

Guidance on Confidentiality Claims Related to Company-Chemical Associations Under the HPV Challenge Program

- o In the spirit of the Chemical Right-to-Know Initiative, EPA strongly encourages companies which make commitments under the HPV Challenge Program to sponsor a chemical or chemicals, not to make Confidential Business Information (CBI) claims. The public's right-to-know and accountability are cornerstones of the HPV Challenge Program.
- o Historically, only a small percentage of companies have asserted CBI claims related to the association of the company with a specific chemical in submissions under EPA's Inventory Update Rule (IUR). EPA will accept voluntary commitments under the HPV Challenge Program from individual companies and members of consortia which have previously made this kind of CBI claim in IUR submissions.
- o However, EPA will *not* accept voluntary commitments if a manufacturer or importer is asserting a CBI claim related to the company-chemical linkage under the HPV Challenge Program which was not previously asserted in an IUR submission.
- o Companies participating in consortia are encouraged to identify the chemicals which they are sponsoring. It is EPA's preference that at least one company within the consortium be publicly identifiable as being responsible for each chemical within the consortium.
 - Consortia which include chemicals for which at least one company is not identified as being responsible for sponsorship of that chemical must apply for special consideration for inclusion in the HPV Challenge Program.
- o For consortia which do not provide this information, EPA will report the non-CBI information from the 1990 and 1994 IUR databases associating companies with chemicals. Companies will be given an opportunity to correct the IUR information reported by EPA. The Agency will make publicly available information received from companies regarding corrections to the information provided by EPA.
- o EPA will honor requests by companies not to be identified in public ceremonies or press releases by the Agency.