

# HEINONLINE

Citation: 58 Fed. Reg. 51672 1993

Content downloaded/printed from  
HeinOnline (<http://heinonline.org>)  
Mon Nov 2 14:47:22 2009

- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <http://heinonline.org/HOL/License>
- The search text of this PDF is generated from uncorrected OCR text.

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 721**

[OPPTS-50612; FRL-4584-5]

RIN 2070-AB27

**Significant New Uses of Certain Chemical Substances**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

**SUMMARY:** EPA is promulgating significant new use rules (SNURs) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for certain chemical substances which were the subject of premanufacture notices (PMNs) and subject to TSCA section 5(e) consent orders issued by EPA. Today's action requires certain persons who intend to manufacture, import, or process these substances for a significant new use to notify EPA at least 90 days before commencing the manufacturing or processing of the substance for a use designated by this SNUR as a significant new use. The required notice will provide EPA with the opportunity to evaluate the intended use, and if necessary, to prohibit or limit that activity before it occurs. EPA is promulgating this SNUR using direct final procedures.

**DATES:** The effective date of this rule is December 3, 1993. This rule shall be promulgated for purposes of judicial review at 1 p.m. Eastern Standard Time on October 18, 1993.

If EPA receives notice before November 3, 1993 that someone wishes to submit adverse or critical comments on EPA's action in establishing a SNUR for one or more of the chemical substances subject to this rule, EPA will withdraw the SNUR for the substance for which the notice of intent to comment is received and will issue a proposed SNUR providing a 30-day period for public comment.

**ADDRESSES:** Each comment or notice of intent to submit adverse or critical comment must bear the docket control number OPPTS-50612 and the name(s) of the chemical substance(s) subject to the comment. All comments should be sent in triplicate to: U.S. Environmental Protection Agency, ATTN: OPPT Document Receipt Office (TS-790), 401 M St., SW., Rm. E-G102, Washington, DC 20460.

All comments which are claimed confidential must be clearly marked as such. Three additional sanitized copies of any comments containing confidential business information (CBI)

must also be submitted. Nonconfidential versions of comments on this rule will be placed in the rulemaking record and will be available for public inspection.

**FOR FURTHER INFORMATION CONTACT:**

Susan B. Hazen, Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-543B, 401 M St., SW., Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551.

**SUPPLEMENTARY INFORMATION:** This SNUR will require persons to notify EPA at least 90 days before commencing manufacturing or processing a substance for any activity designated by this SNUR as a significant new use. The supporting rationale and background to this rule are more fully set out in the preamble to EPA's first direct final SNURs published in the *Federal Register* of April 24, 1990 (55 FR 17376). Consult that preamble for further information on the objectives, rationale, and procedures for the rules and on the basis for significant new use designations including provisions for developing test data.

**I. Authority**

Section 5(a)(2) of TSCA (15 U.S.C. 2604(a)(2)) authorizes EPA to determine that a use of a chemical substance is a "significant new use." EPA must make this determination by rule after considering all relevant factors, including those listed in section 5(a)(2). Once EPA determines that a use of a chemical substance is a significant new use, section 5(a)(1)(B) of TSCA requires persons to submit a notice to EPA at least 90 days before they manufacture, import, or process the substance for that use. The mechanism for reporting under this requirement is established under 40 CFR 721.10.

**II. Applicability of General Provisions**

General provisions for SNURs appear under subpart A of 40 CFR part 721. These provisions describe persons subject to the rule, recordkeeping requirements, exemptions to reporting requirements, and applicability of the rule to uses occurring before the effective date of the final rule. Rules on user fees appear at 40 CFR part 700. Persons subject to this SNUR must comply with the same notice requirements and EPA regulatory procedures as submitters of PMNs under section 5(a)(1)(A) of TSCA. In particular, these requirements include the information submission requirements of section 5(b) and 5(d)(1), the exemptions authorized by section 5(h)(1), (2), (3), and (5), and the regulations at 40 CFR part 720. Once EPA receives a SNUR

notice, EPA may take regulatory action under section 5(e), 5(f), 6, or 7 to control the activities on which it has received the SNUR notice. If EPA does not take action, EPA is required under section 5(g) to explain in the *Federal Register* its reasons for not taking action.

Persons who intend to export a substance identified in a proposed or final SNUR are subject to the export notification provisions of TSCA section 12(b). The regulations that interpret section 12(b) appear at 40 CFR part 707. Persons who intend to import a chemical substance identified in a final SNUR are subject to the TSCA section 13 import certification requirements, which are codified at 19 CFR 12.118 through 12.127 and 127.28 and must certify that they are in compliance with the SNUR requirements. The EPA policy in support of the import certification appears at 40 CFR part 707.

**III. Substances Subject to This Rule**

EPA is establishing significant new use and recordkeeping requirements for the following chemical substances under 40 CFR part 721 subpart E. In this unit, EPA provides a brief description for each substance, including its PMN number, chemical name (generic name if the specific name is claimed as CBI), CAS number (if assigned), basis for the action taken by EPA in the section 5(e) consent order or as a non-section 5(e) SNUR for the substance (including the statutory citation and specific finding), toxicity concern, and the CFR citation assigned in the regulatory text section of this rule. The specific uses which are designated as significant new uses are cited in the regulatory text section of the rule by reference to 40 CFR part 721 subpart B where the significant new uses are described in detail. Certain new uses, including production limits and other uses designated in the rule are claimed as CBI. The procedure for obtaining confidential information is set out in Unit VII. of this preamble.

Where the underlying section 5(e) order prohibits the PMN submitter from exceeding a specified production limit without performing specific tests to determine the health or environmental effects of a substance, the tests are described in this unit. As explained further in Unit VI. of this preamble, the SNUR for such substances contains the same production limit, and exceeding the production limit is defined as a significant new use. Persons who intend to exceed the production limit must notify the Agency by submitting a significant new use notice at least 90 days in advance. In addition, this unit describes tests that are recommended by EPA to provide sufficient information to

evaluate the substance, but for which no production limit has been established in the section 5(e) order. Descriptions of recommended tests are provided for informational purposes.

Data on potential exposures or releases of the substances, testing other than that specified in the section 5(e) order for the substances, or studies on analogous substances, which may demonstrate that the significant new uses being reported do not present an unreasonable risk, may be included with significant new use notification. Persons submitting a Significant New Use Notice (SNUN) must comply with the same notice requirements and EPA regulatory procedures as submitters of PMNs, as stated in 40 CFR 721.1(c), including submission of test data on health and environmental effects as described in 40 CFR 720.50.

The SNUR for the PMN substance identified as P-89-538 regulates the chemical substance subject to a 5(e) order where the finding is based solely on substantial production volume and significant or substantial human exposure and/or release to the environment of substantial quantities. For this case there were limited or no toxicity data available for the PMN substance. In such cases, EPA regulates the new chemical substance under section 5(e) by requiring certain toxicity tests. For instance, chemical substances with potentially substantial releases to surface waters would be subject to toxicity testing of aquatic organisms and chemicals with potentially substantial human exposures would be subject to health effects testing for mutagenicity, acute effects, and subchronic effects.

EPA is not publishing SNURs for three PMN substances (P-91-514, P-92-1112, and P-92-1113) which are subject to a final 5(e) consent order. The section 5(e) consent orders for these substances are derived from an exposure-based finding as described above for P-89-538. However, for these substances the short-term toxicity testing required by the 5(e) order is usually completed within 1 to 2 years of notice of commencement. EPA's experience with exposure-based SNURs requiring short-term testing is that the SNUR is often revoked within 1 to 2 years when the test results are received. Rather than issue and revoke SNURs in such a short span of time, EPA will defer publication of exposure-based SNURs until either a Notice of Commencement (NOC) or data demonstrating risk are received unless the toxicity testing required is long-term. EPA is issuing this explanation and notification as required in 40 CFR 721.160(a)(2) as it has determined that SNURs are not needed at this time for

these substances which are subject to a final 5(e) consent order under TSCA.

The section 5(e) orders for P-89-867 and P-90-1840 contain new chemical exposure limits (NCELS) provisions. In each case, the section 5(e) order allows the PMN submitter to protect workers by controlling and monitoring airborne concentrations of the substance present in the workplace as an alternative to certain respirator requirements. A clause had been added to these SNURs stating that as an alternative to the respiratory protection designated in the SNUR, manufacturers, importers, and processors may follow the same NCEL provisions found in the section 5(e) consent orders for these substances, including using the same sampling and analytical methods as the original PMN submitter subject to the 5(e) consent order. No general NCEL language has been added to the regulatory text of the corresponding SNURs as EPA expects that only manufacturers, importers, and processors with access to the previously approved sampling and analytical methods will be able to use this clause readily. EPA recommends that any company proposing to substitute an NCEL or other alternative control measures for SNUR provisions, which must first develop its own sampling and analytical methods, obtain EPA approval, submit a SNUN, or request a determination of equivalency under the procedures for "EPA Approval of Alternative Control Measures" in § 721.30.

#### PMN Number P-85-296

**Chemical name:** (generic) Silicone ester polyacrylate.

**CAS number:** Not available.

**Effective date of section 5(e) consent order:** February 3, 1986.

**Basis for section 5(e) consent order:** The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

**Toxicity concern:** Similar chemicals have been shown to cause cancer in test animals.

**Recommended testing:** A 2-year two-species rodent bioassay (40 CFR 798.3300) to help characterize cancer effects.

**CFR citation:** 40 CFR 721.9510.

#### PMN Number P-85-1211

**Chemical name:** Benzoic acid, 2-(3-phenylbutylidene)amino-, methyl ester.

**CAS number:** Not available.

**Effective date of section 5(e) consent order:** March 26, 1986.

**Basis for section 5(e) consent order:** The order was issued under section

5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to the environment.

**Toxicity concern:** Based on analogy to aniline, EPA is concerned that the PMN substance may be toxic to aquatic organisms at concentrations as low as 160 parts per billion (ppb) in surface waters.

**Recommended testing:** EPA has determined that an algal toxicity test (40 CFR 797.1050), a daphnid acute toxicity test (40 CFR 797.1300), and a fish acute toxicity test (40 CFR 797.1400) will help characterize the environmental effects of the PMN substance. The PMN submitter has agreed not to exceed the production volume limit without performing the tests listed above.

**CFR citation:** 40 CFR 721.1728.

#### PMN Number P-86-1146

**Chemical name:** (generic) Capped aliphatic isocyanate.

**CAS number:** Not available.

**Effective date of consent order:** April 3, 1987.

**Basis for section 5(e) consent order:** The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to human health.

**Toxicity concern:** Similar chemicals have been shown to cause cancer in test animals.

**Recommended testing:** A 2-year two-species rodent bioassay (40 CFR 798.3300) to help characterize cancer effects.

**CFR citation:** 40 CFR 721.4490.

#### PMN Number P-88-2484

**Chemical name:** (generic) Ethoxylated substituted naphthol.

**CAS number:** Not available.

**Toxicity concern:** The PMN substance will be used as a processing aid. The PMN substance has demonstrated toxicity to aquatic organisms in acute toxicity tests. The fish 96-h LC50 is 2.3 ppm, the daphnid 48-h LC50 is 19 ppm, and the green algae 96-h EC50 is 190 ppm. Based on these data, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 200 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters at concentrations above 200 ppb. EPA has determined that other uses of the substance may result in releases to surface water at concentrations above 200 ppb. Based on this information, the PMN substance meets the concern criteria at 40 CFR 721.170 (b)(4)(iii).

**Recommended testing:** EPA has determined that a chronic daphnid toxicity test (40 CFR 797.1330), a chronic fish toxicity test (40 CFR 797.1600), and an aerobic aquatic biodegradation test (40 CFR 796.3100) will help characterize the environmental effects of the PMN substance.

**CFR citation:** 40 CFR 721.5285.

**PMN Number P-89-538**

**Chemical name:** (generic) Phosphoramidate.

**CAS number:** Not available.

**Effective date of consent order:** October 23, 1992.

**Basis for section 5(e) consent order:** The order was issued under section 5(e)(1)(A)(i) and (ii)(II) of TSCA based on a finding that this substance is expected to be produced in substantial quantities and there may be substantial human and environmental exposures. **Recommended testing:** EPA has determined that the results of the following studies would help characterize possible effects of the substance:

1. A two-species oral developmental toxicity study (40 CFR 798.4900).
2. A water solubility test (40 CFR 796.1840 or 796.1860).
3. A hydrolysis study (40 CFR 796.3500).
4. A fate screening biodegradation test (American Society for Testing and Materials (ASTM) E 47.06).
5. An inherent biodegradation in soil (40 CFR 796.3400).
6. A complete pharmacokinetics (absorption, distribution, metabolism, excretion, and kinetics (40 CFR 795.223)).
7. A 90-day repeated dose oral study in rats (40 CFR 798.2650), which includes: Functional observational battery, neuropathology, and motor activity (National Technical Information Service (NTIS) PB 91-154617).
8. A two-generation reproductive study (40 CFR 798.4700).
9. A 2-year, two-species bioassay (40 CFR 798.3300).

The consent order contains three production volume limits. The PMN submitter has agreed not to exceed the first production volume limit without performing the tests listed above at items 1 through 5. In addition, the PMN submitter has also agreed not to exceed the second and third higher production volume limits without performing tests listed above at items 6 through 8 and 9, respectively.

**CFR citation:** 40 CFR 721.6090.

**PMN Number P-89-867**

**Chemical name:** (generic) Halogenated phenyl alkane.

**CAS number:** Not available.

**Effective date of consent order:** March 24, 1993.

**Basis for section 5(e) consent order:** The order was issued under section 5(e)(1)(A)(i), (ii)(I), and (ii)(II) of TSCA based on findings that this substance may present an unreasonable risk of injury to health and the environment, and that the substance will be produced in substantial quantities and there may be significant or substantial human exposure to the substance.

**Toxicity concern:** Similar substances have been shown to cause cancer, developmental and reproductive toxicity in test animals, and toxicity to fish at concentrations as low as 0.1 ppb.

**Recommended testing:** Incineration testing, using Midwest Research Institute (MRI) guidelines or comparable protocol, to help characterize health effects. The PMN submitter has agreed not to exceed the production limit without performing this test. A 2-year, two-species rodent, cancer bioassay (40 CFR 798.3300) would help characterize carcinogenicity. In addition, EPA has determined that the following tests would be necessary to evaluate possible aquatic toxicity: Fish bioconcentration test (40 CFR 797.1520), fish early life stage toxicity test (40 CFR 797.1600), algal acute toxicity test (40 CFR 797.1050), daphnid chronic toxicity test (40 CFR 797.1330), oyster acute toxicity test (40 CFR 797.1800), tadpole/sediment subchronic test (40 CFR 795.145), and chironomid sediment invertebrate test (40 CFR 795.135). The above aquatic toxicity tests would be required on the likely photolysis products or, in the absence of degradation, the parent PMN substance. The following information is required to identify the test species to be used in the above aquatic tests before testing commences: A laboratory determination of direct photolysis reaction quantum yield in aqueous solution and sunlight photolysis (40 CFR 796.3780) and a gas phase absorption spectra and photolysis test (40 CFR 796.3800).

**CFR citation:** 40 CFR 721.536.

**PMN Number P-90-1840**

**Chemical name:** (generic) Aromatic amino ether.

**CAS number:** Not available.

**Effective date of consent order:** November 5, 1992.

**Basis for section 5(e) consent order:** The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to human health and the environment.

**Toxicity concern:** The PMN substance and similar chemicals have been shown

to cause mutagenicity, carcinogenicity, neurotoxicity (retinopathy), hepatotoxicity, reproductive effects, and aquatic toxicity in test animals at concentrations as low as 1 ppb.

**Recommended testing:** A 90-day subchronic rodent study (oral or inhalation route) with special attention given to hepatotoxicity, histopathological exam of the male and female reproductive organs, and retinopathy is needed to help characterize the neurotoxic, hepatotoxic, and reproductive effects of the PMN substance. The 90-day study must also include for each treatment group a satellite group of exposed animals to be retained for an additional 90-day recovery period to evaluate the possible reversibility of retinopathy. Light and electron microscopy should be utilized to examine the ocular tissue (40 CFR 798.2650, modified). A 2-year, two-species bioassay (40 CFR 798.3300) is also necessary to characterize the carcinogenic potential of the PMN substance. The consent order contains two production volume limits. The PMN submitter has agreed not to exceed the first production volume limit without performing the 90-day subchronic study. The PMN submitter has also agreed not to exceed the second, higher production volume limit without performing the 2-year, two-species bioassay. In addition, an early life stage toxicity study (40 CFR 797.1600), a daphnia chronic toxicity study (40 CFR 797.1330), an algal acute toxicity study (40 CFR 797.1050), and a coupled units test (40 CFR 796.3300) would characterize the potential aquatic toxicity effects.

**CFR citation:** 40 CFR 721.3390.

**PMN Number P-92-44**

**Chemical name:** (generic) Acrylated epoxy phenolic resin.

**CAS number:** Not available.

**Effective date of consent order:** February 17, 1993.

**Basis for section 5(e) consent order:** The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

**Toxicity concern:** Similar chemicals have been shown to cause cancer in test animals.

**Recommended testing:** EPA has determined that a 2-year rodent bioassay (40 CFR 798.3330) will help characterize the cancerous effects of the PMN substance.

**CFR citation:** 40 CFR 721.5910.

**PMN Number P-92-168**

*Chemical name:* Benzenamine, 4-isocyanato-N,N-bis(4-isocyanatophenyl)-2,5-dimethoxy-.  
*CAS number:* 126505-35-9.

*Effective date of consent order:* December 24, 1992.

*Basis for section 5(e) consent order:* The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

*Toxicity concern:* Test data on substances similar in structure to the PMN substance indicate that the PMN substance may cause respiratory sensitization, lung toxicity, and eye irritation in test animals.

*Recommended testing:* EPA has determined that a dermal sensitization study (40 CFR 798.4100) and a pulmonary sensitization study (Karol method or equivalent) will help characterize the sensitization potential of the PMN substance. The Agency has also determined that a 90-day subchronic inhalation study (40 CFR 798.2450) will help characterize the lung effects of the PMN substance. The PMN submitter has agreed not to exceed the production volume limit without performing the pulmonary sensitization study. The PMN submitter has performed and submitted to the Agency the dermal sensitization study.  
*CFR citation:* 40 CFR 721.1068.

**PMN Number P-92-177**

*Chemical name:* (generic) Mixed methyltin mercaptoester sulfides.  
*CAS number:* Not available.

*Effective date of consent order:* December 29, 1992.

*Basis for section 5(e) consent order:* The order was issued under section 5(e)(1)(A)(i), (ii)(I), and (ii)(II) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health and the environment, will be produced in substantial quantities and may reasonably be anticipated to enter the environment in substantial quantities, and there may be significant or substantial human exposure to the substance.

*Toxicity concern:* Similar chemicals have been shown to cause neurotoxicity, liver toxicity, and immunotoxicity in test animals and toxicity to aquatic organisms at concentrations as low as 2 ppb.

*Recommended testing:* The consent order contains two production volume limits. The PMN submitter has agreed not to exceed the first production volume limit without performing water solubility (40 CFR 796.1860), soil

sediment adsorption isotherm (40 CFR 796.2750), and inherent biodegradability in soil (with anaerobic procedure) (40 CFR 796.3400) studies to help characterize the ability of the PMN substance to migrate through soil to ground water. The PMN submitter has also agreed not to exceed the second higher production volume limit without performing a 28-day oral toxicity study in rats (Organization for Economic Cooperation and Development (OECD) guideline 407). The 28-day study shall include, for all all test doses, a neurotoxicity functional observational battery (NTIS guideline PB 91-154617) with the highest dose set at 1,000 mg/kg. For the highest test dose group only, histopathologic examination shall be extended to include testes/ovaries and lungs. The following additional information would be required to evaluate the following effects which may be caused by the PMN substance: Acute algal toxicity (40 CFR 797.1050, static/nominal conditions), acute daphnid toxicity (40 CFR 797.1300, flow-through/measured conditions), and acute fish toxicity (40 CFR 797.1400, flow-through/measured conditions).  
*CFR citation:* 40 CFR 721.5075.

**PMN Number P-92-652**

*Chemical name:* (generic) Substituted phenyl azo substituted benzenediazonium salt.

*CAS number:* Not available.

*Effective date of consent order:* February 26, 1993.

*Basis for section 5(e) consent order:* The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to the environment.

*Toxicity concern:* The PMN substance contains a substituted benzenediazonium moiety. Aromatic diazonium salts are highly toxic to aquatic organisms. Based on quantitative structural activity relationships, the PMN substance is expected to be toxic to fish, daphnia, and algae at levels as low as 1 ppb.  
*Recommended testing:* A 96-h bioassay in algae (40 CFR 797.1050), a 48-h LC50 test in daphnia (40 CFR 797.1300), and two 96-h LC50 tests in fish (40 CFR 797.1400), one for freshwater fish and one with saltwater fish, would help characterize the aquatic toxicity effects of the PMN substance. The algal test should be conducted with static conditions and measured concentrations. The remaining tests should be conducted with flow-through conditions and measured concentrations. These tests should not be conducted with UV light present (e.g.

fluorescent lights). If fluorescent lights are used, glass filters that screen out UV light should be employed.

*CFR citation:* 40 CFR 721.1555.

**PMN Number P-92-660**

*Chemical name:* (generic) Acrylamide-substituted epoxy.

*CAS number:* Not available.

*Effective date of consent order:* March 16, 1993.

*Basis for section 5(e) consent order:* The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to human health and the environment.

*Toxicity concern:* Similar substances have been shown to cause neurotoxicity, liver toxicity, blood toxicity, and cancer in test animals and toxicity to aquatic organisms at concentrations as low as 70 ppb.

*Recommended testing:* The consent order contains two production limits. The PMN submitter has agreed not to exceed the first production limit without performing a dominant lethal assay in rats by the oral route (40 CFR 798.5450). The PMN submitter has also agreed not to exceed the second higher production limit without performing a 90-day inhalation toxicity study in rats (40 CFR 798.2450), with special attention to the pathology of the reproductive organs and with neurotoxicity (including functional observational battery, motor activity, and neuropathology, (NTIS: PB 91-154617)). The following additional information would characterize the following effects which may be caused by the PMN substance:

Information	Effects	Guidelines
2-year rodent bioassay.	cancer	40 CFR 798.3300
algal acute study.	aquatic toxicity	40 CFR 797.1050 (static/nominal conditions)
daphnid acute study.	aquatic toxicity	40 CFR 797.1300 (flow-through/measured conditions)
fish acute study.	aquatic toxicity	40 CFR 797.1400 (flow-through/measured conditions)

*CFR citation:* 40 CFR 721.320.

**PMN Number P-92-686**

*Chemical name:* (generic) Nickel salt of an organo compound containing nitrogen.

*CAS number:* Not available.

*Effective date of consent order:* September 22, 1992.

*Basis for section 5(e) consent order:* The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health and the environment.

*Toxicity concern:* Similar chemicals have been shown to cause skin sensitization, systemic toxicity (blood, immune system, and lungs), mutagenicity, and carcinogenicity in humans and test animals. Based on test data, nickel compounds are acutely and chronically toxic to aquatic organisms. The toxicity values are based on the free nickel ion and correspond to the nickel water criterion standard established under the Clean Water Act. Acute values are 3.4 ppm for all species and chronic values are 380 ppb for all species. The acute concentration of concern (COC) is set at 100 ppb and the chronic COC is set at 40 ppb based on the predicted chronic values and an assessment factor of 10.

*Recommended testing:* A 2-year, two-species rodent, cancer bioassay (40 CFR 798.3300) would help characterize skin sensitization, systemic toxicity (blood, immune system, and lungs), mutagenicity, and carcinogenicity. Acute toxicity tests for algae (40 CFR 797.1050), daphnids (40 CFR 797.1300), and fish (40 CFR 797.1400) would help characterize the aquatic toxicity effects. *CFR citation:* 40 CFR 721.5330.

#### PMN Number P-92-755

*Chemical name:* (generic) Butoxy-substituted ether alkane.

*CAS number:* Not available.

*Effective date of consent order:* September 22, 1992.

*Basis for section 5(e) consent order:* The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

*Toxicity concern:* Similar substances have been shown to cause developmental toxicity, systemic toxicity, and blood effects in test animals.

*Recommended testing:* A 28-day dermal toxicity test in rats (OECD 407) and a developmental toxicity study in two species (one rodent and one nonrodent) would help characterize developmental and systemic effects. The consent order contains two production volume limits. The PMN submitter has agreed not to exceed the first production volume limit without performing a 28-day dermal toxicity study. Dependent on the results of the 28-day test, the Agency may request a developmental toxicity study. The PMN submitter has agreed not to exceed a second higher production

volume limit without performing a developmental toxicity study unless notified by EPA that the developmental toxicity study will not be required. *CFR citation:* 40 CFR 721.3435.

#### PMN Number P-92-1119

*Chemical name:* (generic) Disubstituted diphenylsulfone.

*CAS number:* Not available.

*Effective date of consent order:* March 8, 1993.

*Basis for section 5(e) consent order:* The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to human health and the environment.

*Toxicity concern:* Similar chemicals have been shown to cause cancer, reproductive toxicity, and blood effects in test animals and toxicity to aquatic organisms at concentrations as low as 50 ppb.

*Recommended testing:* A 90-day subchronic study (40 CFR 798.2650) in rats (both sexes) with special attention to the blood and testes is required to help characterize the health effects. The PMN submitter has agreed not to exceed the specified production volume limit without performing the 90-day subchronic study. A 21-day chronic daphnia study (40 CFR 797.1330) and a 96-h algal study (40 CFR 797.1050) would help characterize the environmental effects. *CFR citation:* 40 CFR 721.2575.

#### PMN Number P-92-1125

*Chemical name:* (generic) Substituted nitrobenzene.

*CAS number:* Not available.

*Basis for action:* The PMN substance will be used as a chemical intermediate.

Based on the analogy of the PMN substance to neutral organic compounds, the PMN substance may cause toxicity to aquatic organisms. Based on these data, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 50 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters at concentrations above 50 ppb. EPA has determined that other uses of the substance may result in releases to surface water at concentrations above 50 ppb. Based on this information, the PMN substance meets the concern criteria at § 721.170 (b)(4)(iii).

*Recommended testing:* EPA has determined that an algal toxicity test (40 CFR 797.1050), a daphnid acute toxicity test (40 CFR 797.1300), and a fish acute

toxicity test (40 CFR 797.1400) will help characterize the environmental effects of the PMN substance.

*CFR citation:* 40 CFR 721.1372.

#### PMN Number P-92-1131

*Chemical name:* (generic) Polyoxyalkylene substituted aromatic azo colorant.

*CAS number:* Not available.

*Basis for action:* The PMN substance will be used as a polymeric colorant. Based on the analogy of the PMN substance to similar substances and the expected reduction products, the PMN substance may cause developmental toxicity, mutagenicity, oncogenicity, and toxicity to blood, reproductive organs, spleen, kidney, liver, and thyroid from exposure to the PMN substance via inhalation. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk of injury to human health because the substance would be used in liquid form only. EPA has concerns that use of the substance in other forms, such as a solid or powder, may result in an unreasonable risk. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(1)(i)(C) and (b)(3)(ii).

*Recommended testing:* EPA has determined that the following tests would help characterize the human health effects of the PMN substance: A 90-day subchronic study in rats by the oral route with special attention to the blood, reproductive organs, spleen, kidney, liver, and thyroid (40 CFR 798.2650); an Ames assay with the prival modification (40 CFR 798.5265); and an in vivo mouse micronucleus assay by the oral route (40 CFR 798.5395). Alternatively, a radiolabeled metabolism study by the oral route in rodents to determine the bioavailability of the reduction product of concern would help characterize the human health effects of the PMN substance. *CFR citation:* 40 CFR 721.757.

#### PMN Number P-92-1134

*Chemical name:* (generic) Cyclic phosphazene, methacrylate derivative.

*CAS number:* Not available.

*Effective date of consent order:* December 1, 1992.

*Basis for section 5(e) consent order:* The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

*Toxicity concern:* Similar chemicals have been shown to cause cancer in test animals.

**Recommended testing:** A 2-year rodent bioassay (40 CFR 798.3300) to help characterize cancer effects.  
**CFR citation:** 40 CFR 721.2170

**PMN Number P-92-1313**

**Chemical name:** (generic) Aliphatic difunctional acrylic acid ester.  
**CAS number:** Not available.  
**Effective date of consent order:** March 31, 1993.  
**Basis for section 5(e) consent order:** The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.  
**Toxicity concern:** Similar chemicals have been shown to cause cancer in test animals.  
**Recommended testing:** A 2-year rodent bioassay (40 CFR 798.3330) to help characterize cancer effects.  
**CFR citation:** 40 CFR 721.470.

**PMN Number P-92-1352**

**Chemical name:** (generic) Aliphatic dicarboxylic acid salt.  
**CAS number:** Not available.  
**Basis for action:** The PMN substance will be used in an open, nondispersive use. Based on the analogy of the PMN substance to aliphatic diacids, neutral organic chemicals, and anionic surfactants, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1,000 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to water at concentrations above 1,000 ppb. EPA has determined that other uses of the substance may result in releases to surface waters at concentrations above 1,000 ppb. Based on this information, the PMN substance meets the concern criteria under § 721.170(b)(4)(ii).  
**Recommended testing:** EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and a green algal toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.  
**CFR citation:** 40 CFR 721.2270.

**PMN Number P-92-1364**

**Chemical name:** (generic) Tetramethylammonium salts of alkylbenzenesulfonic acid.  
**CAS number:** Not available.  
**Basis for action:** The PMN substance will be used as an ingredient for photo resists. Based on the analogy of the PMN substance to anionic surfactants, the

PMN substance may cause toxicity to aquatic organisms. Based on these data, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 80 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to water at concentrations above 80 ppb. EPA has determined that uses of the substance other than those described in the PMN may result in releases to surface waters at concentrations above 80 ppb. Based on this information, the PMN substance meets the concern criteria under § 721.170(b)(4)(ii).

**Recommended testing:** EPA has determined that a coupled units test (i.e. a laboratory bench-scale simulation of a publicly owned treatment works (POTW)) with special emphasis on realistic effluent concentration, realistic POTW residence time, and measurement of the amount of surfactant and degradation product would help characterize the environmental effects of the PMN substance.

**CFR citation:** 40 CFR 721.9650.

**PMN Number P-92-1447**

**Chemical name:** (generic) 2-Propenoic acid, reaction product with 2-oxepanone and alkyl triol.  
**CAS number:** Not available.  
**Effective date of consent order:** February 11, 1993.

**Basis for section 5(e) consent order:** The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health or the environment.

**Toxicity concern:** Similar chemicals have been shown to cause cancer in test animals and toxicity to aquatic organisms at concentrations as low as 1 ppb.

**Recommended testing:** The following testing is recommended to help characterize the associated effects:

Information	Effects	Guidelines
2-year rodent bioassay.	cancer	40 CFR 798.3300
algal acute study.	aquatic toxicity	40 CFR 797.1050 (static/nominal conditions)

Information	Effects	Guidelines
daphnid acute study.	aquatic toxicity	40 CFR 797.1300 (flow-through/measured conditions)
fish acute study.	aquatic toxicity	40 CFR 797.1400 (flow-through/measured conditions)

**CFR citation:** 40 CFR 721.8650.

**PMN Number P-93-36**

**Chemical name:** 2-Propenoic acid, docosyl ester.  
**CAS number:** Not available.  
**Effective date of consent order:** March 31, 1993.  
**Basis for section 5(e) consent order:** The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.  
**Toxicity concern:** Similar chemicals have been shown to cause cancer in test animals.  
**Recommended testing:** A 2-year rodent bioassay (40 CFR 798.3330) to help characterize the cancer effects.  
**CFR citation:** 40 CFR 721.8290.

**PMN Numbers P-93-37 and P-93-38**

**Chemical name:** 2-Propenoic acid, C<sub>18-26</sub> and C<sub>>20</sub> alkyl esters.  
**CAS number:** Not available.  
**Effective date of consent order:** March 31, 1993.  
**Basis for section 5(e) consent order:** The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that these substances may present an unreasonable risk of injury to health.  
**Toxicity concern:** Similar chemicals have been shown to cause cancer in test animals.  
**Recommended testing:** A 2-year rodent bioassay (40 CFR 798.3330) to characterize cancer effects.  
**CFR citation:** 40 CFR 721.8265.

**PMN Numbers P-93-212 and P-93-213**

**Chemical name:** (generic) Aromatic amine polyols.  
**CAS number:** Not available.  
**Basis for action:** The PMN substances will be used as components of polyurethane foam insulation. Based on the analogy of the PMN substances to similar substances, EPA is concerned that toxicity to aquatic organisms may occur at concentrations in surface waters as low as 200 ppb in the case of P-93-212 and 2 ppb for P-93-213. EPA determined importation and use of the substances as described in the PMN did

not present an unreasonable risk because the substances would not be released in a manner which would exceed the concentrations of concern. EPA has determined that domestic manufacture of the substances may result in releases to surface waters above the concentrations of concern. Based on this information, the PMN substances meet the concern criteria under § 721.170(b)(4)(ii).

**Recommended testing:** EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and a green algal toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substances.  
*CFR citation:* 40 CFR 721.7450.

#### PMN Number P-93-343

**Chemical name:** (generic) Nitrobenzoic acid octyl ester.

**Basis for action:** The PMN substance will be used as a chemical intermediate. Based on analogy to benzoic esters, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters at concentrations above 1 ppb. EPA has determined that other uses of the substance may result in releases to surface water at concentrations above 1 ppb. Based on this information, the PMN substance meets the concern criteria under § 721.170(b)(4)(iii).

**Recommended testing:** EPA has determined that a fish early life stage toxicity test (40 CFR 797.1600) will help characterize the environmental effects of the PMN substance.  
*CFR citation:* 40 CFR 721.1732.

#### PMN Numbers P-93-352 and P-93-353

**Chemical name:** (generic) Alkylated sulfonated diphenyl oxide, alkali and amine salts.

**CAS number:** Not available.

**Basis for action:** The PMN substances will be used as mineral flotation collectors. Based on the results of acute fish, daphnia, and algae testing on P-93-352, the substances cause toxicity to aquatic organisms. Based on these data, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 20 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because the substances would not be released to surface waters at concentrations above

20 ppb. EPA has determined that other uses of the substances may result in releases to surface water at concentrations above 20 ppb. Based on this information, the PMN substances meet the concern criteria under § 721.170(b)(4)(iii).

**Recommended testing:** EPA has determined that a fish early life stage toxicity test (40 CFR 797.1600) will help characterize the environmental effects of the PMN substances.

*CFR citation:* 40 CFR 721.2565.

#### PMN Number P-93-362

**Chemical name:** (generic)

Alkylenediolalkyl ether.

**CAS number:** Not available.

**Basis for action:** The PMN substance will be used as a solvent. Based on the analogy of the PMN substance to similar alkyl ethers, the PMN substance may cause neurotoxicity and systemic toxicity. EPA has determined that workers exposed to the PMN substance by inhalation may be at risk for these toxic effects. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because significant inhalation exposures did not occur. EPA has determined that domestic manufacture may result in significant inhalation exposures. Based on this information, the substance meets the concern criteria under § 721.170(b)(3)(ii).

**Recommended testing:** EPA has determined that a 90-day oral subchronic study (40 CFR 798.2650) will help characterize the health effects of the PMN substance.

*CFR citation:* 40 CFR 721.3374.

#### PMN Number P-93-458

**Chemical name:** (generic) Alkenyl ether of alkanetriol polymer.

**CAS number:** Not available.

**Basis for action:** The PMN substance will be used as a thickening agent for textile printing. Based on analogy to nonionic surfactants and on the submitted acute aquatic toxicity data, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters at concentrations above 1 ppb. EPA has determined that other uses of the substance may result in releases to surface water at concentrations above 1 ppb. Based on this information, the PMN substance meets the concern criteria under § 721.170(b)(4)(iii).

**Recommended testing:** EPA has determined a chronic 60-day fish early

life stage toxicity test in rainbow trout (40 CFR 797.1600) and a 21-day chronic daphnid toxicity test (40 CFR 797.1350) would help characterize the environmental effects of the substance.  
*CFR citation:* 40 CFR 721.3367.

#### PMN Number P-93-483

**Chemical name:** 1,4-Bis(3-hydroxy-4-benzoylphenoxy)butane.

**CAS number:** Not available.

**Basis for action:** The PMN substance will be used in fibers. Based on analogy to phenols, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters at concentrations above 1 ppb. EPA has determined that other uses of the substance may result in releases to surface water at concentrations above 1 ppb. Based on this information, the PMN substance meets the concern criteria under § 721.170(b)(4)(iii).

**Recommended testing:** EPA has determined a chronic 60-day fish early life stage toxicity test in rainbow trout (40 CFR 797.1600), a 21-day chronic daphnid toxicity test (40 CFR 797.1350), and an algal toxicity test (40 CFR 797.1050) would help characterize the environmental effects of the substance.  
*CFR citation:* 40 CFR 721.1920.

#### PMN Number P-93-498

**Chemical name:** (generic) Polyester polyurethane acrylate.

**CAS number:** Not available.

**Basis for action:** The PMN substance will be used as a resin for UV curable coatings, inks, and adhesives. Based on analogy of the PMN substance to acrylates, the PMN substance may cause cancer from exposure via inhalation. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk of injury to human health because the substance would not be spray-applied. EPA has concerns that other uses of the substance may result in spray application and may result in an unreasonable risk. Based on this information, the PMN substance meets the concern criteria under § 721.170(b)(1)(i)(C).

**Recommended testing:** A 2-year rodent bioassay (40 CFR 798.3300) to characterize the cancer effects.  
*CFR citation:* 40 CFR 721.8082.

#### PMN Number P-93-533

**Chemical name:** (generic) Substituted benzenediazonium.

**CAS number:** Not available.

**Basis for action:** The PMN substance will be used as a site-limited chemical intermediate. Based on analogy of the PMN substance to similar substances which have been demonstrated to cause death in test animals from a single ocular exposure, the PMN substance may also be lethal from acute ocular exposures. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk of injury to human health because use of the substance as a site-limited chemical intermediate and use of chemical safety goggles or equivalent eye protection limited worker exposure. EPA has concerns that uses other than as a site-limited intermediate may cause worker exposure. Based on this information, the PMN substance meets the concern criteria under § 721.170(b)(2).

**Recommended testing:** EPA has determined that an acute eye irritation study would help characterize the human health effects of the PMN substance.

**CFR citation:** 40 CFR 721.1568.

#### IV. Objectives and Rationale of the Rule

During review of the PMNs submitted for the chemical substances that are subject to this SNUR, EPA concluded that for 20 of the substances regulation was warranted under section 5(e) of TSCA pending the development of information sufficient to make reasoned evaluations of the health or environmental effects of the substances. The basis for such findings is outlined in Unit III. of this preamble. Based on these findings, section 5(e) consent orders requiring the use of appropriate controls were negotiated with the PMN submitters; the SNUR provisions for these substances designated herein are consistent with the provisions of the section 5(e) orders.

In the other 15 cases for which the proposed uses are not regulated under a section 5(e) order, EPA determined that one or more of the criteria of concern established at 40 CFR 721.170 were met.

EPA is issuing this SNUR for specific chemical substances which have undergone premanufacture review to ensure the following objectives: That EPA will receive notice of any company's intent to manufacture, import, or process a listed chemical substance for a significant new use before that activity begins; that EPA will have an opportunity to review and evaluate data submitted in a SNUR notice before the notice submitter begins manufacturing, importing, or processing a listed chemical substance for a significant new use; that, when necessary to prevent unreasonable risks, EPA will be able to regulate prospective

manufacturers, importers, or processors of a listed chemical substance before a significant new use of that substance occurs; and that all manufacturers, importers, and processors of the same chemical substance which is subject to a section 5(e) order are subject to similar requirements. Issuance of a SNUR for a chemical substance does not signify that the substance is listed on the TSCA Inventory. Manufacturers, importers, and processors are responsible for ensuring that a new chemical substance subject to a final SNUR is listed on the TSCA Inventory.

#### V. Direct Final Procedure

EPA is issuing these SNURs as direct final rules, as described in 40 CFR 721.160(c)(3) and 721.170(d)(4). In accordance with 40 CFR 721.160(c)(3)(ii), this rule will be effective on December 3, 1993, unless EPA receives a written notice by November 3, 1993 that someone wishes to make adverse or critical comments on EPA's action. If EPA receives such a notice, EPA will publish a notice to withdraw the direct final SNUR(s) for the specific substance(s) to which the adverse or critical comments apply. EPA will then propose a SNUR for the specific substance(s) providing a 30-day comment period. This action establishes SNURs for a number of chemical substances. Any person who submits a notice of intent to submit adverse or critical comments must identify the substance and the new use to which it applies. EPA will not withdraw a SNUR for a substance not identified in a notice.

#### VI. Test Data and Other Information

EPA recognizes that section 5 of TSCA does not require developing any particular test data before submission of a SNUR notice. Persons are required only to submit test data in their possession or control and to describe any other data known to or reasonably ascertainable by them. In cases where a section 5(e) order requires or recommends certain testing, Unit III. of this preamble lists those recommended tests.

However, EPA has established production limits in the section 5(e) orders for several of the substances regulated under this rule, in view of the lack of data on the potential health and environmental risks that may be posed by the significant new uses or increased exposure to the substances. These production limits cannot be exceeded unless the PMN submitter first submits the results of toxicity tests that would permit a reasoned evaluation of the potential risks posed by these

substances. Under recent consent orders, each PMN submitter is required to submit each study at least 14 weeks (earlier orders required submissions at least 12 weeks) before reaching the specified production limit. Listings of the tests specified in the section 5(e) orders are included in Unit III. of this preamble. The SNURs contain the same production volume limits as the consent orders. Exceeding these production limits is defined as a significant new use.

The recommended studies may not be the only means of addressing the potential risks of the substance. However, SNUR notices submitted for significant new uses without any test data may increase the likelihood that EPA will take action under section 5(e), particularly if satisfactory test results have not been obtained from a prior submitter. EPA recommends that potential SNUR notice submitters contact EPA early enough so that they will be able to conduct the appropriate tests.

SNUR notice submitters should be aware that EPA will be better able to evaluate SNUR notices which provide detailed information on:

1. Human exposure and environmental release that may result from the significant new use of the chemical substances.
2. Potential benefits of the substances.
3. Information on risks posed by the substances compared to risks posed by potential substitutes.

#### VII. Procedural Determinations

EPA is establishing through this rule some significant new uses which have been claimed as CBI. EPA has decided it is appropriate to keep this information confidential to protect the interest of the original PMN submitter. EPA promulgated a procedure to deal with the situation where a specific significant new use is CBI. This procedure appears in 40 CFR 721.1725(b)(1) and is similar to that in § 721.11 for situations where the chemical identity of the substance subject to a SNUR is CBI. This procedure is cross-referenced in each of these SNURs.

A manufacturer or importer may request EPA to determine whether a proposed use would be a significant new use under this rule. Under the procedure incorporated from § 721.1725(b)(1), a manufacturer or importer must show that it has a *bona fide* intent to manufacture or import the substance and must identify the specific use for which it intends to manufacture or import the substance. If EPA concludes that the person has shown a *bona fide* intent to manufacture or

import the substance, EPA will tell the person whether the use identified in the *bona fide* submission would be a significant new use under the rule. Since most of the chemical identities of the substances subject to these SNURs are also CBI, manufacturers and processors can combine the *bona fide* submission under the procedure in § 721.1725(b)(1) with that under § 721.11 into a single step.

If a manufacturer or importer is told that the production volume identified in the *bona fide* submission would not be a significant new use, i.e. it is below the level that would be a significant new use, that person can manufacture or import the substance as long as the aggregate amount does not exceed that identified in the *bona fide* submission to EPA. If the person later intends to exceed that volume, a new *bona fide* submission would be necessary to determine whether that higher volume would be a significant new use. EPA is considering whether to adopt a special procedure for use when CBI production volume is designated as a significant new use. Under such a procedure, a person showing a *bona fide* intent to manufacture or import the substance, under the procedure described in § 721.11, would automatically be informed of the production volume that would be a significant new use. Thus the person would not have to make multiple *bona fide* submissions to EPA for the same substance to remain in compliance with the SNUR, as could be the case under the procedures in § 721.1725(b)(1).

#### VIII. Applicability of Rule to Uses Occurring Before Effective Date of the Final Rule

To establish a significant "new" use, EPA must determine that the use is not ongoing. The chemical substances subject to this rule have recently undergone premanufacture review. Section 5(e) orders have been issued for 20 substances and notice submitters are prohibited by the section 5(e) orders from undertaking activities which EPA designates as significant new uses. In cases where EPA has not received an NOC and the substance has not been added to the Inventory, no other person may commence such activities without first submitting a PMN. For substances for which an NOC has not been submitted at this time, EPA has concluded that the uses are not ongoing. However, EPA recognizes in cases when chemical substances identified in this SNUR are added to the Inventory prior to the effective date of the rule, the substances may be manufactured, imported, or processed by other persons

for a significant new use as defined in this rule before the effective date of the rule. However, 29 of the 35 substances contained in this rule have CBI chemical identities, and since EPA has received a limited number of post-PMN *bona fide* submissions, the Agency believes that it is highly unlikely that many, if any, of the significant new uses described in the following regulatory text are ongoing.

As discussed in the Federal Register of April 24, 1990 (55 FR 17376), EPA has decided that the intent of section 5(a)(1)(B) is best served by designating a use as a significant new use as of the date of publication of the rule, rather than as of the effective date of the rule. Thus, persons who begin commercial manufacture, import, or processing of the substances regulated through this SNUR will have to cease any such activity before the effective date of this rule. To resume their activities, these persons would have to comply with all applicable SNUR notice requirements and wait until the notice review period, including all extensions, expires.

EPA has promulgated provisions to allow persons to comply with this SNUR before the effective date. If a person were to meet the conditions of advance compliance under § 721.45(h), the person will be considered to have met the requirements of the final SNUR for those activities. If persons who begin commercial manufacture, import, or processing of the substance between publication and the effective date of the SNUR do not meet the conditions of advance compliance, they must cease that activity before the effective date of the rule. To resume their activities, these persons would have to comply with all applicable SNUR notice requirements and wait until the notice review period, including all extensions, expires.

#### IX. Economic Analysis

EPA has evaluated the potential costs of establishing significant new use notice requirements for potential manufacturers, importers, and processors of the chemical substances subject to this rule. EPA's complete economic analysis is available in the public record for this rule (OPPTS-50612).

#### X. Rulemaking Record

EPA has established a record for this rulemaking (docket control number OPPTS-50612). The record includes information considered by EPA in developing this rule. A public version of the record without any CBI is available in the TSCA Nonconfidential Information Center (NCIC), also known

as, TSCA Public Docket Office, from 8 a.m. to 12 p.m. and 1 p.m. to 4 p.m., Monday through Friday, except legal holidays. NCIC is located in Rm. E-G102, 401 M St., SW., Washington, DC 20460.

#### XI. Regulatory Assessment Requirements

##### A. Executive Order 12291

Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore requires a Regulatory Impact Analysis. EPA has determined that this rule will not be a "major" rule because it will not have an effect on the economy of \$100 million or more, and it will not have a significant effect on competition, costs, or prices. While there is no precise way to calculate the total annual cost of compliance with this rule, EPA estimates that the cost for submitting a significant new use notice would be between \$7,198 and \$8,170, including a \$2,500 user fee payable to EPA to offset EPA costs in processing the notice. In addition, EPA estimates that the cost of recordkeeping requirements for ongoing uses is \$583 per year. EPA believes that, because of the nature of the rule and the substances involved, there will be few SNUR notices submitted. Furthermore, while the expense of a notice and the uncertainty of possible EPA regulation may discourage certain innovation, that impact will be limited because such factors are unlikely to discourage an innovation that has high potential value.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

##### B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (5 U.S.C. 605(b)), EPA has determined that this rule would not have a significant impact on a substantial number of small businesses. EPA has determined that approximately 10 percent of the parties affected by this rule could be small businesses. However, EPA expects to receive few SNUR notices for the substances. Therefore, EPA believes that the number of small businesses affected by this rule will not be substantial, even if all of the SNUR notice submitters were small firms.

##### C. Paperwork Reduction Act.

The information collection requirements contained in this rule have been approved by OMB under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), and have been assigned OMB control number 2070-0012.

Public reporting burden for this collection of information is estimated to vary from 30 to 170 hours per response, with an average of 100 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; and to Office of Management and Budget, Paperwork Reduction Project (2070-0012), Washington, DC 20503.

#### List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous materials, Reporting and recordkeeping requirements, Significant new uses.

Dated: September 24, 1993.

Susan H. Wayland,

Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances.

Therefore, 40 CFR part 721 is amended as follows:

#### PART 721—[AMENDED]

1. The authority citation for part 721 continues to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625(c).

2. By adding new § 721.320 to subpart E to read as follows:

#### § 721.320 Acrylamide-substituted epoxy.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as acrylamide-substituted epoxy (PMN P-92-660) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(ii), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(i), (a)(6)(i), (a)(6)(ii), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.*

Requirements as specified in § 721.72(a), (b), (c), (d), (f), (g)(1)(iii), (g)(1)(iv), (g)(1)(vi), (g)(1)(vii), (g)(2)(i), (g)(2)(ii), (g)(2)(iii), (g)(2)(iv), (g)(2)(v), (g)(3)(i), (g)(3)(ii), (g)(4)(iii), and (g)(5).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

3. By adding new § 721.470 to subpart E to read as follows:

#### § 721.470 Aliphatic difunctional acrylic acid ester.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as aliphatic difunctional acrylic acid ester (PMN P-92-1313) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.*

Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (h)(1)(i)(A), (h)(1)(i)(B), (h)(1)(i)(C), (h)(1)(vi), (h)(2)(i)(B), (h)(2)(i)(C), (h)(2)(i)(D), and (h)(2)(iii)(A).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

4. By adding new § 721.536 to subpart E to read as follows:

#### § 721.536 Halogenated phenyl alkane.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified

generically as halogenated phenyl alkane (PMN P-89-867) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply once the substance has been incorporated into a resin.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(3), (a)(4), (a)(5)(iv), (a)(5)(v), (6)(i), (b) (concentration set at 0.1 percent), and (c). As an alternative to the respiratory requirements in this section, manufacturers, importers, and processors may use the New Chemical Exposure Limits provisions, including sampling and analytical methods which have previously been approved by EPA for this substance, found in the 5(e) consent order for this substance. As an alternative to the respiratory requirements in this section manufacturers, importers, and processors may use the New Chemical Exposure Limits provisions, including sampling and analytical methods which have previously been approved by EPA for this substance, found in the 5(e) consent order for this substance.

(ii) *Hazard communication program.*

Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (g)(1)(vii), (g)(2)(iv), (g)(2)(v), (g)(3)(ii), (g)(4)(iii), and (g)(5).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(v) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

5. By adding new § 721.757 to subpart E to read as follows:

#### § 721.757 Polyoxyalkylene substituted aromatic azo colorant.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as polyoxyalkylene substituted aromatic azo colorant (PMN

P-92-1131) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(w)(1) and (w)(2).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

6. By adding new § 721.1068 to subpart E to read as follows:

**§ 721.1068 Benzenamine, 4-isocyanato-N,N-bis(4-isocyanatophenyl)-2,5-dimethoxy-**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as benzenamine, 4-isocyanato-N,N-bis(4-isocyanatophenyl)-2,5-dimethoxy- (PMN P-92-168) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(3), (a)(4), (a)(5)(iv), (a)(5)(v), (a)(5)(vi), (a)(5)(vii), (a)(6)(ii), (b) (concentration set at 1.0 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 1.0 percent), (f), (g)(1)(i), (g)(1)(ii), (g)(2)(i), (g)(2)(ii), (g)(2)(iii), (g)(2)(iv), (g)(2)(v), and (g)(5).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(p) (22,000 kg).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

7. By adding new § 721.1372 to subpart E to read as follows:

**§ 721.1372 Substituted nitrobenzene.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as a substituted nitrobenzene (PMN P-92-1125) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 50 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

8. By adding new § 721.1555 to subpart E to read as follows:

**§ 721.1555 Substituted phenyl azo substituted benzenediazonium salt.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a substituted phenyl azo substituted benzenediazonium salt (PMN P-92-652) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (f), (g)(3)(ii), (g)(4)(iii), and (g)(5).

(ii) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), (f), (g), (h), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

9. By adding new § 721.1568 to subpart E to read as follows:

**§ 721.1568 Substituted benzenediazonium.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a substituted benzenediazonium (PMN P-93-533) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(h).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

10. By adding new § 721.1728 to subpart E to read as follows:

**§ 721.1728 Benzoic acid, 2-(3-phenylbutylidene)amino-, methyl ester.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as benzoic acid, 2-(3-phenylbutylidene)amino-, methyl ester (PMN P-85-1211) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(p) (10,600 kg).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

11. By adding new § 721.1732 to subpart E to read as follows:

**§ 721.1732 Nitrobenzoic acid octyl ester.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as nitrobenzoic acid octyl ester (PMN P-93-343) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 1 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

12. By adding new § 721.1920 to subpart E to read as follows:

**§ 721.1920 1,4-Bis(3-hydroxy-4-benzoylphenoxy)butane.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as 1,4-bis(3-hydroxy-4-benzoylphenoxy)butane (PMN P-93-483) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 1 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

13. By adding new § 721.2170 to subpart E to read as follows:

**§ 721.2170 Cyclic phosphazene, methacrylate derivative.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as cyclic phosphazene, methacrylate derivative (PMN P-92-1134), is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.*

Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (h)(1)(i)(A), (h)(1)(i)(B), (h)(1)(i)(C), (h)(1)(vi), (h)(2)(i)(B), (h)(2)(i)(C), (h)(2)(i)(D), and (h)(2)(iii)(A).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

14. By adding new § 721.2270 to subpart E to read as follows:

**§ 721.2270 Aliphatic dicarboxylic acid salt.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as aliphatic dicarboxylic acid salt (PMN P-92-1352) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 1,000 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

15. By adding new § 721.2565 to subpart E to read as follows:

**§ 721.2565 Alkylated sulfonated diphenyl oxide, alkali and amine salts.**

(a) *Chemical substances and significant new uses subject to reporting.*

(1) The chemical substances identified as alkylated sulfonated diphenyl oxide, alkali salt (PMN P-93-352) and alkylated sulfonated diphenyl oxide, amine salt (PMN P-93-353) are subject to reporting under this section for the

significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 20 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

16. By adding new § 721.2575 to subpart E to read as follows:

**§ 721.2575 Disubstituted diphenylsulfone.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as disubstituted diphenylsulfone (PMN P-92-1119) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(3), (a)(4), (a)(5)(i), (a)(5)(ii), (a)(5)(iv), (a)(5)(v), (a)(6)(i), (a)(6)(ii), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (f), (g)(1)(vi), (g)(1)(vii), (g)(2)(iii), (g)(2)(iv), (g)(2)(v), (g)(3)(ii), (g)(4)(iii), and (g)(5). The following additional statements shall appear on each label and MSDS as required by this paragraph: This substance may cause blood effects.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f), (o), and (q).

(iv) *Release to water.* Requirements as specified in § 721.90(b)(1) and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

17. By adding new § 721.3367 to subpart E to read as follows:

**§ 721.3367 Alkenyl ether of alkanetriol polymer.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as alkenyl ether of alkanetriol polymer (PMN P-93-458) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 1 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

18. By adding new § 721.3374 to subpart E to read as follows:

**§ 721.3374 Alkylenediolalkyl ether.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as an alkylenediolalkyl ether (PMN P-93-362) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial and consumer activities.* Requirements as specified in § 721.80(f).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

19. By adding new § 721.3390 to subpart E to read as follows:

**§ 721.3390 Aromatic amino ether.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance generically identified as aromatic amino ether

(PMN P-90-1840) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply once the substance has been incorporated into a final product with residual monomer 50 ppm by weight.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(ii), (a)(2)(iii), (a)(3), (a)(4), (a)(5)(i), (a)(6)(i), (b) (concentration set at 0.1 percent), and (c). For gloves, a significant new use of the substance is any manner or method of manufacturing, importing, or processing associated with any use of the substance without establishing a program whereby the employer is able to demonstrate that the gloves selected provide an impervious barrier to prevent dermal exposure during normal and expected duration and conditions of exposure within the work area by testing the material used to make the gloves and the construction of the gloves to establish that they will be impervious for the expected duration and conditions of exposure. The testing must subject the gloves to the expected conditions of exposure, including the likely combinations of chemical substances to which the gloves may be exposed in the work area. There must be no permeation of the PMN substance greater than 2 ppm after 8 h of testing in accordance with the American Society for Testing and Materials (ASTM) F739 "Standard Test Method for Resistance of Protective Clothing Materials to Permeation by Liquids or Gases" and ASTM F1194 "Guide for Documenting the Results of Chemical Permeation Testing of Protective Clothing Materials." The employer must submit all test data to the Agency and must receive the Agency's written approval of the test results for each type of glove tested prior to use of such gloves. Gloves may not be used for a time period longer than they are actually tested and must be replaced at the end of the work shift. As an alternative to the respiratory requirements in this section, manufacturers, importers, and processors may use the New Chemical Exposure Limits provisions, including sampling and analytical methods which have previously been approved by EPA for this substance, found in the 5(e) consent order for this substance.

(ii) *Hazard communication program.*

Requirements as specified in § 721.72(a), (b), (c), (d), (e)

(concentration set at 0.1 percent), (f), (g)(1)(vi), (g)(1)(vii), (g)(2)(i), (g)(2)(ii), (g)(2)(iii), (g)(2)(iv), (g)(2)(v), (g)(3)(i),

(g)(3)(ii), (g)(4)(i), and (g)(5). The following additional statements shall appear on each label and MSDS as required by this paragraph: This substance may cause liver damage. This substance may cause retinopathy.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(l) and (q).

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), (c)(4) (where N = 1 ppb). When calculating the surface water concentrations according to the instructions in the introductory text of § 721.91(a)(4), the statement that the amount of the substance that will be released will be calculated before the substance enters control technology does not apply. Instead, if the waste stream containing the substance will be treated before release, the amount of the substance reasonably likely to be removed from the waste stream by such treatment may be subtracted in calculating the number of kilograms released. No more than 45 percent removal efficiency may be attributed to such treatment.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

20. By adding new § 721.3435 to subpart E to read as follows:

**§ 721.3435 Butoxy-substituted ether alkane.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as butoxy-substituted ether alkane (PMN P-92-755) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(ii), (a)(2)(iii), (a)(3), (b) (concentration set at 1.0 percent), and (c). In addition, the employer must be able to demonstrate that the gloves selected for handling the chemical substance provide an impervious barrier to prevent dermal exposure during normal and expected duration and conditions of exposure

within the work area by testing the material used to make the gloves and the construction of the gloves to establish that they will be impervious for the expected duration and conditions of exposure. The testing must subject the gloves to the expected conditions of exposure, including the likely combinations of chemical substances to which the gloves may be exposed in the work area. There must be no permeation of the gloves by the chemical substance (or an EPA-approved analogue) greater than 0.16  $\mu\text{g}/\text{cm}^2/\text{min}$  after 8 h of testing in accordance with the most recent versions of the American Society for Testing and Materials (ASTM) F739 "Standard Test Method for Resistance of Protective Clothing Materials to Permeation by Liquids or Gases" and ASTM F1194 "Guide for Documenting the Results of Chemical Permeation Testing of Protective Clothing Materials." The employer must submit all test data to the Agency and must receive written Agency approval of the test results for each type of glove tested prior to use of such gloves. Nitrile gloves with a minimum thickness of 0.5588 mm have already been tested and found to satisfy the terms of this section. Gloves contaminated with the PMN substance shall be disposed of after every work shift.

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 1.0 percent), (f), (g)(1)(ix), (g)(2)(i), (g)(2)(v), and (g)(5). In addition, the human health hazard statements shall include a statement that this substance may cause systemic toxicity and blood effects.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(g) and (q).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) and records documenting compliance with the glove permeability testing requirements of this section are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

21. By adding new § 721.4490 to subpart E to read as follows:

**§ 721.4490 Capped aliphatic isocyanate.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a capped aliphatic isocyanate (PMN P-86-1146) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(v), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (d), (e) (concentration set at 0.1 percent), (f), (h)(1)(ii)(G), (h)(1)(iii)(A), (h)(1)(iii)(B), (h)(1)(iii)(D), and (h)(1)(iii)(E).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(h).

(iv) *Disposal.* Requirements as specified in § 721.90 (a)(1), (a)(2), (b)(1), (b)(2), (c)(1), and (c)(2).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b) through (g), (i), and (j) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

22. By adding new § 721.5075 to subpart E to read as follows:

**§ 721.5075 Mixed methyltin mercaptoester sulfides.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance generically identified as mixed methyltin mercaptoester sulfides (PMN P-92-177) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (f), (g)(1)(i), (g)(1)(iii), (g)(1)(iv), (g)(1)(viii), (g)(2)(i), (g)(2)(ii), (g)(2)(iii), (g)(3)(i), (g)(3)(ii), (g)(4)(i), and (g)(5).

(ii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(iii) *Disposal.* Requirements as specified in § 721.85(a)(1) and (a)(2) (only in a facility permitted to landfill Resources Conservation and Recovery Act (RCRA) hazardous wastes with the

landfill operated in accordance with subtitle C of RCRA).

(v) *Release to water.* Requirements as specified in § 721.90(a)(4) (where N = 2 ppb).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), (f) through (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

23. By adding new § 721.5285 to subpart E to read as follows:

**§ 721.5285 Ethoxylated substituted naphthol.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as an ethoxylated substituted naphthol (PMN P-88-2484) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 200 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

24. By adding new § 721.5330 to subpart E to read as follows:

**§ 721.5330 Nickel salt of an organo compound containing nitrogen.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance generically identified as nickel salt of an organo compound containing nitrogen (PMN P-92-686) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in

§ 721.63(a)(1), (a)(3), (a)(4), (a)(5)(i), (a)(5)(ii), (a)(5)(iii), (a)(6)(i), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (f), (g)(1)(ii), (g)(1)(vii), (g)(1)(viii), (g)(2)(iii), (g)(2)(iv), (g)(2)(v), (g)(3)(ii), (g)(4)(i), and (g)(5). The following additional statements shall appear on each label and MSDS as required by this paragraph: This substance may cause skin sensitization. This substance may cause blood effects.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(b), (c), and (k).

(iv) *Disposal.* Requirements as specified in § 721.85(a)(2) (landfill operated in accordance with subtitle C of the Resource Conservation and Recovery Act (RCRA) to receive nickel wastes), § 721.85(b)(2) (landfill operated in accordance with subtitle C of RCRA to receive nickel wastes), and § 721.85(c)(2) (landfill operated in accordance with subtitle C of RCRA to receive nickel wastes).

(v) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 40 ppb).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

25. By adding new § 721.5910 to subpart E to read as follows:

**§ 721.5910 Acrylated epoxy phenolic resin.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as acrylated epoxy phenolic resin (PMN P-92-44) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (h)(1)(i)(A), (h)(1)(i)(B), (h)(1)(i)(C),

(h)(1)(vi), (h)(2)(i)(B), (h)(2)(i)(C), (h)(2)(i)(D), and (h)(2)(iii)(A).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

26. By adding new § 721.6090 to subpart E to read as follows:

**§ 721.6090 Phosphoramidate.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as phosphoramidate (P-89-538) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Hazard communication program.* A significant new use of this substance is any manner or method of manufacture, import, or processing associated with any use of this substance without providing risk notification as follows:

(A) If as a result of the test data required under the section 5(e) consent order for this substance, the employer becomes aware that this substance may present a risk of injury to human health, the employer must incorporate this new information, and any information on methods for protecting against such risk, into an MSDS as described in § 721.72(c) within 90 days from the time the employer becomes aware of the new information. If this substance is not being manufactured, imported, processed, or used in the employer's workplace, the employer must add the new information to an MSDS before the substance is reintroduced into the workplace.

(B) The employer must ensure that persons who will receive, or who have received this substance from the employer within 5 years from the date the employer becomes aware of the new information described under paragraph (a)(2)(i)(A) of this section, are provided an MSDS as described in § 721.72(c) containing the information required under paragraph (a)(2)(i)(A) of this section within 90 days from the time the

employer becomes aware of the new information.

(ii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (h), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

27. By adding new § 721.7450 to subpart E to read as follows:

**§ 721.7450 Aromatic amine polyols.**

(a) *Chemical substances and significant new uses subject to reporting.*

(1) The chemical substances identified generically as aromatic amine polyols (PMNs P-93-212 and P-93-213) are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) and (i) are applicable to manufacturers, importers, and processors of these substances.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

28. By adding new § 721.8082 to subpart E to read as follows:

**§ 721.8082 Polyester polyurethane acrylate.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as polyester polyurethane acrylate (PMN P-93-498) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(y)(1).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

29. By adding new § 721.8265 to subpart E to read as follows:

**§ 721.8265 2-Propenoic acid, C<sub>18-26</sub> and C<sub>>20</sub> alkyl esters.**

(a) *Chemical substances and significant new uses subject to reporting.*

(1) The chemical substances identified as 2-propenoic acid, C<sub>18-26</sub> alkyl ester (P-93-37) and 2-propenoic acid, C<sub>>20</sub> alkyl esters (P-93-38) are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.*

Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (h)(1)(i)(A), (h)(1)(i)(B), (h)(1)(i)(C), (h)(1)(vi), (h)(2)(i)(B), (h)(2)(i)(C), (h)(2)(i)(D), and (h)(2)(iii)(A).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

30. By adding new § 721.8290 to subpart E to read as follows:

**§ 721.8290 2-Propenoic acid, docosyl ester.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as 2-propenoic acid, docosyl ester (PMN P-93-36) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.*

Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (h)(1)(i)(A), (h)(1)(i)(B), (h)(1)(i)(C), (h)(1)(vi), (h)(2)(i)(B), (h)(2)(i)(C), (h)(2)(i)(D), and (h)(2)(iii)(A).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

31. By adding new § 721.8650 to subpart E to read as follows:

**§ 721.8650 2-Propenoic acid, reaction product with 2-oxepanone and alkyltriol.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as 2-propenoic acid, reaction product with 2-oxepanone and alkyltriol (PMN P-92-1447) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.*

Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (g)(3)(i), (g)(3)(ii), (g)(4)(iii), (h)(1)(i)(A), (h)(1)(i)(B), (h)(1)(i)(C), (h)(1)(vi), (h)(2)(i)(B), (h)(2)(i)(C), (h)(2)(i)(D), and (h)(2)(iii)(A).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

32. By adding new § 721.9510 to subpart E to read as follows:

**§ 721.9510 Silicone ester polyacrylate.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a silicone ester polyacrylate (PMN P-85-296), is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.*

Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (h)(1)(i)(A), (h)(1)(i)(B), (h)(1)(i)(C), (h)(1)(vi), (h)(2)(i)(B), (h)(2)(i)(C), (h)(2)(i)(D), and (h)(2)(iii)(A).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(iv) *Disposal.* Requirements as specified in § 721.85 (a)(1), (a)(2), (b)(1), (b)(2), (c)(1), and (c)(2).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (j) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

33. By adding new § 721.9650 to subpart E to read as follows:

**§ 721.9650 Tetramethylammonium salts of alkylbenzenesulfonic acid.**

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as tetramethylammonium salts of alkylbenzenesulfonic acid (PMN P-92-1364) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 80 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part

apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

[FR Doc. 93-24293 Filed 10-1-93; 8:45 am]

BILLING CODE 6560-50-F