



EPA

United States
Environmental Protection
Agency

Module 6: Joint Submissions

January 2012

Office of Chemical Safety and Pollution Prevention

PREFACE

Welcome to *Training Module 6:* ***Joint Submissions***

This is the sixth in EPA's series of seven Training Modules to assist you in complying with the requirements of the CDR rule. This Training Module will provide information for those who need to prepare Joint Submissions.

Detailed information about 2012 reporting requirements for joint submissions can also be found in the *Instructions for the 2012 TSCA Chemical Data Reporting* guidance document available on EPA's website at www.epa.gov/cdr.

This Training Module does not substitute for the CDR rule and does not impose legally binding requirements on the regulated community or on the U.S. Environmental Protection Agency.



Training Agenda: Module 6

- Overview of Joint Submissions
 - When are Joint Submissions Allowed?
 - When are Joint Submissions Not Allowed?
 - Who participates in Joint Submissions?
- Joint Submission Preparation
 - Use of the Unique Identifier
 - Submitting as a Primary Submitter
 - Submitting as a Secondary or Tertiary Submitter
 - Complete Part IV of Form U

Introduction

This Training Module covers the special instructions unique to the preparation of Joint Submissions. Information presented in the other six Training Modules is not repeated here and so it is recommended that anyone participating in the preparation of a Joint Submission also review the other Training Modules.

In particular, the following Training Modules should be used in conjunction with this one:

- Module 3: Completing Form U for 2012
- Module 4: Registering with CDX for CDR Reporting
- Module 5: Using the e-CDRweb Reporting Tool

Overview of Joint Submissions

When are joint submissions allowed?

- **Joint submissions are allowed only when:**
 - A supplier claims the chemical identity is confidential; and
 - The supplier will therefore not disclose to the manufacturer (including importer) the chemical identity
- **Situations where a joint submission would be appropriate:**
 - A company imports a chemical substance or a mixture under a trade name and the foreign supplier refuses to reveal the specific chemical identity of the confidential chemical substance or a confidential component of the mixture.
 - A manufacturer cannot provide the entire chemical identity of a chemical substance it manufactures because the chemical substance is manufactured using a reactant having an identity that the reactant supplier claims as confidential

Overview of Joint Submissions

When are joint submissions NOT allowed?

- **Joint submissions are NOT allowed if :**
 - A manufacturer (including importer) knows or can reasonably ascertain the chemical identity (e.g., the CASRN or Accession Number) of a chemical substance
- **Situations where a joint submission would be impermissible:**
 - A Primary Submitter actually knows the chemical identity and also knows that the supplier wishes to claim it confidential. In this case, the Primary Submitter must report what he or she knows and can check the CBI box and provide upfront substantiation
 - A Primary Submitter initiates a Joint Submission and in response, the Secondary Submitter sends the needed chemical information directly to the Primary Submitter, rather than EPA. In this case the Primary Submitter must revert back to a single submission

Overview of Joint Submissions

Who participates in joint submissions?

• Primary submitter: Manufacturer, including importer

- Register as Primary Authorized Official (AO) or Support (S)
- Complete as much of Form U as possible + Part 2.A.5-2.A.12
- Must request that supplier directly provide EPA with Form U, Part IV, as a secondary submitter
- Not liable for the supplier's ultimate decision to report or not report

• Secondary submitter: Supplier

- Supplier is asked by manufacturer to submit chemical identity
- Register as Secondary AO or Support
- May voluntarily complete Form U, Part IV (supplier could also have CDR requirements based on its own manufacturing activity)
- May request that its own supplier directly provide EPA with Form U, Part IV, as a tertiary submitter

Overview of Joint Submissions

Who participates in Joint Submissions? – cont'd.

• **Tertiary Submitter**: Company providing confidential substance to supplier

- Tertiary company is asked by secondary submitter to submit on its behalf
- Register as Secondary AO or SR
- May voluntarily complete Form U, Part IV (company could also have CDR requirements based on its own manufacturing activity)

Note that all Submitters must register with CDX to access e-CDRweb. See Modules 4 and 5.

Joint Submission Preparation

Use of the Unique ID Number

- A unique ID number is generated by e-CDRweb for each chemical substance
- A Secondary AO may receive multiple ID numbers from a Primary AO or Support
- When the ID number is for a mixture, a Secondary AO may report the multiple chemical substances that comprise that mixture under that one ID number
- The e-CDRweb will also provide an email for the Secondary AO and
 - Contain boilerplate language to notify the Secondary AO of the partial CDR submission containing information for the trade product
 - Request that the secondary AO report the correct chemical identity information to EPA using e-CDRweb
 - Refer the secondary AO to the CDR website for guidance on registering with CDX and completing Part IV of Form U
- The unique ID number will allow the reporting tool to match the completed parts of the same Form U sent by the Primary, Secondary, and Tertiary Submitters
 - This will protect the confidentiality of information in the different parts of the Form U
 - The information provided by all submitters will be combined and processed as one joint submission when received by EPA

Joint Submission Preparation

Submitting as a Primary Submitter

- **Register with CDX as a Primary AO or SR**
- **Click the “Add Joint Submission” button, and**
 - Identify the Secondary AO; a site may have different Secondary AOs for different chemical substances
 - Ask the Secondary Submitter to complete Form U, Part IV and send it to EPA
 - Include a copy of the request to the Secondary Submitter with his/her Form U
- **Click the “Add Joint Submission” button**
 - Click “Chemical Identification (2.A)” to complete Blocks 2.A.5-2.A.12 (see slide 10)
 - Use the “Add Chemical” tab for additional CBI chemical substances
 - Enter the trade name or other name to identify the CBI chemical substance
 - Enter Secondary Submitter’s company name and mailing address
 - Provide any additional information about the CBI chemical substance
 - Follow instructions in box “Unique Identifier for Joint Submission” to request by e-mail that the Secondary Submitter report the chemical identity to EPA
- **Complete the rest of Form U and submit it to EPA**

See Module 3 for complete Form U information.



Overview of Joint Submissions

Logged in as: KJGARRETT, Primary Authorized OfficialHome Forms User Management ResourcesLogout

2012 Form U

Primary Authorized Official

- Company & Site Identification Information
 - Parent Company Information (1.A)
 - Site Information (1.B)
 - John Doe
- Methane Chemical Report
 - John Doe Technical Contact Information (1.C)
 - Chemical Identification (2.A)
 - Manufacturing Information (2.B)
 - Industrial Processing and Use (3.A)
 - Consumer and Commercial Use (3.B)
 - CBI Substantiation Summary
- Remove
- Joint Submission Report
 - John Doe Technical Contact Information (1.C)
 - Chemical Identification (2.A)
 - Manufacturing

2012 Form U > 7-ELEVEN #23127 > Joint Submission Report > Chemical Identification (2.A)

SECTION 2.A - CHEMICAL IDENTIFICATION

Section A. Joint Submissions Information (Primary Submitter only)

Trade Product Name or Another Designation (2.A.5)	<input type="text"/>		
Other Information (2.A.6)	<input type="text"/>		
Secondary Company Name (2.A.7)	<input type="text"/>		
Secondary Company Address (2.A.8)	<input type="text"/>		
Secondary Company Address 2 (2.A.8)	<input type="text"/>		
City/Town (2.A.9)	<input type="text"/>	State (2.A.10)	<input type="text"/>
Zip Code(2.A.11)	<input type="text"/>	Country (2.A.12)	<input type="text"/>
Joint Submission Report Folder Alias	<input type="text"/>		

The joint submission folder alias is an optional field that changes the folder name in the navigator on the left. Its purpose is to make it easier to distinguish between joint submission folders when there is more than one.

Add Chemical
Add Joint Submission
Upload XML

Joint Submission Preparation

Submitting as a Secondary or Tertiary Submitter

- **Register with CDX as a Secondary AO or SR**
 - If U.S. or foreign suppliers wish to provide a secondary submission, they are required to use CDX and e-CDRweb to prepare and submit their portions of Form Us
 - **However, foreign suppliers cannot submit the Electronic Signature Agreement (ESA) electronically; instead they must complete and mail the ESA to EPA**
 - Allow a minimum of five business days for mailing and processing
 - Secondary or Tertiary Submitters who are already registered with CDX for another TSCA program do not need to register again
 - Log into CDX with current user ID and password and add CDR as a new program
- **Use the Unique Identifier for Joint Submissions to access Part IV of Form U**

Joint Submission Preparation

Complete Part IV of Form U

- **Section A: Secondary Company Information** (Blocks 4.A.1-4.A.8) (slide 13)
 - Company information provided during CDX registration will populate Section A.
 - Review to ensure completeness and accuracy
- **Section B: Secondary Technical Contact Information** (Blocks 4.B.1-4.B.10) (slide 14)
 - Designate a Technical Contact by selecting from the SR drop down list or entering new information (*See Module 3*)
- **Section C: Primary Company Information**
 - Enter the Unique Identifier for Joint Submissions number provided by the Primary Submitter
 - Click “Populate” to generate trade product name provided by the Primary Submitter
 - Review to ensure completeness and accuracy
- **Section D: Trade Product Information** (*see slide 15*)
- **Submit the Form U to EPA**

See Module 3 for complete Form U information



Joint Submission Preparation

The screenshot shows the GSPP (Global Submission Preparation Platform) web application. At the top, the user is logged in as John Doe, a Secondary Authorized Official. The navigation menu includes Home, Forms, User Management, Resources, and Logout. The main content area is titled "2012 Form U > CGI Federal > Secondary Company Information > Secondary Company Information (4.A)".

SECTION 4.A - SECONDARY COMPANY INFORMATION

Secondary Company Name (4.A.1)	CGI Federal
Secondary Company Address (4.A.2-3)	12601
City/Town (4.A.4)	Fairfax
County/Parish (4.A.5)	<input type="text"/>
State/Province (4.A.6)	VA
Zip Code (4.A.7)	22033
Country (if applicable) (4.A.8)	US

If any of the above information is incorrect, please sign into CDX and make the necessary change(s) to your registration information. Changes made in CDX will be reflected here.

Next

At the bottom of the interface, there are buttons for "Add Trade Product" and "Upload XML", and a row of action buttons: "Validate" (with a green checkmark icon), "Save" (with a floppy disk icon), "Preview" (with a monitor icon), and "Submit" (with a database icon).

Joint Submission Preparation

 Logged in as: John Doe, Secondary Authorized Official

Home Forms User Management Resources Logout

2012 Form U
Secondary Authorized Official

2012 Form U > CGI Federal > Secondary Company Information > Pierre Cousteau (4.B)

SECTION 4.B - TECHNICAL CONTACT INFORMATION

Prefix (4.B.1)	<input type="text" value="Mr."/>	Default Contact <input checked="" type="checkbox"/>
First Name (4.B.1)	<input type="text" value="Pierre"/>	
Middle Initial (4.B.1)	<input type="text"/>	
Last Name (4.B.1)	<input type="text" value="Cousteau"/>	
Suffix (4.B.1)	<input type="text"/>	
Company Name (4.B.2)	<input type="text" value="CompanyA"/>	
Telephone (4.B.3)	<input type="text" value="5555555555"/> ext <input type="text"/>	
Email Address (4.B.4)	<input type="text" value="Pierre.cousteau@email.com"/>	
Mailing Address 1 (4.B.5)	<input type="text" value="99, Rue Marte"/>	
Mailing Address 2 (4.B.6)	<input type="text"/>	
City (4.B.7)	<input type="text" value="Clichy Cedex"/>	
State (4.B.8)	<input type="text"/>	
Zip Code (4.B.9)	<input type="text" value="92117"/>	
Country (4.B.10)	<input type="text" value="France"/>	

Previous Next

Add Trade Product
Upload XML

 Validate  Save  Preview  Submit

Joint Submission Preparation

Complete Part IV of Form U -- cont'd.

Section D: Trade Product Identification Information (Blocks 4.D.1-4.D.3) (see slide 16)

- **Enter trade product name** (Block 4.D.1.)
- **Click on magnifying glass to be linked to Substance Registry Services (SRS) for chemical identity** (Block 4.D.2.)
 - For a chemical substance on the nonconfidential portion of the TSCA Inventory, select the correct CA Index Name and CASRN
 - For a chemical substance on the confidential portion of the TSCA Inventory, select the correct Accession Number and generic name
- **Special CBI presumptions for Secondary and Tertiary Submitters**
 - EPA will presume that the chemical identity associated with an Accession Number is subject to a CBI claim and the Secondary or Tertiary Submitter **does not need to claim** underlying chemical identity CBI or provide upfront substantiation
 - EPA will also presume that the information reported in Section 4.D. of Form U and the connection between the chemical identity and the primary company in a joint submission is subject to a CBI claim when it is reported by a Secondary or Tertiary Submitter
- **For a mixture, enter the % composition of each component chemical substance**
- **Provide any additional information in Block 4.D.3**

Joint Submission Preparation

 Logged in as: John Doe, Secondary Authorized Official

Home Forms User Management Resources Logout

2012 Form U
Secondary Authorized Official

2012 Form U > CGI Federal > SpecChem123 Trade Product Information > Trade Product Information (4.D)

SECTION 4.D - TRADE PRODUCT IDENTIFICATION INFO

Trade Product Name (4.D.1)

Provided Company Trade Names (2.A.5)

Search the EPA's Substance Registry Services (SRS) for the specific, currently correct Chemical Abstracts (CA) Index name as listed on the TSCA Inventory and/or the correct corresponding Chemical Abstract Services Registry Number (CASRN) for each reportable chemical substance at your site.

(4.D.2)			
Action	Chemical Name/Generic Name	CASRN/Accession Number	Percent Composition (%)
			

Contains Non-reportable Substances:

Other Information (4.D.3)

Previous Next

Add Trade Product Upload XML

Validate Save Preview Submit

References

Chemical Data Reporting Final Rule, August 16, 2011

<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPPT-2009-0187-0393>

Comment Response Document to 2011 CDR Proposed Rule

<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPPT-2009-0187-0436>

Instructions for the 2012 TSCA Chemical Data Reporting Rule

http://www.epa.gov/cdr/tools/Instructions_IUR%20Mods_FRM.pdf

Q&A DOCUMENT: Recycling and the TSCA Chemical Substance Inventory -
Premanufacture Notification and Chemical Data Reporting Requirements

<http://www.regulations.gov/search/Regs/home.html#documentDetail?R=0900006480b22260>



Training Modules for CDR Rule

There are seven Training Modules for the CDR rule. The Training Module you have just completed is highlighted below in the list of all seven Training Modules. You may select another Training Module if you wish to continue your review of the CDR.

Module 1: IUR Modifications and CDR Final Rule (August 2011)

Module 2: Reporting Requirements for the 2012 CDR

Module 3: Completing Form U for 2012

Module 4: Registering with CDX for CDR Reporting

Module 5: Using the e-CDRweb Reporting Tool

Module 6: Joint Submissions

Module 7: Byproducts