



EPA-305-X-04-002

Polychlorinated Biphenyl Inspection Manual

August 2004

Office of Compliance
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (MC 2224-A)
Washington, D.C. 20460

<http://www.epa.gov/compliance/resources/publications/monitoring/manuals.html>

Appendix A

Inspection Forms

The following pages contain blank Notice of Inspection, TSCA Inspection Confidentiality Notice, and Declaration of Confidential Business Information forms. See Chapter 2 for more detailed information regarding these forms. These forms may be obtained by calling the EPA Headquarters warehouse in Cincinnati, Ohio at (513) 489-8190.



US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

NOTICE OF INSPECTION

1. INVESTIGATION IDENTIFICATION			3. FACILITY NAME
DATE	INSPECTOR'S NO.	DAILY SEQ. NO.	
2. INSPECTOR'S ADDRESS			4. FACILITY ADDRESS

For Internal EPA Use. Copies may be provided to recipient as acknowledgment of this notice.

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxic Substances Control Act:

Q For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures, articles containing same are manufactured, processed, stored or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyances being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act are applicable to the chemical substances, mixtures, or articles within, or associated with, such premise or conveyance have been complied with.

Q In addition, this inspection extends to (check appropriate blocks):


- | | |
|----------------------------|----------------------------|
| Q A. Financial data | Q D. Personnel data |
| Q B. Sales data | Q E. Research data |
| Q C. Pricing data | |

The nature and extent of inspection of such data specified in A through E above is as follows:

INSPECTOR'S SIGNATURE		RECIPIENT'S SIGNATURE	
NAME		NAME	
TITLE	DATE SIGNED	TITLE	DATE SIGNED

EPA FORM 7740-3 (REVISED JULY 1997) CORE TSCA — PREVIOUS VERSIONS ARE OBSOLETE

Recipient's COPY

			US ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460		
			TOXIC SUBSTANCES CONTROL ACT TSCA INSPECTION CONFIDENTIALITY NOTICE		
1. INVESTIGATION IDENTIFICATION			4. FACILITY NAME		
DATE	INSPECTION NO.	DAILY SEQ. NO.			
2. INSPECTOR'S NAME			5. ADDRESS		
3. INSPECTOR'S ADDRESS			6. NAME OF CHIEF EXECUTIVE OFFICER		
			7. TITLE		
For internal EPA use. Copies may be provided to recipient as acknowledgment of this notice.					
TO ASSERT A TSCA CONFIDENTIAL BUSINESS INFORMATION CLAIM					
<p>It is possible that EPA will receive public requests for release of the information obtained during the inspection of the facility cited above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 USC 552; EPA regulations issued thereunder, 40 CFR, Part 2; and the Toxic Substances Control Act (TSCA), Section 14. EPA is required to make inspection data available in response to FOIA requests unless the EPA Administrator determines that the data is entitled to confidential treatment, or may be withheld from release under other exceptions of FOIA.</p> <p>Any or all information collected by EPA during the inspection may be claimed as confidential if it relates to trade secrets, commercial, or financial matters that you consider to be confidential business information (CBI). If you assert a CBI claim, EPA will disclose the information only to the extent, and by means of the procedures set forth in the regulations (cited above) governing EPA's treatment of CBI. Among other things, the regulations require that EPA notify you in advance of publicly disclosing any information claimed as CBI.</p> <p>A CBI claim may be asserted at any time prior to, during, or after the information is collected. This notice was developed by EPA to assist you in asserting a CBI claim. If it is more convenient for you to assert a CBI claim on your own stationary or by making the individual documents or samples "TSCA confidential business information," it is not necessary for you to use this notice. The inspector will be glad to answer any questions you may have regarding EPA's CBI procedures.</p> <p>While you may claim any collected information or sample as CBI, such claims are not likely to be upheld if they are challenged unless the information meets the following criteria:</p> <ol style="list-style-type: none"> Your company has taken measures to protect the confidentiality of the information and it intends to continue to take such measures. 			<ol style="list-style-type: none"> The information is not, and has not been, reasonably obtainable without your company's consent by other persons (other than governmental bodies), or by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding). The information is not publicly available elsewhere. Disclosure of the information would cause substantial harm to your company's competitive position. <p>At the completion of the inspection, you will be given a receipt for all documents, samples, and other materials collected. At that time, you may make claims that some or all of the information is CBI.</p> <p>If you are not authorized by your company to assert a CBI claim, this notice will be sent by certified mail, along with the receipt for documents, samples, and other materials to the Chief Executive Officer of your company within 2 days of this date. The Chief Executive Officer must return a statement specifying any information which should receive CBI treatment.</p> <p>The statement from the Chief Executive Officer should be addressed to:</p> <p>and mailed by registered, return-receipt requested mail within 7 calendar days of receipt of this notice. Claims may be made at any time after the inspection, but the inspection data will not be entered into the TSCA/CBI security system until an official confidentiality claim is made. The data will be handled under EPA's routine security system unless and until a claim is made.</p>		
SIGNATURE			NAME		
NAME			TITLE		
TITLE		DATE SIGNED	ADDRESS		



US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

DECLARATION OF CONFIDENTIAL BUSINESS INFORMATION

1. INVESTIGATION IDENTIFICATION			2. COMPANY NAME	
DATE	INSPECTION NO.	DAILY SEQ. NO.		

3. INSPECTOR ADDRESS	4. COMPANY ADDRESS
----------------------	--------------------

For internal EPA use. Copies of this form may be provided to recipient as acknowledgment of TSCA Confidential documents described below collected in connection with the administration and enforcement of the Toxic Substances Control Act.

INFORMATION DESIGNATED AS CONFIDENTIAL BUSINESS INFORMATION

NO.	DESCRIPTION

INSPECTOR SIGNATURE		CLAIMANT SIGNATURE	
NAME		NAME	
TITLE	DATE SIGNED	TITLE	DATE SIGNED