

sumption, export, or import of such substance; and

(B) submit to the Director of the United States National Authority such reports as the United States National Authority may reasonably require to provide to the Organization, pursuant to subparagraph 1(a) of the Annex on Confidentiality of the Convention, the minimum amount of information and data necessary for the timely and efficient conduct by the Organization of its responsibilities under the Convention.

(2) Rulemaking

The Director of the United States National Authority shall ensure that regulations pursuant to this section are prescribed expeditiously.

(b) Coordination

(1) Avoidance of duplication

To the extent feasible, the United States Government shall not require the submission of any report that is unnecessary or duplicative of any report required by or under any other law. The head of each Federal agency shall coordinate the actions of that agency with the heads of the other Federal agencies in order to avoid the imposition of duplicative reporting requirements under this chapter or any other law.

(2) Definition

As used in paragraph (1), the term “Federal agency” has the meaning given the term “agency” in section 551(1) of title 5.

(Pub. L. 105-277, div. I, title IV, §401, Oct. 21, 1998, 112 Stat. 2681-880.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b)(1), was in the original “this Act” and was translated as reading “this division”, meaning div. I of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-856, known as the Chemical Weapons Convention Implementation Act of 1998, to reflect the probable intent of Congress. For complete classification of division I to the Code, see Short Title note set out under section 6701 of this title and Tables.

REGULATIONS

Regulations under subsec. (a) to be issued by Department of Commerce by a date specified by Department of State as United States National Authority (USNA) and to be reviewed and approved by USNA in coordination with an interagency group, see section 3 of Ex. Ord. No. 13128, June 25, 1999, 64 F.R. 34703, set out as a note under section 6711 of this title.

§ 6742. Prohibition relating to low concentrations of Schedules 2 and 3 chemicals

(a) Prohibition

Notwithstanding any other provision of this chapter, no person located in the United States shall be required to report on, or to submit to, any routine inspection conducted for the purpose of verifying the production, possession, consumption, exportation, importation, or proposed production, possession, consumption, exportation, or importation of any substance that contains less than—

- (1) 10 percent concentration of a Schedule 2 chemical; or

- (2) 80 percent concentration of a Schedule 3 chemical.

(b) Standard for measurement of concentration

The percent concentration of a chemical in a substance shall be measured on the basis of volume or total weight, which measurement yields the lesser percent.

(Pub. L. 105-277, div. I, title IV, §402, Oct. 21, 1998, 112 Stat. 2681-881.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act” and was translated as reading “this division”, meaning div. I of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-856, known as the Chemical Weapons Convention Implementation Act of 1998, to reflect the probable intent of Congress. For complete classification of division I to the Code, see Short Title note set out under section 6701 of this title and Tables.

§ 6743. Prohibition relating to unscheduled discrete organic chemicals and coincidental by-products in waste streams

(a)¹ Prohibition

Notwithstanding any other provision of this chapter, no person located in the United States shall be required to report on, or to submit to, any routine inspection conducted for the purpose of verifying the production, possession, consumption, exportation, importation, or proposed production, possession, consumption, exportation, or importation of any substance that is—

- (1) an unscheduled discrete organic chemical; and

- (2) a coincidental byproduct of a manufacturing or production process that is not isolated or captured for use or sale during the process and is routed to, or escapes, from the waste stream of a stack, incinerator, or wastewater treatment system or any other waste stream.

(Pub. L. 105-277, div. I, title IV, §403, Oct. 21, 1998, 112 Stat. 2681-881.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act” and was translated as reading “this division”, meaning div. I of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-856, known as the Chemical Weapons Convention Implementation Act of 1998, to reflect the probable intent of Congress. For complete classification of division I to the Code, see Short Title note set out under section 6701 of this title and Tables.

§ 6744. Confidentiality of information

(a) Freedom of Information Act exemption for certain Convention information

Except as provided in subsection (b) or (c), any confidential business information, as defined in section 6713(g) of this title, reported to, or otherwise acquired by, the United States Government under this chapter or under the Convention shall not be disclosed under section 552(a) of title 5.

(b) Exceptions

(1) Information for the Technical Secretariat

Information shall be disclosed or otherwise provided to the Technical Secretariat or other

¹ So in original. No subsec. (b) has been enacted.