

to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the eFiling link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

Dated: June 21, 2018.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2017-0559; FRL-9978-62]

### Final Strategic Plan To Promote the Development and Implementation of Alternative Test Methods Supporting the Toxic Substances Control Act (TSCA); Notice of Availability

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** As required by TSCA, which was amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act in June 2016, EPA is announcing the availability of a document entitled: *Strategic Plan to Promote the Development and Implementation of Alternative Test Methods Supporting the Toxic Substances Control Act (TSCA)*. EPA is also making available a response to comments document that addresses comments received on the draft Strategic Plan.

#### FOR FURTHER INFORMATION CONTACT:

*For technical information contact:* Louis Scarano, Risk Assessment Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: 202-564-2851, email address: [scarano.louis@epa.gov](mailto:scarano.louis@epa.gov). In addition, progress on this activity will be periodically updated at the following page on the OPPT website at <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca>.

*For general information contact:* The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

#### SUPPLEMENTARY INFORMATION:

## I. General Information

### A. Does this action apply to me?

You may be potentially affected by this action if you are required to conduct testing of chemical substances under the Toxic Substances Control Act (TSCA). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Basic Chemical Manufacturers (NAICS code 3251);
- Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filament Manufacturers (NAICS code 3252);
- Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturers (NAICS code 3255);
- Paint, Coating, and Adhesive Manufacturers (NAICS code 3255);
- Other Chemical Product and Preparation Manufacturers (NAICS code 3259); and Petroleum Refineries (NAICS code 32411);
- Animal Welfare Groups;
- Environmental non-governmental organizations;
- Toxicity testing laboratories (contract labs);
- Academic/non-profit groups involved in developing and using alternative toxicity test methods.

### B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2017-0559, is available at <http://www.regulations.gov> or at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

### C. What is the Agency's authority for this action?

On June 22, 2016, the Frank R. Lautenberg Chemical Safety for the 21st

Century Act amended TSCA (15 U.S.C. 2601 *et seq.*), the nation's primary chemicals management law. Along with new requirements and deadlines for actions related to the regulation of new and existing chemicals in the U.S., the new law includes changes to TSCA section 4 (*Testing of Chemical Substances and Mixtures*). Specifically, a new TSCA section 4(h) has been added entitled *Reduction of Testing on Vertebrates*. TSCA section 4(h)(2)(A) states that EPA shall “. . . , not later than 2 years after June 22, 2016, develop a strategic plan to promote the development and implementation of alternative test methods and strategies to reduce, refine, or replace vertebrate animal testing and provide information of equivalent or better scientific quality and relevance for assessing risks of injury to health or the environment. . . .” (15 U.S.C. 2603(h)(2)(A)).

### D. What action is the Agency taking?

In fulfillment of the requirements in TSCA section 4(h)(2)(A), EPA has prepared a final Strategic Plan to “promote the development and implementation of alternative test methods and strategies to reduce, refine or replace vertebrate animal testing and provide information of equivalent or better scientific quality and relevance for assessing risks of injury to health or the environment of chemical substances or mixtures . . .”. The Strategic Plan is being made available in both the docket and on the EPA website.

In addition, making available a response to comments document that addresses comments on the draft Strategic Plan received through May 11, 2018. The response to comment document is available in the docket. (<http://www.regulations.gov>; docket ID number HQ-OPPT-2017-0559)

## II. Background

OPPT hosted a public meeting on November 2, 2017, in which a conceptual approach to this final Strategic Plan was presented. Meeting materials and public comments received through January 10, 2018, can be found in the docket (<http://www.regulations.gov>; docket ID number HQ-OPPT-2017-0559).

A draft Strategic Plan was published on March 12, 2018, along with a response to comments document that addressed the comments received through January 10, 2018. OPPT hosted a second public meeting on April 10, 2018, to receive input from the public on the draft Strategic Plan. A docket was made available with the meeting materials and allowed for comments to

be received through May 11, 2018 (<http://www.regulations.gov>; docket ID number HQ-OPPT-2017-0559).

**Authority:** 15 U.S.C. 2601 *et seq.*

Dated: June 21, 2018.

**E. Scott Pruitt,**  
Administrator.

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2017-0144; FRL-9979-59]

### TSCA Chemical Substances; Unique Identifier Assignment and Application Policy; Notice of Availability

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** As amended in 2016, the Toxic Substances Control Act (TSCA) requires EPA to develop a system to assign a unique identifier (UID) whenever it approves a confidential business information (CBI) claim for the specific chemical identity of a chemical substance, to apply this UID to other information concerning the same chemical substance, and to ensure that any non-confidential information received by the Agency identifies the chemical substance using the UID while the specific chemical identity of the chemical substance is protected from disclosure. EPA previously requested comment on several approaches for assigning and applying UIDs. EPA has determined that it will use a numerical identifier that incorporates the year the CBI claim was asserted, and will apply this UID to non-confidential information related to the chemical substance, except where the Agency's act of applying the UID would itself disclose to the public the confidential specific chemical identity that the UID was assigned to protect.

#### FOR FURTHER INFORMATION CONTACT:

*For technical information contact:* Jessica Barkas, Environmental Assistance Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 250-8880; email address: [barkas.jessica@epa.gov](mailto:barkas.jessica@epa.gov).

*For general information contact:* The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave. Rochester, NY 14620; telephone number: (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

#### SUPPLEMENTARY INFORMATION:

## I. General Information

### A. Does this action apply to me?

You may be affected by this action if you have submitted or expect to submit information to EPA under TSCA. Persons who would use UIDs assigned by the Agency to seek information may also be affected by this action. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Manufacturers, importers, or processors of chemical substances (NAICS codes 325 and 324110), *e.g.*, chemical manufacturing and petroleum refineries.

### B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2017-0144, is available at <http://www.regulations.gov> or at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

## II. Background

### A. What is the authority for this action?

The June 22, 2016, amendments to TSCA by the Frank R. Lautenberg Chemical Safety for the 21st Century Act added a requirement in TSCA section 14(g)(4) for EPA to, among other things, “assign a unique identifier to each specific chemical identity for which the Administrator approves a request for protection from disclosure.” EPA is required to use the “unique identifier assigned under this paragraph to protect the specific chemical identity in information that the Administrator has made public” and to “apply that identifier consistently to all information relevant to the applicable chemical substance,” including “any non-confidential information received by the Administrator with respect to a chemical substance . . . while the specific chemical identity of the

chemical substance is protected from disclosure.” 15 U.S.C. 2613(g)(4).

### B. EPA Sought Public Comment

The requirements to assign a UID and the unreconciled requirements concerning application of the UID and protection of CBI are more fully discussed in a document that published in the **Federal Register** on May 8, 2017. (See 82 FR 21386; May 8, 2017; hereafter “May 2017 **Federal Register** document”). EPA noted drawbacks to each of the two alternative approaches discussed in the May 2017 **Federal Register** document, and subsequently developed a third alternative approach for reconciling the competing requirements of TSCA section 14(g), on which it requested comment in the **Federal Register** on February 8, 2018. (See 83 FR 5623; hereafter “February 2018 **Federal Register** document”).

## III. Policy

### A. UIDs Will Be a Numerical Identifier

The UID cannot be the specific chemical identity, or a structurally descriptive generic term. TSCA section 14(a)(4)(A)(i). Consequently, EPA has developed a system to assign UIDs for each substance for which it makes a final determination approving a CBI claim for specific chemical identity. The UID is a number that incorporates the year that the claim was asserted (*e.g.*, the first approved claim asserted in 2019 would be UID-2019-00001). Including this date will facilitate tracking of the expiration of the CBI claims for specific chemical identity made in that document, pursuant to TSCA section 14(e). The reasons for not using a preexisting identifier, such as the accession number, are further explained in the May 2017 **Federal Register** document. Note that in the May 2017 **Federal Register** document, it was suggested that the UID year would be based on year the claim was *approved*. See 82 FR at 21387. However, because the year of approval may be different from the year the claim was asserted (*e.g.*, claims made in December may not be approved until the following February), and because the initial expiration date of the claim runs from the point that the claim was asserted, EPA determined that the date would better facilitate claim expiration tracking if it were based on the year the claim was *asserted*.

### B. EPA Will Apply UIDs to Related Documents, Except Where It Discloses Confidential Chemical Identity

EPA is adopting the “third alternative approach,” as described in the February