted via courier to the Environmental Protection Agency, OPPT Document Control Office (DCO), EPA East Bldg., 1201 Constitution Ave., NW., Rm. 6428, Washington, DC 20004.

(ii) Notices of commencement may be submitted as electronic files on optical disc on or after April 6, 2010. All notices of commencement submitted as electronic files on optical disc must be generated using e-PMN reporting software and be completed through the finalization step of the software. Optical discs containing electronic notices of commencement must be submitted by courier to the Environmental Protection Agency, OPPT Document Control Office (DCO), EPA East Bldg., 1201 Constitution Ave., NW., Rm. 6428, Washington, DC 20004.

(iii) Notices of commencement may be submitted electronically to EPA via CDX on or after April 6, 2010. After April 6, 2012 all notices of commencement must be submitted electronically to EPA via CDX. Prior to submission to EPA via CDX, such notices of commencement must be generated and completed using e-PMN reporting software. See §720.40(a)(2)(iv) for information on how to obtain e-PMN software.


Subpart G—Compliance and Inspections

§720.120 Compliance.

(a) Failure to comply with any provision of this part is a violation of section 15 of the Act (15 U.S.C. 2614).