

## Environmental Protection Agency

Pt. 720

Ave., NW., Washington, DC 20460-0001,  
ATTN: 8(c) Allegations.

[48 FR 38187, Aug. 22, 1983, as amended at 49 FR 23183, June 5, 1984; 52 FR 20084, May 29, 1987; 53 FR 12523, Apr. 15, 1988; 58 FR 34204, June 23, 1993; 60 FR 34464, July 3, 1995; 71 FR 33641, June 12, 2006]

### § 717.19 Confidentiality.

(a) Any person submitting copies of records may assert a business confidentiality claim covering all or part of the submitted information. Any information covered by a claim will be disclosed by EPA only as provided in procedures set forth at part 2 of this title.

(b) If no claim accompanies a document at the time it is submitted to EPA, the document will be placed in an open file available to the public without further notice to the respondent.

(c) To assert a claim of confidentiality for information contained in a submitted record, the respondent must submit two copies of the document.

(1) One copy must be complete. In that copy, the respondent must indicate what information, if any, is claimed as confidential by marking the specific information on each page with a label such as “confidential”, “proprietary”, or “trade secret” and briefly state the basis of the claim.

(2) If some information is claimed as confidential, the respondent must submit a second copy of the record. The second copy must be complete, except that all information claimed as confidential in the first copy must be deleted.

(3) The first copy will be for internal use by EPA. The second copy will be placed in an open file to be available to the public.

(4) Failure to furnish a second copy when information is claimed as confidential in the first copy will be considered a presumptive waiver of the claim of confidentiality. EPA will notify the respondent by certified mail that a finding of a presumptive waiver of the claim of confidentiality has been made. The respondent will be given 30 days from the date of receipt of notification to submit the required second copy. If the respondent fails to submit the second copy within the 30 days, EPA will place the first copy in the public file.

## PART 720—PREMANUFACTURE NOTIFICATION

### Subpart A—General Provisions

Sec.

720.1 Scope.

720.3 Definitions.

### Subpart B—Applicability

720.22 Persons who must report.

720.25 Determining whether a chemical substance is on the Inventory.

720.30 Chemicals not subject to notification requirements.

720.36 Exemption for research and development.

720.38 Exemptions for test marketing.

### Subpart C—Notice Form

720.40 General.

720.45 Information that must be included in the notice form.

720.50 Submission of test data and other data concerning the health and environmental effects of a substance.

720.57 Imports.

### Subpart D—Disposition of Notices

720.60 General.

720.62 Notice that notification is not required.

720.65 Acknowledgement of receipt of a notice; errors in the notice; incomplete submissions; and false and misleading statements.

720.70 Notice in the FEDERAL REGISTER.

720.75 Notice review period.

720.78 Recordkeeping.

### Subpart E—Confidentiality and Public Access to Information

720.80 General provisions.

720.85 Chemical identity.

720.87 Categories or proposed categories of uses of a new chemical substance.

720.90 Data from health and safety studies.

720.95 Public file.

### Subpart F—Commencement of Manufacture or Import

720.102 Notice of commencement of manufacture or import.

### Subpart G—Compliance and Inspections

720.120 Compliance.

720.122 Inspections.

AUTHORITY: 15 U.S.C. 2604, 2607, and 2613.

SOURCE: 48 FR 21742, May 13, 1983, unless otherwise noted.