

amendments, once the current reporting cycle is complete, subpart B will no longer be applicable and the Agency will issue a technical amendment to remove it from the CFR. The creation of subparts in 40 CFR part 710 does not make any substantive changes other than those that have been presented in this final rule.

Although there are no substantive changes to the provisions from existing 40 CFR part 710 that have been incorporated into the new subpart C, the Agency has made minor technical corrections to those provisions, as well as technical changes to the existing provisions that now appear in subpart A. Specifically, the Agency is correcting several typographical errors that appear in the existing 40 CFR part 710, and is making other minor non-substantive edits to that text. These technical corrections include the following. (Note wherever a change is being made to a new regulatory text provision, a regulatory text citation to the corresponding existing 40 CFR part 710 provision is provided in parentheses, e.g., § 710.59 (§ 710.39). This parenthesized citation is provided in order to identify where the new regulatory text originated.)

In accordance with plain language principles, EPA has substituted “will” or “must” for “shall.” These three terms are considered to be equivalent, and delineate requirements to be followed or met. Corrections were made in the following sections: § 710.1(d) (§ 710.1(c)); § 710.3(a) (§ 710.2(a)); § 710.3(b) (§ 710.2(b)); § 710.3(c) (§ 710.2(c)); § 710.3(d) in the definition for “Administrator” (§ 710.2(e)); § 710.3(d) in the definition for “site” (§ 710.2(w)); § 710.3(d) in the note following the definition for “small quantities for research and development” (§ 710.2(y)); and § 710.4(b)(2) (§ 710.4(b)(2)).

EPA has corrected some punctuation and spelling errors: commas were added in § 710.1(a) (§ 710.1(a)), in § 710.3(d) in the definition for “distribute in commerce” (§ 710.2(j)) and in the definition for “small quantities for research and development” and in the note following the same definition (§ 710.2(y)); commas were removed in the definition for “distribute in commerce” (§ 710.2(j)) and in the note following the definition for “distribute in commerce” (§ 710.2(y)); in § 710.3(d) “Process for commercial purposes” was substituted for “Process for ‘commercial purposes’” in the definition for “Process for commercial purposes” (§ 710.2(u)); in § 710.3(d) “juridical” was substituted for “juridicial” in the definition for

“person” (§ 710.2(s)) and “appropriate” was substituted for “appropriated” in the definition for “technically qualified person” (§ 710.2(aa)(2)); in § 710.4(d)(2) “premanufacture” was substituted for “premanufacturing” (§ 710.4(d)(2)); and in § 710.4(d)(5) “photographic films” was substituted for “photographic, films” (§ 710.4(d)(5)).

EPA has made certain additional non-substantive changes. In § 710.3(d), EPA substituted “1,000 lbs. (454 kg)” for “1,000 pounds” in the note following the definition for “small quantities for research and development” (§ 710.2(y)). EPA has substituted “his/her” for “his” in sections where the word “his” was used: in two instances in § 710.3(d) in the definition for “Administrator” (§ 710.2(e)); in § 710.3(d) in the definition for importer (§ 710.2(l)(2)); and in § 710.3(d) in the definition for “technically qualified person” (§ 710.2(aa)).

EPA has made certain additional non-substantive changes and updated information submission information in § 710.59 by substituting “Availability of reporting form and instructions” for “How do I submit the required information for the 1998 reporting cycle?” (§ 710.39); in § 710.59(a) by substituting “http://www.epa.gov/oppt/iur” for “http://www.epa.gov/opptintr/iur98” and by removing “or Fax-on-Demand by using a faxphone to call (202) 401-0527 and selecting item 5119” as Fax-on-Demand is no longer available (§ 710.39(a)); in § 710.59(b) by substituting “Guidance for completing the reporting form and preparing an electronic (magnetic media) report will be made available prior to each submission period.” for the existing paragraph after the heading (§ 710.39(b)); in § 710.59(c) by substituting “will send” for “is mailing” and “reporting package (consisting of a copy of Form U and a copy of the reporting instructions) to those submitters that reported in the IUR submission period that occurred immediately prior to the current submission period.” for “reporting package to those companies that reported in 1994.” (§ 710.39(c)); in § 710.59(c)(1), EPA substituted “By telephone” for “By phone” and removed “or TDD 202-554-0551” as the TDD number is no longer available (§ 710.39(c)(1)); in § 710.59(c)(2), EPA substituted “TSCA-Hotline@epa.gov” for “TSCA-Hotline@epamail.epa.gov” (§ 710.39(c)(2)); and in § 710.59(c) and (d) EPA substituted “7408M” for “7408,” “OPPT Document Control Officer (DCO)” for “Document Control Officer,” and “Environmental Protection Agency” for “U.S. Environmental

Protection Agency” (§ 710.39(c)(3)); and by adding § 710.59(c)(4) to state that the reporting form and instructions will additionally be available via the Internet.

EPA has also made minor technical corrections to the existing provisions in § 710.39 that now appear in subpart B. EPA removed “for the 1998 reporting cycle” from the section heading to clarify that the section applies to the current reporting cycle. In § 710.39(a), EPA replaced the website address with the current address, www.epa.gov/oppt/iur/iur02/index.htm, and removed the Fax-on-Demand information, which is no longer available. In § 710.39(c)(1), EPA removed the TDD number, which is no longer available. The Agency corrected dates and addresses in § 710.39(c), (c)(3), and (d) by replacing “1994” with “1998,” “Mail Code 7408” with “Mail Code 7408M,” and inserting “OPPT” before “Document Control Officer.”

EPA made minor revisions to clarify the meaning of certain provisions. In § 710.1(a) “and recordkeeping” was inserted after “governing reporting,” “(TSCA)” was inserted after “(15 U.S.C. 2607(a)),” and “and keeping current” was inserted after “purpose of compiling” (§ 710.1(a)); in § 710.1(d), the note following the paragraph was added to the end of the paragraph and “Note: As a matter of traditional Agency policy,” was removed (§ 710.1(b)); in § 710.52(c)(1) “submitter” was substituted for “respondent” and “as described in § 710.59” for “from EPA at the address set forth in § 710.39” (§ 710.32(c)(1)); in § 710.52(c)(3)(ii) “indicating, for each reportable chemical substance at each site,” was substituted for “for each substance for which information is being submitted indicating” and added “, or both manufactured in the United States and imported in the United States” (§ 710.32(c)(5)); in § 710.52(c)(3)(iii) “designation indicating, for each reportable chemical substance at each site,” was substituted for “statement for each substance for which information is being submitted indicating” (§ 710.32(c)(6)); in §§ 710.45 and 710.55(a) “submission period” was substituted for “reporting period” (§§ 710.25 and 710.35(a)); in § 710.48 “section” was substituted for “§ 710.28” (§ 710.28); in § 710.48(b) “paragraphs (a) and (b)” were deleted (§ 710.28(c)); in § 710.52(c)(3)(iv) “reportable” was substituted for “subject” (§ 710.32(c)(7)); in § 710.58(b) “Chemical identity.” was added as a section header to more clearly identify the topic of the section, and “The following steps must be taken to assert” was substituted for “To