

*Site-limited* means a chemical substance is manufactured and processed only within a site and is not distributed for commercial purposes as a substance or as part of a mixture or article outside the site. Imported substances are never site-limited.

#### § 710.39 [Amended]

j. Section 710.39 is amended as follows:

i. Revise the section heading to read "How do I submit the required information?"

ii. In paragraph (a), the second sentence is revised to read: "Copies of the Form U are available from EPA at the address set forth in paragraph (c) of this section and from the EPA Internet Home Page at <http://www.epa.gov/oppt/iur/iur02/index.htm>."

iii. In the introductory text of paragraph (c), change "1994" to "1998".

iv. In paragraph (c)(1), insert a period after "554-1404" and remove the remainder of the sentence.

v. In paragraph (c)(3), change "7408," to "7408M,".

vi. In paragraph (d), change "Document Control Officer" to "OPPT Document Control Officer" and change "7407," to "7407M,".

k. Add a new subpart C to read as follows:

#### Subpart C—Inventory Update Reporting for 2006 and Beyond

##### § 710.43 Definitions.

In addition to the definitions in § 704.3 of this chapter and § 710.3, the following definitions also apply to subpart C of this part:

*Commercial use* means the use of a chemical substance or mixture in a commercial enterprise providing saleable goods or services (e.g., dry cleaning establishment, painting contractor).

*Consumer use* means the use of a chemical substance that is directly, or as part of a mixture, sold to or made available to consumers for their use in or around a permanent or temporary household or residence, in or around a school, or in or around recreational areas.

*Industrial use* means use at a site at which one or more chemical substances or mixtures are manufactured (including imported) or processed.

*Intended for use by children* means the chemical substance or mixture is used in or on a product that is specifically intended for use by children age 14 or younger. A chemical substance or mixture is intended for use by children when the submitter answers "yes" to at least one of the following

questions for the product into which the submitter's chemical substance or mixture is incorporated:

(1) Is the product commonly recognized (i.e., by a reasonable person) as being intended for children age 14 or younger?

(2) Does the manufacturer of the product state through product labeling or other written materials that the product is intended for or will be used by children age 14 or younger?

(3) Is the advertising, promotion, or marketing of the product aimed at children age 14 or younger?

*Known to or reasonably ascertainable* by means all information in a person's possession or control, plus all information that a reasonable person similarly situated might be expected to possess, control, or know.

*Master Inventory File* means EPA's comprehensive list of chemical substances which constitute the Chemical Substances Inventory compiled under section 8(b) of the Act. It includes substances reported under subpart A of this part and substances reported under part 720 of this chapter for which a Notice of Commencement of Manufacture or Import has been received under § 720.120 of this chapter.

*Non-isolated intermediate* means any intermediate that is not intentionally removed from the equipment in which it is manufactured, including the reaction vessel in which it is manufactured, equipment which is ancillary to the reaction vessel, and any equipment through which the substance passes during a continuous flow process, but not including tanks or other vessels in which the substance is stored after its manufacture.

*Readily obtainable information* means information which is known by management and supervisory employees of the submitter company who are responsible for manufacturing, processing, distributing, technical services, and marketing of the reportable chemical substance. Extensive file searches are not required.

*Reasonably likely to be exposed* means an exposure to a chemical substance which, under foreseeable conditions of manufacture (including import), processing, distribution in commerce, or use of the chemical substance, is more likely to occur than not to occur. Such exposures would normally include, but would not be limited to, activities such as charging reactor vessels, drumming, bulk loading, cleaning equipment, maintenance operations, materials handling and transfers, and analytical operations. Covered exposures include exposures through any route of entry (inhalation,

ingestion, skin contact, absorption, etc.), but excludes accidental or theoretical exposures.

*Repackaging* means the physical transfer of a chemical substance or mixture, as is, from one container to another container or containers in preparation for distribution of the chemical substance or mixture in commerce.

*Reportable chemical substance* means a chemical substance described in § 710.45.

*Reporting year* means the calendar year in which information to be reported to EPA during an IUR submission period is generated, i.e., calendar year 2005 and the calendar year at 4-year intervals thereafter.

*Site-limited* means a chemical substance is manufactured and processed only within a site and is not distributed for commercial purposes as a substance or as part of a mixture or article outside the site. Imported substances are never site-limited. Although a site-limited chemical substance is not distributed for commercial purposes outside the site at which it is manufactured and processed, the substance is considered to have been manufactured and processed for commercial purposes.

*Submission period* means the period in which the information generated during the reporting year is submitted to EPA.

*Use* means any utilization of a chemical substance or mixture that is not otherwise covered by the terms *manufacture* or *process*. Relabeling or redistributing a container holding a chemical substance or mixture where no repackaging of the chemical substance or mixture occurs does not constitute use or processing of the chemical substance or mixture.

##### § 710.45 Chemical substances for which information must be reported.

Any chemical substance which is in the Master Inventory File at the beginning of a submission period described in § 710.53, unless the chemical substance is specifically excluded by § 710.46.

##### § 710.46 Chemical substances for which information is not required.

The following groups or categories of chemical substances are exempted from some or all of the reporting requirements of this subpart, with the following exception: A chemical substance described in paragraph (a)(1), (a)(2), or (a)(4), or (b) of this section is not exempted from any of the reporting requirements of this subpart if that substance is the subject of a rule