

# DECISION LOGIC FOR ASSESSING LIABILITY FOR TSCA SECTION 6 RISK EVALUATION FEES

## START

Did your company manufacture or import the subject chemical any time after January 27, 2015, keeping in mind the following? EPA has indicated its plans to propose a rulemaking to exempt companies that (1) import the chemical substance in an article; (2) produce the chemical substance as a byproduct; or (3) produce or import the chemical substance as an impurity; and will provide "no action assurance" for the three categories of manufacturers at this time.

Is your company preliminarily identified as a manufacturer of any of the 20 high-priority chemicals in the January 27, 2020, notice?

YES  
NO  
DON'T KNOW

Review lists for all 20 chemicals [HERE](#), then go back to start

Did your company manufacture or import the subject chemical after March 20, 2019?

YES  
NO

Did your company manufacture or import the subject chemical any time after January 27, 2015, keeping in mind the following? EPA has indicated its plans to propose a rulemaking to exempt companies that (1) import the chemical substance in an article; (2) produce the chemical substance as a byproduct; or (3) produce or import the chemical substance as an impurity; and will provide "no action assurance" for the three categories of manufacturers at this time.

Did your company manufacture or import the subject chemical after March 20, 2019?

YES  
NO

If your company has not manufactured or imported the subject chemical in any amount since January 27, 2015, your company is not obligated to pay TSCA fees. Because your company was identified on the preliminary list of manufacturers, you must submit a certification statement to EPA attesting to no manufacture or import in the last five years.  
**Action: Certify no manufacture**  
**Fee: None**

YES  
NO

If your company has not manufactured or imported the subject chemical in any amount in the last five years (*i.e.*, since January 27, 2015), company is not obligated to pay TSCA fees.  
**Action: None required**  
**Fee: None**

YES  
NO

Company is obligated to pay TSCA fee  
**Action: Submit company information**  
**Fee: Required**

Companies that have manufactured or imported the subject chemical in the five years preceding publication of the lists (*i.e.*, since January 27, 2015) and cannot certify that they have not manufactured or imported subject chemical in any amount, including as an impurity, byproduct, or in an article, since March 20, 2019, and that it will not manufacture or import the chemical in any amount for five years (through January 2025), are obligated to pay TSCA fees. Companies must submit notice to EPA of their manufacture and/or import, even if EPA did not identify them in the preliminary lists that were published.  
**Action: Self-identify as manufacturer**  
**Fee: Required**

If company certifies it has not manufactured or imported subject chemical in any amount since March 20, 2019, and certifies that it will not manufacture or import the chemical in any amount for five years (through January 2025), it is not obligated to pay TSCA fees.  
**Action: Certify no manufacture**  
**Fee: None**

A company must either pay its per capita fee as assessed by EPA or be a member of a consortium that pays the fee, in which case the consortium decides the per-member fee. [B&C® Consortia Management](#) can assist with establishing and managing the consortium.