★TSCA CONFIDENTIAL BUSINESS INFORMATION

Note: This index is intentionally not hyper-linked.

Welcome!

Every year, hundreds of chemical manufacturers across the country submit materials to the Environemental Protection Agency (EPA) in order to comply with the Toxic Substances Control Act (TSCA). Much of this information, including how a specific chemical is produced and used, can be claimed as Confidential Business Information (CBI). In order to ensure the success of TSCA, EPA must build trust with the regulated community by safeguarding the information entrusted to the Agency.

The loss or disclosure of industry-submitted TSCA CBI data impacts the competitive position of a firm and **can even cause substantial harm or loss.** This negatively impacts the working relationship EPA has developed with industry and makes it difficult to carry out the Agency's core mission of pollution prevention and protection.

As a part of our function in EPA, many of us will handle and/or use TSCA CBI. **Anyone who uses TSCA CBI must obtain clearance to do so every year.** Part of that clearance process includes training in the proper use and handling of CBI. This course will serve as your yearly obligatory CBI training and will cover the following subjects:

- Responsibilities
- Access
- Document Management
- Unauthorized CBI Disclosures

The course is completely computer driven and should take you no more than 20-25 minutes to complete.

Of course, no short course can give you a comprehensive answer to all questions concerning TSCA CBI. More information can be found in the TSCA CBI Protection Manual and from your Document Control Officer (DCO).

NEXT

★TSCA Confidential Business Information

Course Navigation and Certification

Finding Your Way Through This Course:

The course consists of **four subject areas**. Each of these subject areas can be seen on the "bar" to the left. You can always tell where you are based on which subject is highlighted in yellow. For example, **you are now in the "Introduction" section of the course**, so that is highlighted to the left. The course is constructed so that you can take it in one sitting and in sequential order.
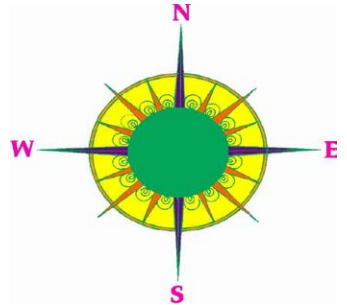
Course Certification:

You only have to do two things to get certified (or re-certified). For first time certification, you need to complete this course, and completely fill out the TSCA CBI Access Form (7740-6) to start the clearance process.   For recertification, complete this course and completely fill out the Document Reconciliation Certification (form 7740-28).

Turn in either certification form to your DCO, and be sure to attach a copy of a printout which lists any TSCA CBI documents you have in your possession. (At HQ the printout should be obtained from the Confidential Business Information Center (CBIC)).

Ready? Let's go....

You are accountable!

EPA holds every employee with TSCA CBI access **personally responsible** for adhering to handling and security procedures.

It is EPA's expectation that you act **consistently with all relevant CBI requirements** and that you support EPA in carrying out their responsibilities for the protection, control and security of TSCA CBI.

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★TSCA CONFIDENTIAL BUSINESS INFORMATION
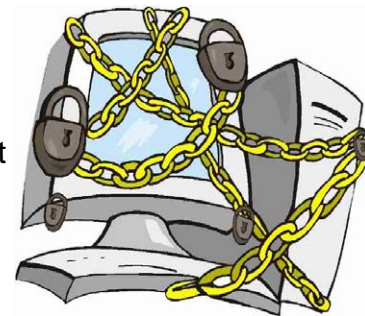
Protection of TSCA CBI

You have a responsibility to **protect the information claimed as TSCA CBI**. Any document that contains TSCA CBI which you receive, retain, create or give to another **must be protected**.

Not surprisingly, EPA tracks all TSCA CBI documents in its possession and you are also **required to undergo an annual audit of all TSCA CBI entrusted to you**. Even your working papers must be individually tracked when not in your direct possession and otherwise protected until destroyed.

Lastly, you can only discuss or disseminate TSCA CBI **with persons you know are TSCA CBI cleared**. To verify clearances, please consult the TSCA CBI Authorized Access List!

★TSCA CONFIDENTIAL BUSINESS INFORMATION
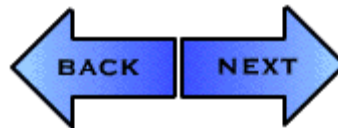
Your Responsibility to Report Violations

Each employee who has access to TSCA CBI is required to report immediately in writing any potential violations of these procedures to his/her immediate supervisor, and if applicable, the Contractor Project Officer (PO).

You will see more on this subject a little later in the course.

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★TSCA Confidential Business Information

Your Responsibility to Account for All Documents

Employees are accountable for all TSCA CBI received from a Document Control Officer* (DCO) or other TSCA CBI-authorized employee, printed to paper, or recorded on magnetic, optical, or other storage medium.

You are also required to follow the programs established by management and your DCO for protecting and handling CBI, and to prevent disclosure to anyone not authorized under TSCA.

(* DCOs oversee the receipt, storage, transfer, use, reproduction and destruction of TSCA CBI. DCOs are responsible for assisting employees in requesting and renewing TSCA CBI access authorization, as well as managing the manual or automated Document Tracking System (DTS) for TSCA CBI in their facility or office.)

Returning TSCA CBI Documents

You are permitted to **log out** TSCA CBI documents from your DCO and to **keep the documents in an approved storage container** or approved Secure Storage Area (SSA), as defined in the TSCA CBI Protection Manual, for up to one year. You must return TSCA CBI to the DCO as soon as the material is no longer needed. Documents are logged out to regional DCOs on a permanent basis.

Any material kept **longer than one year** is considered overdue. Materials that are not returned to the DCO within 14 days of notification are **presumed unaccounted for** and your DCO then must notify his/her division director of unaccounted-for materials.

There's more about this later in the course.

Determination of and Receipt of Possible TSCA CBI

It is also your responsibility to decide if an existing document submitted to the Agency, or a document newly created by you, **contains TSCA CBI**. If you can't determine if a document is TSCA CBI, you should **consult with your supervisor or DCO**. If the issue remains unresolved, you can then **consult the Office of Pollution Prevention and Toxics (OPPT), Information Management Division (IMD), Records and Dockets Management Branch (RDMB) Chief**, or equivalent.

If you receive materials (labeled or unlabeled), by mail or other means, **which appear to be TSCA CBI,** you should **take the materials to your DCO** for assessment and, if warranted, entry into the Document Tracking System (DTS).

Time for a Decision...

As noted before, **Document Control Officers (DCOs)** have a very important job in EPA. They oversee the receipt, storage, transfer, use, reproduction and destruction of TSCA CBI. DCOs are also responsible for assisting employees in requesting and renewing TSCA CBI access authorization, as well as managing the manual or automated Document Tracking System (DTS) for TSCA CBI in their facility or office.

Are you a DCO taking this course? If you are, then you need to continue this course by following this link:

Click here if you are a DCO

If you are NOT a DCO, then continue the course by following this link:

Click here if you are NOT a DCO

BACK

★TSCA Confidential Business Information

Quiz #1: Who's Responsible?

You are getting ready to leave your work area. Just as you reach the door, you see a CBI document on the floor . What should you do?

A.) Jump on a desk and yell, "Who's missing a CBI document?"

B.) Ignore it...maybe it will go away

C.) Notify a DCO or manager that you found a CBI document

BACK

You said: A.) Jump on a desk and yell, "Who's missing a CBI document?"

Well, that's certainly a novel way to get everyone's attention. But, it probably won't be highly appreciated by those of us working in the "cubes".

Besides, suppose the document was dropped by someone on the way out or someone who works in another part of the building?

Try again!

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★TSCA Confidential Business Information

You said: B.) Ignore it...maybe it will go away

Sorry, that's not a correct answer.

All of us who work with TSCA CBI are responsible to ensure the protection and proper accounting of this information.

It doesn't matter whether the document belongs to you or someone else.

Try again!

★TSCA Confidential Business Information

Note: This index is intentionally not hyper-linked.

I. Introduction

II. Responsibilities

III. Access

IV. Document Management

V. Violations

You said: C.) Notify a DCO or manager that you found a CBI document

Well done...that's absolutely correct.

It really doesn't matter whether the document belongs to you or someone else. **All of us who use TSCA CBI are required to do everything we can to ensure its adequate protection and proper handling.**

In the next section of the course, we'll examine some of the issues concerning access to CBI...

NEXT

★TSCA CONFIDENTIAL BUSINESS INFORMATION

TSCA CBI Access

This section of the course will cover issues concerning **TSCA CBI access** as well as requirements to obtain, maintain, or terminate certification to work with TSCA CBI.

Federal employees can receive access **depending upon a job-related need**. Contractors to EPA obtain access depending upon **employment with a TSCA-related federal contractor, and maintaining up to-date administrative certification.**

Federal and contractor employees who have an official job-related need for TSCA CBI access are **required to complete an initial administrative certification** when receiving their new job assignment, prior to working with TSCA CBI.

If you have received your initial certification to use CBI, you must complete an **annual re-certification process each year** to maintain access.

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Initial Certification & Recertification for Federal Employees

If you are seeking certification for the first time or let your certification lapse, you must:

- View the TSCA CBI security briefing by completing this course.
- Complete the TSCA CBI Access Request (7740-6), and submit it to the DCO.
- Get your immediate supervisor to sign the form.
- Have the entire package reviewed by the OPPT DCO.

Needless to say, if you are already certified, it is **much easier to maintain your clearance using these recertification procedures**:

- View the TSCA CBI security briefing by completing this course.
- Get a list of the CBI officially in your possession from your DCO, or if you are at HQ, from your DCO or CBIC.
- Complete the Document Reconciliation Certification (7740-28).
- Provide completed form to your DCO.

The time for recertifying should be **no more than 30 days before your clearance expires**. If you recertify sooner, you'll end up receiving a new "anniversary date" based on the date you complete the requirements. If you recertify too close or miss your anniversary date, **you risk having to complete the entire initial certification procedure.**

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Access for Contractors

Sometimes, EPA allows contractors access to TSCA CBI. **The EPA Project Officer (PO) determines if a contractor company requires access to TSCA CBI.**

Generally speaking, contractors who receive or use CBI **must comply with the same rules that federal employees do**, regardless of whether the contractors work on-site or off-site. In fact, there are even more rules for contractors who handle CBI off-site from EPA.

Each contractor with TSCA CBI access, at either the contractor's facility or an EPA facility, **must have a contractor DCO**, who must be designated before the contractor is allowed access to TSCA CBI.

Remember: A contractor to EPA handling CBI has the same responsibilities as a federal employee. **If you see CBI being handled inappropriately, let your supervisor or DCO know immediately.**

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★TSCA Confidential Business Information

Other Federal Agencies

Access to TSCA CBI data may be granted to other federal agencies under the following circumstances:

- TSCA CBI data/information is required to perform work for EPA.
- TSCA CBI data/information is required to perform the agency's legal duties to protect health or the environment.
- TSCA CBI data/information is required for specific law enforcement purposes.

Other federal agencies may obtain TSCA CBI access by **submitting a written request to the EPA OPPT IMD Director** at least one month before access is to begin.

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Access for Congress or the GAO

On rare occasions, you might receive a request from Congress or the GAO (General Accounting Office....a branch of Congress) for information that requires access to TSCA CBI.

If this ever happens, immediately notify your supervisor and the EPA OPPT IMD Director. **Do NOT release or otherwise disclose CBI unless authorized to do so by an EPA official (i.e. IMD Director or OPPT DCO).**.

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★TSCA CONFIDENTIAL BUSINESS INFORMATION

Access to a TSCA CBI Secure Storage Area.

If you work with TSCA CBI, the chances are pretty good that you work in a "CBI-secure" area, also called Secure Storage Area (SSA).This means that there is **restricted access** to your area that requires you to use your ID card for entry and that there are alarms and motion detectors that protect the entire area.
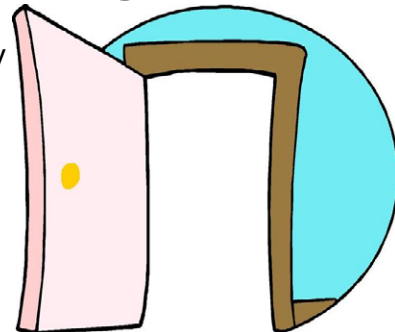
What this also means is that you should learn the procedures for opening and securing SSAs. Even if you don't work in a "CBI-Secure" area, **one day you might have to open or secure an SSA, so this part of the course should still be useful for you**.

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Quiz #2: Time to Go Home?

Just your luck....you are stuck late at the office one evening trying to finish off another "rush" project. It's the Friday before a holiday weekend and you can't see anyone else in your CBI area. You figure it's a pretty good bet that everyone has already left and that no one else is around. After you finish the work you needed to do, you head out the door and go home.

Oops, did you forget something? What was it?

A.) Check to see if anyone else is around

B.) Secure the CBI area

C.) Turn off the coffee pot

D.) A & B

E.) None of the above

BACK

★TSCA Confidential Business Information

You said: B.) Secure the CBI area

Well, you are right about the need to secure the CBI area.

But are you really the only one around? There are a couple of lights on in the office and a few computers are still on. Is someone else still there?

You may not be alone. It could be time for you to.....

Try again!

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★TSCA Confidential Business Information

You said: A.) Check to see if anyone else is around

Well, you are right about the need to check to see if anyone else is around.

But is that the end of it? Remember, you ARE in a CBI area. Even if no else is around, there's still something you have to do before leaving.

So, looks like you'll have to.....

Try again!

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★TSCA Confidential Business Information

You said: C.) Turn off the coffee pot

Coffee pot? What coffee pot? You had a coffee pot?

Well, certainly if you had a coffee pot going you should shut it off before you go home. But that has nothing to do with this question.

You'd better go back and....

Try again!

You said: D.) A & B

Yes, that's absolutely right.

Before securing the area, you need to check around to see if anyone is still there. Was that computer left on by mistake or is someone still working there?

If you are reasonably sure that you are the last one out for the day, then you can close the area according to procedure.

Oh yes...if you did happen to have a coffee pot running you should turn it off! Now, we are going to look at some issues concerning document management....

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You said: E.) None of the above

Okay, come on now. You know that's not the right answer.

You are in a CBI area after all and it's your responsibility to make sure that the area is closed and the alarms activated. After all, you are the last one left in the office...**or are you**?

Hmm....you might want to go back and....

Try again!

BACK

★TSCA CONFIDENTIAL BUSINESS INFORMATION

TSCA CBI Document Management

Where should TSCA CBI be sent? Submitters should be directed to send incoming TSCA CBI to a DCO only. CBI sent between organizations must be sent from one DCO to another DCO. CBI sent to OPPT (e.g., by US mail, courier, or fax transmission) may be addressed to either an EPA or contractor DCO, but preferably to the Confidential Business Information Center (CBIC).

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Visitors, Vacations and CBI Storage

Some good points to remember are:

- **Card access to Secure Storage Areas (SSAs) is limited to CBI cleared folks:** With the very limited exception of Senior Environmental Employment (SEE) employees and student interns who have been assigned to work in Secure Storage Areas (SSAs), only CBI cleared persons should have access to these areas. Visitors to a secure area who are not CBI cleared have to sign a Visitor's Log upon initial entry.
- **Lock up your TSCA CBI when it is not in use:** It is always prudent to lock up these materials when they are not in use. By locking up your TSCA CBI material you limit the possibility of inadvertent disclosure to non-CBI cleared folks and also loss of the materials. Moreover, by locking up CBI, you minimize the chance that TSCA CBI materials will be damaged or destroyed as a result of flooding or other mishap.
- **Outside a Secure Area?:** Employees who are using TSCA CBI documents outside SSAs must retain possession of them, and never leave the documents anywhere unauthorized persons may gain access to them.
- **Out for more than one week?:** If you are going to be out (e.g., on annual leave) for more than one week (seven calendar days), all CBI materials must be locked away in an approved TSCA CBI storage container.

New TSCA CBI Documents, Working Papers

The chances are pretty good that you are going to eventually create documents (notes, outlines, drafts, print-outs from the CBI LAN) from TSCA CBI sources. These documents (works-in-progress) are internal documents that can exist in paper or electronic form and **are considered to be TSCA CBI documents**. Working papers or other such works-in-progress must be protected from unauthorized disclosure and handled like any other CBI document.

Working papers are exempt from logging procedures as long as they remain in the possession and/or control of the originator, or in the possession of a TSCA CBI-certified federal or contractor employee who works in an SSA or has an approved storage container for storing the CBI when not in use.

If you ever make multiple copies of a working paper (the copies are now working papers, too!) to give to members of a review group, **you are going to have to track the copies and make sure you get all of them returned.**

If you are the originator of a working paper or the individual who prints the document from the CBI LAN, **you may destroy that working paper and any copies made, preferably by shredding**.
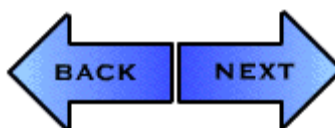
BACK   NEXT

Reproduction of TSCA CBI

The best rule to follow is to make as few copies as possible. TSCA CBI must be reproduced only at copying machines located in SSAs, unless otherwise approved by the OPPT DCO. With the exception of working papers, **only DCOs and Alternate DCOs (ADCOs) are permitted to photocopy TSCA CBI documents or print multiple copies from the CBI LAN.**

In case of equipment failure, the operator must ensure that all CBI is removed from the photocopy equipment before leaving the area.

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Transferring/Transmitting TSCA CBI

Except for working papers, **TSCA CBI can be transferred from one employee to another through their respective DCOs as long as the receiving employee has been approved for CBI access**.

CBI can also be transmitted during telephone conversations. **But, be warned that voicemail is not secure! Generally speaking, CBI must never be left in your voicemail.** You can discuss CBI on the telephone with other federal or contractor employees with TSCA CBI access authority. However, both parties to a telephone call are responsible for verifying that the other is authorized for TSCA CBI access. If you are speaking with a submitter, you have to tell them that any further information provided in the telephone conversation can be claimed as confidential. It's also a good idea to keep a log of any calls during which TSCA CBI is discussed.

A few final words on transmitting/transfer of CBI. Only EPA and contractor DCOs may transfer and receive TSCA CBI materials via fax. CBI cannot be transmitted via e-mail except on approved Local Area Networks (LAN).

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★TSCA Confidential Business Information

Use and Handling of TSCA CBI

The appropriate use and handling of TSCA CBI is essential if we are to carry out OPPT's mission. **Here are a few guidelines to follow:**

- **Employee responsibilities:** Ensure that no unauthorized disclosure of CBI occurs.
- **Obtaining TSCA CBI:** Except for working papers, you should obtain CBI documents from your DCO.
- **Use or discussion of TSCA CBI in meetings:** Working papers or logged out CBI can be used if the person who authored the document (i.e., "author employee") attends the meeting and is present when the document is discussed. Remember to clean all chalkboards and remove all CBI after the meeting is done.

BACK   NEXT

Using Computers to Work with TSCA CBI

Some more rules to live by:

- TSCA CBI _may not_, under any circumstances, be processed, created, or stored on computers connected to the Internet, any LAN not approved for TSCA CBI, nor unapproved portable computers of any kind.
- TSCA CBI _may_ be created, processed and stored ONLY on computers that are permanently connected to an approved CBI LAN or computers NOT connected to any network, Internet, or any other technology which can pass data to another computer.
- TSCA CBI may be processed only on computers located within TSCA CBI approved Secure Storage Areas (SSA).
- The procedures for storing TSCA CBI hard-copy materials apply equally to magnetic media (diskettes, hard disks, magnetic tapes and data cartridges), optical disks, memory cards, and to any other storage devices. When disks are no longer needed or are damaged, they should be destroyed in an approved manner (check with your DCO or read the TSCA CBI Protection Manual for more details).
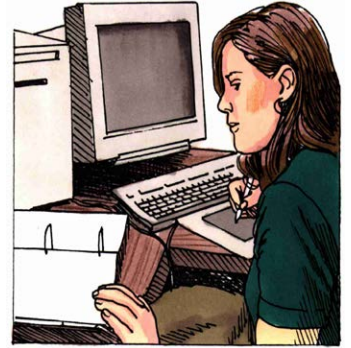
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Quiz #3: It's a Matter of Trust......

It's Friday! You've made arrangements to go to lunch with a good friend of yours. Your friend enters the secure area and signs the visitor's log...everything is according to procedure. You tell your friend to wait in your cube for a couple of minutes while you get some paper printing out just down the hall. Just as you are leaving, you wonder if you should have locked up or at least moved your CBI documents somewhere more secure before leaving your cube. Should you have?

A.) No, of course not. This person is a good friend and completely trustworthy. They aren't going to look at something they shouldn't be looking at!

B.) Yes, the documents should have been secured. It's not a matter of trusting a good friend, it's a matter of what we are entrusted with as stewards of CBI documents.

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You said: A.) No, of course not. This person is a good friend and completely trustworthy. They aren't going to look at something they shouldn't be looking at!

Well, not really....

Your friend could be the most trustworthy person in the world, but may inadvertently gain access to TSCA CBI information. Remember, if you are going to leave someone in an area where CBI can be accessed, **even accidentally**, you must take all prudent steps to ensure that CBI is protected.

Looks like you'll have to.....

Try again!

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★TSCA Confidential Business Information

You said: B.) Yes, the documents should have been secured. It's not a matter of trusting a good friend, it's a matter of what we are entrusted with as stewards of TSCA CBI documents.

That's correct.

It's not a matter of whether you trust your friend or not. Your friend could accidentally obtain access to CBI documents without being cleared.

As stewards of TSCA CBI documents, we are under an obligation to ensure that there is no unauthorized access and that we follow all prudent measures to protect the integrity of that information.

Now that we covered document management, we'll move on to the last subject of this course.....procedures violations, missing documents and unauthorized disclosures (a.k.a., "violation").

NEXT

VIOLATIONS

Despite everyone's best efforts, a violation of TSCA CBI procedures can occur. This section of the course will examine the reporting and investigative actions to be followed in the event of any possible violation.

Examples of such violations include:

- Missing TSCA CBI documents
- Disclosure of TSCA CBI to a person not authorized to receive it

Ready? Let's go...

TSCA CONFIDENTIAL BUSINESS INFORMATION

Oral Notice

If you are TSCA CBI cleared, you must provide oral notice to your immediate supervisor within one business day if you believe any of the following have occurred:

- A TSCA CBI protection procedure has been violated.
- TSCA CBI is missing.
- TSCA CBI may have been disclosed to a person not authorized to receive it.

Contractor employees must provide oral notice to their EPA PO or PO designee within one business day if any of the situations above occur. The EPA PO or PO designee must then report to the Division Director.
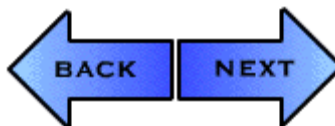
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Written Report

After you give an oral report, you then have to file a written report within two business days, unless otherwise relieved of the requirement, in writing, by your division director. Contractor employees must provide the written report to their PO or PO designee. The written report must include any relevant circumstances or facts known by the employee, and describe any of the following:

- **Possible violation of procedures**
- **Possible unauthorized disclosure of TSCA CBI**
- **Materials possibly unaccounted for**

To investigate what occurred, you should examine files and discuss the matter with other individuals who may have firsthand knowledge of the facts. Your division director must review the employee's report and provide any additional comments or information. Within 2 business days of receiving the report, the Division Director must refer the report to the EPA OPPT Environmental Assistance Division (EAD). If the Division Director reviews the employee's report and determines there was no violation of procedures, loss of TSCA CBI, or unauthorized disclosure, referral of the report is not required.

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★TSCA Confidential Business Information

Investigation

If your supervisor determines that there is a possible violation of procedures, he/she will forward this information to the EPA OPPT Environmental Assistance Division (EAD) Director. The EAD director will provide this information to the OPPT TSCA Security Staff (TSS), who will determine if an investigation is necessary. If after reviewing the written report, TSS determines that the facts do not warrant an investigation, the EAD director will notify the employee's division director, in writing, of this finding.

In the event that an investigation is warranted, TSS will proceed and once complete, provide the director of the EAD with an ROI (Report of Investigation), which will contain the following:

- A recitation of the factual circumstances of the violation.
- Conclusions, including :
    - Probability that an improper violation occurred.
    - Nature and degree of any violation.
    - Recommendations for remedial action or mitigation, including a report forwarded to the affected employee and supervisor identifying procedures for handling, using, and storing TSCA CBI.

The length and detail of this report is determined by the nature, degree and circumstances of the alleged violation.

Company Notification of Improper Disclosure

After receiving an ROI, Environmental Assistance Division (EAD) director authorizes issuance of a written notice to the affected company within **four** business days. **If the EAD director believes it unlikely that the reported disclosure occurred, then no action is taken.**

If there are documents that are unaccounted for as a result of an ROI notifying the EAD Director of a missing CBI document, the EAD director issues a written notice to the affected company within **four** business days, if the document is not accounted for in that time. **The written notice must identify the lost or misplaced document and state the date on which it was deemed lost or misplaced**.

BACK   NEXT

Referral to the Inspector General and Annual Report

Upon consideration of the ROI, and any substantial evidence of a _knowing_ or _willful_ disclosure of TSCA CBI, the EAD Director will immediately refer the matter to the EPA Office of Inspector General.

Also, the TSS will provide a report to be distributed to the OPPT director, the EAD director, the OPPT DCO, and others upon request, identifying the previous year's security violations by type, and providing a discussion on trends, recognized vulnerabilities and other matters of interest.

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★TSCA Confidential Business Information

Corrective Actions and Penalty Guidelines

After a finding of a **likely violation** of the rules in this manual, the EAD director notifies the employee's division director and discusses the structure of administrative penalties and corrective actions. **The employee's division director has the ultimate authority to select and impose penalties as appropriate after weighing the totality of circumstances in each case.** In consultation with the EAD director, the employee's division director must consider the following:

- Seriousness of the violation
- Potential for unauthorized disclosure of TSCA CBI because of the violation
- Nature of the employee's error (e.g., accidental, willful, or grossly negligent)
- If the individual has previously committed any other CBI violation
- How often the individual uses or handles TSCA CBI while performing his/her official duties

Corrective actions may be procedural, instructional, or disciplinary in nature. Such actions may include training, revision of work procedures, removal of the individual's name from the TSCA CBI Authorized Access List, and other options.

★TSCA Confidential Business Information

Quiz #4: Is this a potential Violation of CBI?

You have a pretty good idea that a TSCA CBI document that was in your possession is missing. You've looked everywhere for it (and hopefully checked with your DCO to verify that it was not returned). What should you do?

A.) Forget about it until you have to reconcile documents during your annual recertification

B.) Wait a few weeks to see if the document shows up

C.) Go talk to your immediate supervisor

BACK

★TSCA Confidential Business Information

You said: A.) Forget about it until you have to reconcile documents during your annual recertification

Not a really good answer. Remember, you have already determined that the document is missing....you've looked everywhere for it.

You can't wait the weeks or months until it's time for recertification.

You'd better......

Try Again!

★TSCA Confidential Business Information

You said: B.) Wait a few weeks to see if the document shows up

No, that's not the right answer. Remember that you've looked everywhere for the document. You can't wait a few weeks to hope that it eventually shows up somewhere.

You've got to do something about it right away.

But first, you've got to...

Try Again!

BACK

★TSCA CONFIDENTIAL BUSINESS INFORMATION

You said: C.) Go talk to your immediate supervisor

Yes, that's it!

According to the TSCA CBI Protection Manual, you have to provide oral notice to your supervisor within 1 business day if:

- A TSCA CBI procedure has been violated.
- TSCA CBI is missing.
- TSCA CBI may have been disclosed to a person not authorized to receive it.

If that document you are looking for is missing, **you'll have to let your supervisor know about it very quickly.**

NEXT

★TSCA CONFIDENTIAL BUSINESS INFORMATION

Access: A Summary

Properly accessing TSCA CBI information (and areas) is an important part of your job. In this section of the course we learned about:

- Accessing TSCA CBI Documents
- Certification/Recertification
- Access for Contractors
- Access for Congress/GAO
- Accessing Secure Storage Areas.

More information on the responsibilities of staff and DCOs concerning CBI can be found in Chapter 3 of the TSCA CBI Protection Manual.

Now that you know about your responsibilities, it's time for a short quiz....

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Responsibilities for DCOs

DCOs have very special responsibilities in the OPPT organization**. DCOs manage their facility's Document Tracking Systems (DTS) and oversee the timely receipt, storage, transfer, and use of TSCA CBI in their facilities.** All facilities authorized for TSCA CBI access must have at least one DCO and an Alternate DCO (ADCO). There is also an OPPT DCO who is responsible for providing guidance to all DCOs and ADCOs on appropriate document handling procedures.

Click on any of the links below to find out more about individual DCO responsibilities (or you can hit the "Next" arrow to skip to the next page).

- Maintaining a Document Tracking System (DTS)/Transfer of TSCA CBI
- Receive/Store TSCA CBI and Keep a Record of Lock Combinations
- Update the TSCA CBI Authorized Access List/Monitor & Control CBI Release
- Monitoring and Notification of Overdue Materials/Sanitizing Documents
- Conduct TSCA CBI Audits
- Termination of Employment or Status for a DCO

BACK   NEXT

TSCA Confidential Business Information

Maintaining a DTS/Transfer of CBI

The DCO is responsible for **implementing and maintaining a Document Tracking System (DTS)** for his/her respective facility, to track the receipt, use, and transfer of TSCA CBI. All TSCA CBI submitted to EPA, and those produced by federal and contractor employees, are monitored through a facility DTS.

A DCO **must approve the transfer of TSCA CBI t**o a federal or contractor facility according to procedures in the TSCA CBI Protection Manual. To arrange transfer of TSCA CBI to a company or submitter, the company or submitter must submit a notarized letter, requesting specified CBI and identifying the authorized recipient.

BACK

★TSCA CONFIDENTIAL BUSINESS INFORMATION

Receive/Store TSCA CBI and Keep a Record of Lock Combinations

DCOs have the responsibility of **reviewing incoming TSCA CBI for completeness**, including contacting submitters if the information appears incomplete. When materials appear to be complete, DCOs also have the responsibility to **ensure that documents are properly stamped, Document Control Numbers are assigned, and that a CBI cover sheet is properly attached to the document**.
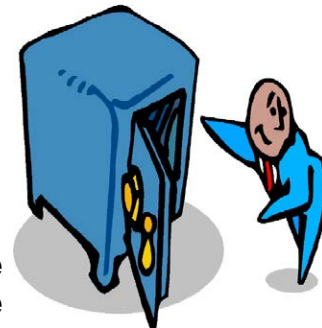
DCOs are responsible for **ensuring CBI is being stored properly**. The DCO supervises the storage of TSCA CBI in secure storage containers or in a centralized secure TSCA CBI storage area.

DCOs also have the responsibility of **maintaining records of lock combinations for rooms and containers in which TSCA CBI is stored.**

BACK

★TSCA Confidential Business Information

Update the TSCA CBI Authorized AccessList/Monitor & Control CBI Release

Each DCO has the responsibility of **keeping the TSCA CBI Authorized Access List current**. By the 15th of each month, DCOs must notify the OPPT DCO of any employees within their jurisdictions who should be added to, or deleted from the list.

Each DCO also has the responsibility of **monitoring and controlling the release of TSCA CBI to authorized employees**. The steps for obtaining TSCA CBI are:

- Employee requests a specific TSCA CBI document from his/her DCO.
- DCO locates the document and notifies the requesting employee.
- When the employee is ready to receive the document, the DCO verifies the requesting employee's TSCA CBI certification by checking the TSCA CBI Authorized Access List.
- The DCO logs the document out to the employee using an automated or manual document Inventory Log.

★TSCA Confidential Business Information

Monitoring and Notification of Overdue Materials/Sanitizing Documents

The DCO **monitors overdue TSCA CBI and notifies employees and supervisors**. DCOs also must **monitor the Inventory Log for TSCA CBI that have not been returned** within the required one-year period. DCOs also notify employees and their supervisors of overdue materials by distributing to each a list of all TSCA CBI documents logged out to the employee before the annual security briefing and TSCA CBI re-certification are accomplished.

The DCO **assists employees in determining if documents contain TSCA CBI and in sanitizing documents for public disclosure**. The responsibility for determining if documents contain TSCA CBI rests with the document's originator. The DCO also instructs document originators on how to sanitize a TSCA CBI document if the document is going to be released to the public.

BACK

Conduct TSCA CBI Audits

DCOs also have the responsibility of conducting audits under various occasions. These include:

Comprehensive Audits of Entire Collection: By April 1, 2004, each DCO must conduct an audit of all TSCA CBI in the DCO's collection as of December 31, 2003. This step must be performed every fourth year subsequent to the completion of the first comprehensive audit. For the intervening years, an annual transaction audit shall be conducted as outlined in the TSCA CBI Protection Manual. As an example, the next comprehensive audit would be conducted by April 1, 2008 for all TSCA CBI in the DCO's collection as of December 31, 2007.

Transaction Audits: Before April 1 of each year for which a comprehensive audit is not required, each DCO must conduct an annual audit of TSCA CBI in the DCO's collections for documents that have undergone a transaction.

DCO Transition Audits: These are audits that must be done when DCO's terminate their employment or relinquish DCO responsibilities.

Important Note: There are special rules that apply for contractor CBI collections. More information on this can be found in the TSCA CBI Protection Manual.

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★TSCA Confidential Business Information

Termination of Employment or Status for DCO

The procedure that must be followed when a DCO terminates his/her employment, or relinquishes DCO responsibilities are the same for those of a DCO at EPA Headquarters, regional offices, other federal agencies and contractor facilities.

At termination of employment or DCO status, **TSCA CBI under a DCO's authority must be inventoried**. The outgoing DCO and the incoming DCO must **jointly perform an inventory of TSCA CBI** in the outgoing DCO's collection of records. **Both parties must confirm the inventory** before the outgoing DCO departs. The incoming DCO must retain a copy of the inventory for audit purposes and forward a copy to the EPA OPPT DCO.

BACK

Document Management: A Summary

Just as with responsibilities and access, proper management of TSCA CBI documents is necessary for us to carry out the mission of this Office. In this section of the course we learned about:

- Receiving incoming TSCA CBI
- Visitors, vacations and storage of TSCA CBI
- Creating, reproducing, transferring, transmitting of TSCA CBI
- Use and Handling of TSCA CBI documents
- Use of Computers and TSCA CBI

More information on these subjects can be found in the TSCA CBI Protection Manual.

Now that you know about proper document management, how about a short quiz?....

BACK   NEXT

★TSCA Confidential Business Information

Conclusion:

Congratulations! You've reached the end of this course.

No short course can substitute for all the information that you can find in the **TSCA CBI Protection Manual.** Additionally, **your immediate supervisor and your DCO** can provide you with additional information and guidance if you have any concerns or questions.

In order to get "credit" for this course and obtain clearance to access TSCA CBI, click on the link below to the Document Reconciliation Certification (7740-28). Fill out the certificate, print it, sign it, and forward it to your DCO. Also, make sure you've listed any documents that are logged out in your name. And you're done!

If this is the first time you are certifying for TSCA CBI clearance, complete the TSCA CBI Access Form (7740-6) below to start the clearance process. Fill out the form, print it, sign it, and forward to your DCO for signature.

Note that you must have Adobe Acrobat Reader to view the forms. If you do not have it, download it now by clicking on the link below.

Thanks again for taking this course and we'll see you again next year!

- Download Acrobat Reader
- Document Reconciliation Certification (7740-28)
- TSCA CBI Access Form (7740-6)

BACK

★TSCA CONFIDENTIAL BUSINESS INFORMATION

Conclusion:

Congratulations! You've reached the end of this course.

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Thanks again for taking this course and we'll see you again next year!

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- Document Reconciliation Certification (7740-28)
- TSCA CBI Access Form (7740-6)

BACK

Responsibilities: A Summary

As you can see, there are quite a number of responsibilities that come with the use of TSCA Confidential Business Information. In this section of the course we learned about:

- Personal Accountability
- Ensuring Adequate Protection of CBI
- Need to Report Violations
- Accounting for and Returning Documents
- Determination/Receipt of CBI
- DCO Responsibilities

More information on the responsibilities of staff and DCOs concerning CBI can be found in Chapter 3 of the TSCA CBI Protection Manual.

Now that you know about your responsibilities, it's time for a short quiz....

Violation: A Summary

Even with everyone's best efforts, it's still possible that violations of TSCA CBI procedures will occur. In this section, we covered:

- Oral/Written Reports of Violations
- Investigations
- Informing submitters of disclosure
- Penalties

More information on these subjects can be found in the TSCA CBI Protection Manual.

Now that you know about what happens in the event of a violation, it's time to test your knowledge with a quiz (and it's the final one!).

BACK   NEXT

⊕EPA

United States Environmental Protection Agency
TSCA Confidential Business Information
Document Reconciliation Certification

Name: _____   Organization: _____   Date: _____

ID Number: _____   Mail Code: _____   ☐ Federal ☑ Contractor

THE TSCA CBI DOCUMENT TRACKING SYSTEM(S) INDICATED THAT THE DOCUMENTS LISTED BELOW HAVE BEEN LOGGED OUT IN YOUR NAME. PLEASE INVENTORY THESE DOCUMENTS AND INDICATE THEIR CURRENT STATUS.

Document Control Number	Bar Code	Logout Date	Login Date	Status

I HEREBY CERTIFY:

☐ THAT I HAVE INVENTORIED THE DOCUMENT(S) LISTED ABOVE; THE STATUS OF EACH DOCUMENT IS INDICATED ABOVE.

☐ ANNIVERSARY / BRIEFING DATE _____ (circle one).

☐ I ATTENDED MY ANNUAL TSCA CBI TRAINING ON _____.

_____   _____
SIGNATURE   DATE   DOCUMENT CONTROL OFFICER   DATE

EPA Form 7740-28 (10/92)

Printed on Recycled Paper

Appendix A **Please read Privacy Act Statement and instructions on reverse before completing this form.**

United States Environmental Protection Agency
Washington, DC 20460

♺EPA TSCA CBI Access Request, Agreement, and Approval

Section I. – Access Request

1. Name (Last, First, MI)	2. 9-Digit ID Number (e.g., SSN)	3. Telephone Number
4. Requestor (Agency/Office/Division/Branch)	5. Document Control Officer (DCO)	6. DCO Telephone Number

7. TSCA Sections for which access is required. Check all that apply. Use blank space to request other sections not listed.   ALL ____ -OR- 4 ___ 5 ___ 6 ___ 8 ___ 12 ___ 13 ___ 21 ___ _____

8. Justification for TSCA CBI access. Select appropriate code from instructions on reverse side. (Check one for all that apply).   Other   List Justification on reverse side   A _____   B _____   C _____   D _____

Section II. – Contract Information - Contractor Employees Only

9. Employer's Name	10a. Employer's Address	10b. City	10c. ST	10d. Zipcode
11. Contract Number	12. EPA Project Officer		13. EPA Project Officer Telephone	

Section III. – OPPT Secure Storage Area Access – HQ Federal and HQ Contractor Employees Only

14. Check if EPA ID Badge. Badge is required.

   Yes (New)   Need Replacement   ☐   No (List Present EPA ID Badge Number _____)

15. List OPPT Restricted areas by Division to which physical access is required.

Home Division (24 hour access)	Other Divisions (6A.M. – 6P.M. only)	Access to CBIC Only	IMD (DCO and IMD Computer Rms.)

16. List OPPT areas by Division and Room Number for which Alarm Activation/Deactivation Authority is requested.

Section IV. – Confidentiality Agreement

I understand that I will have access to certain Confidential Business Information submitted under the Toxic Substances Control Act (TSCA, 15 USC 2601 et seq.). This access has been granted in accordance with my official duties relating to Environmental Protection Agency programs.

I understand that TSCA CBI may be used only in connection with my official duties and may not be disclosed except as authorized by TSCA and Agency regulations. I have received a copy of, and understand the procedures set forth in, the TSCA CBI Protection Manual. I agree that I will treat any TSCA CBI furnished to me as confidential and that I will follow these procedures.

I understand that under section 14(d) of TSCA (15 USC 2513(d)), I am liable for a possible fine of up to $5,000 and/or imprisonment for up to one year if I willfully disclose TSCA CBI to any person not authorized to receive it. In addition, I understand that I may be subject to disciplinary action for violation of this agreement with penalties ranging up to and including dismissal.

I understand that my obligation to protect TSCA CBI, which has been disclosed to me as part of my official job duties, continues after either termination of my assignment or termination of my employment.

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

17. Signature of Employee	18. Date

Section V. – Requesting Official Approval

19. TSCA CBI Security Briefing Date	20. Name and Signature of Requesting Official. (Immediate Supervisor – EPA Project Officer for Contractors) As the immediate supervisor of (or the EPA Project Officer for) the above mentioned employee, I certify he/she has successfully completed a TSCA CBI Security Briefing on the date shown.		
	Name	Signature	21. Date

22. Date Received	23. Approved (TSCA Security Official Signature)	24. Approval Date

DCO Code	Barcode	Status Code	Alarm Zones	Data Entry Date and Initials 1. 2.

EPA Form 7740-6 (Rev. 10-03). Replaces previous version of 7740-6 and 7740-6A.

Paperwork Reduction Act Notice

The public reporting burden for the collection of information is estimated to average .84 hours per response. This estimate includes time for reviewing instructions, gathering and maintaining the needed data, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information to the Director, Collection Strategies Division, US Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington DC 20460, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked ATTENTION: Desk Officer for EPA. Include the OMB No. identified on page 1 in any correspondence. Do not send the completed form to this address. Submit the form in accordance with the instructions in the CBI Manual.

Privacy Act Statement

Furnishing your Social Security Number is voluntary, but encouraged. The information on this form is used by EPA to maintain a record of those persons cleared for access to TSCA Confidential Business Information (CBI) and to maintain the security of TSCA CBI.

Disclosure of information from this form may be made to the Office of Pollution Prevention and Toxics (OPPT) contractors in order to carry out functions for EPA compatible with the purpose for which this information is collected; to other Federal agencies when they possess TSCA CBI and need to verify clearance to EPA and EPA contractor employees for access; to the Department of Justice when related to litigation or anticipated litigation involving the records or the subject matter of the records; to the appropriate Federal, State or local agency charged with enforcing a statute or regulation, violation of which is indicated by a record in this system; where necessary, to a State, Federal or local agency maintaining information pertinent to hiring, retention, or clearance of an employee, letting of a contract, or issuance of a grant or other magistrate or administrative tribunal; in the course of litigation under TSCA; and to a member of Congress acting on behalf of an individual to whom records in this system pertain.

Instructions for Form Completion

Section I – To be completed by all

1. List Full Name
2. List 9-Digit ID (e.g., SSN)
3. List Telephone number of person in item 1
4. List Full Acronym of Requesting Office (i.e. EPA Office in which the individual works or for contractor employees, the EPA Office with whom the contract is with)
5. List the immediate Document Control Officer for the office in which the individual works
6. List the telephone number of the Document Control Officer
7. Check the TSCA Sections for which access is requested or check ALL if applicable
8. Circle the appropriate Access Justification Code

  A *Employee is an EPA employee or EPA contractor employee whose work assignments involve the New and/or Existing Chemical Programs of TSCA. Hence access to the TSCA sections listed in item 7 of this form is required in performance of his/her duties*.

  B. *Employee is an EPA employee or EPA contractor employee whose work entails the administration of computer systems housing TSCA CBI. Hence access to the TSCA sections listed in item 7 of this form is required.*

  C. *Employee is an EPA employee or EPA contractor employee whose work entails physical security or maintenance for TSCA CBI secure storage areas. Although employee will not actually work with any TSCA CBI materials, access to the TSCA sections listed in item 7 of this form is required.*

  D. List Justification here_____

_____

_____

_____

_____

_____

_____

Section III – To be completed by HQ Federal and HQ Contractor employees only

NOTE: *These procedures apply only to employees requiring access to OPPT Secure Storage areas. All others follow standard Agency procedures.*

14. Check either box a, b, c or (c&d) for EPA ID badge or Contractor Building Pass. If box c is checked, write in badge number.
a. Yes - Check if new employee getting first EPA ID Badge. (New programmed badge and barcode)
b. Need Replacement - Check if replacement ID Badge is needed (replacement badge and barcode)
c. No - Existing badge needs programming. List ID Badge no.
15. Check and list OPPT secured areas for which access (via "RUSCO" electronic door control system) is required. List Division acronyms for the requested areas.
Home Division - List Division in which employee works
Other Divisions - List other OPPT Divisions for which unrestricted daytime access is requested
CBIC Only - To be checked for those who only need to access the Confidential Business Information Center.
IMD Areas - Employees who need to regularly access the IMD Document Control Office Suite should circle **DC0** in the fourth block. Only IMD staff and contractors who work in IMD computer rooms should circle **IMD Computer Rooms**.
16. List OPPT areas by Division and Room numbers for which Alarm Activation/Deactivation authority is requested. Generally, this is employees home Division only.

Section II – To be completed by Contractor Employees only

9. List Employer's name
10a-d. List Employer's address
11. List Contract number
12. List EPA Project Officer's name
13. List EPA Project Officer's telephone number

Section IV – To be completed by all

17. Employee Signature (must be original)
18. Signature Date

Section V – To be completed by all

19. Enter date employee attended TSCA CBI Security Briefing
20. Immediate Supervisor/EPA Project Officers name and sign.
21. Date of signature

Section VI – To be completed by OPPT Security