



# ELECTRONIC SUBMISSION OF TSCA § 5 NOTICES

Effective April 6, 2010, USEPA amended the regulations of the Toxic Substances Control Act (TSCA) to include electronic submission of TSCA § 5 notices, including PMNs, SNUNs, NOCs, MCANs, and LVE, LoREX, and TME exemption applications, in an effort to reduce costs and streamline the submission and review process. EPA is using its Central Data Exchange (CDX) to serve as the medium for secure transmission to the Environmental Information Exchange Network of TSCA § 5 notices and related documents and has developed a software tool, eTSCA, to electronically create PMNs and other forms. **toXcel** is well versed with TSCA regulation and experienced in creating notices using eTSCA.

Other revisions will also affect TSCA § 5 reporting. The addition of the User Fee Payment Identity Number field to the PMN form will enable the Agency to more easily match user fees with notice submissions. In addition, the Agent signature block field has been removed and thus the requirement for an authorized agent to sign the notice form.

During the two year electronic submission phase-in schedule, the Agency will allow for submissions to be made on paper for only one year following the effective date of the final rule, electronically on CD for up to two years, and through CDX at any point from April 6, 2010 onward. However, all notice forms must be produced using the eTSCA software tool. Following the effective date, the Agency will no longer accept notice submissions produced using old paper versions or using PDF-fillable electronic forms.

| Submission Method | 1st Year After Effective Date 4/6/2010 - 4/6/2011  | 2nd Year After Effective Date 4/6/2011 - 4/6/2012  | 3rd Year After Effective Date after 4/6/2012 |
|-------------------|--|--|--|
| Paper             | Paper form, generated and finalized using new e-PMN software                                       | Unacceptable   | Unacceptable                                 |
| CD                | Electronic submission generated and finalized using e-PMN software with hard copies of pages 2 & 3 | Electronic submission generated and finalized using e-PMN software with hard copies of pages 2 & 3 | Unacceptable                                 |
| CDX               | Optional   | Optional   | Mandatory                                    |

In order to submit electronic TSCA § 5 notices, applicants must register with EPA's CDX to become a transaction partner and download the version of the eTSCA tool containing full encryption. **toXcel** can navigate your company through these new regulatory processes and assist in obtaining CDX registration.

The Agency's eTSCA tool allows an applicant to complete the notice form in an extensible markup language (XML) builder application containing tools that will both validate the form and create a PDF for printing and/or electronic transmission via CDX. Two versions of the software are available – a version with full encryption that is downloadable following registration with CDX and a version without encryption that can be downloaded and used to create notices for paper or CD submission. While both programs will create identical files, only the version with encryption can be interfaced with CDX.

**toXcel** is ready to assist applicants with their product stewardship and marketing goals by guiding them into compliance with the new electronic reporting requirements – from assisting in establishing CDX accounts to preparing documents using eTSCA for electronic submission of notices and supporting documentation.

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