

EPA Proposes Changes to Key Chemical Data Reporting Rule

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The U.S. EPA announced today proposed amendments to the Chemical Data Reporting (CDR) rule with an aim "to better support Agency data collection efforts, align reporting with the Frank R. Lautenberg Chemical Safety for the 21st Century Act by requiring that confidentiality claims be substantiated, and make chemical reporting easier by streamlining complex submissions."

"This is a continuing effort in every aspect of our program to ensure that the public has information on chemicals in commerce, that EPA has the information necessary to conduct our chemical reviews, and that reporting burden is minimized and simplified," Alexandra Dapolito Dunn, the recently confirmed Assistant Administrator for the Office of Chemical Safety and Pollution Prevention, stated in support of the proposal.

The CDR rule requires manufacturers (including importers) of chemical substances listed on the TSCA Chemical Substance Inventory to report data on chemical manufacturing, processing, and use every four years. EPA uses the data to help assess the potential human health and environmental effects of these chemicals. The next reporting cycle begins June 1, 2020, and requires submission of detailed information for 2019, as well as production related information for 2016-2018.

In addition to new provisions governing claims of "confidential business information" (CBI), the proposed CDR amendments would:

- Update the definition of small entities (small manufacturers) that are exempt from reporting.
- Add exemptions for specific types of byproducts.
- Simplify reporting, including allowing manufacturers to use certain processing and use data codes already in use as part of international codes developed through the Organization for Economic Co-operation and Development.
- Remove outdated rule text and consolidate exemptions.

The byproduct reporting exemption provisions are based in large part on input received during the work of a 2017 negotiated rulemaking committee that, while ultimately unable to reach consensus with all environmental stakeholders, developed a number of practical recommendations for reducing the burden of reporting for byproducts sent for recycling. Information on these types of materials are largely available from other EPA and public sources.

There will be a 60 day comment period upon official publication of the proposal in the *Federal Register* (docket EPA-HQ-OPPT-2018-0321 on www.regulations.gov). The proposed amendments can be found [here](#).