



UPDATE Environmental & Utilities

MAY 2011

EPA Suspends the Submission Date of Inventory Update Reporting

Effective May 11, 2011, EPA is amending the Inventory Update Reporting (IUR) regulations of the Toxic Substances Control Act (TSCA) by suspending the next IUR submission period. Section 8(a) of TSCA contains the IUR, which requires manufacturers, including importers, of certain chemical substances included on the TSCA Chemical Substance Inventory to report current data on the manufacturing, processing, and use of the chemical substances. In the Federal Register of August 13, 2010, EPA published proposed modifications to the IUR regulations, which include a change in reporting frequency from every five years to every four years. In addition, reporting is required if the production volume of the chemical substance meets or exceeds the 25,000-pound threshold in any calendar year since the prior reporting year; prior to the change, companies were only required to report if the threshold was met the immediately preceding year. Other changes include eliminating the 300,000-pound threshold for processing and use information (all reporters provide all information on all parts), replacing the "readily obtainable" reporting standard with the "known to or reasonably ascertainable by" standard, requiring upfront substantiation when processing and use information is claimed as CBI, and mandating electronic reporting.

EPA is suspending the next submission period to allow additional time to finalize the proposed modifications to the IUR regulations and to avoid finalizing changes to the reporting requirements in the midst of the 2011 submission period. EPA reports that it soon expects to finalize changes to the IUR reporting requirements that will supersede this action.

To read the complete statement of intent, click on this link:

<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPPT-2009-0187-0385>

FOR MORE INFORMATION

Robinson & Cole LLP's Environmental and Utilities Practice Group is assisting a number of clients with existing and emerging rules regulating the manufacture, use, remediation, and disposal of chemicals and chemical wastes. For questions regarding all aspects of TSCA and the regulation of chemicals, please contact one of the following attorneys:

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