

## 40 C.F.R. § 721.11

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### Applicability determination when the specific chemical identity is confidential.

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- (a) A person who intends to manufacture or process a chemical substance which is subject to a significant new use rule in subpart E of this part may ask EPA whether the substance or a proposed use is subject to the requirements of this part if that substance is described by a generic chemical name or if the significant new use is confidential and therefore not described specifically in the rule. EPA will answer such an inquiry only if EPA determines that the person has a *bona fide* intent to manufacture or process the chemical substance for commercial purposes.
- (b) To establish a *bona fide* intent to manufacture (including import) or process a chemical substance, the person who proposes to manufacture (including import) or process the substance must submit the request to EPA via CDX. Prior to submission to EPA via CDX, such *bona fide* intents to manufacture (including import) or process must be generated and completed using e-PMN software. See 40 CFR 720.40(a)(2)(ii) for information on how to access the e-PMN software. A *bona fide* intent to manufacture (including import) or process must contain:

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