
40 C.F.R. § 703.8

EPA review of confidentiality claims under TSCA section 14(f).

- (a) *Review of confidentiality claims initiated under TSCA Section 14(f)*. In accordance with the procedures described in this section, EPA may review confidentiality claims where authorized by TSCA section 14(f)(1), and will review confidentiality claims subject to TSCA section 14(f)(2) in the following situations:
- (1) In response to a request under the Freedom of Information Act (5 U.S.C. 552) for TSCA information claimed confidential;
 - (2) If EPA has reason to believe that information claimed confidential does not qualify for protection from disclosure; or
 - (3) For any chemical substance which EPA determines under TSCA section 6(b)(4)(A) presents an unreasonable risk of injury to health or the environment.
- (b) *Substantiation exemptions not applicable*. The exemptions from substantiation requirements contained in section 14(c)(2) of TSCA do not apply to confidentiality claims reviewed under this section 703.8, even if such exemptions applied when the information was originally submitted to EPA.

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