

Mississippi is today seeking authority to administer the following Federal requirements promulgated on July 1, 1992–June 30, 1993, for RCRA III.

Federal requirement	FR reference	FR promulgation date
Checklist 107: Oil Filter Exclusion .....	57 FR 29220 .....	7/1/92
Checklist 108: Toxicity Characteristic Revision; Technical Correction .....	57 FR 30657 .....	7/10/92
Checklist 109: Land Disposal Restrictions for Newly Listed Wastes and Hazardous Debris .....	57 FR 37194 .....	8/18/92
Checklist 110: Coke By-Products Listing .....	57 FR 37284 .....	8/18/92
Checklist 112: Recycled Used Oil Management Standards .....	57 FR 41566 .....	9/10/92
Checklist 113: Consolidated Liability Requirements .....	53 FR 33938 .....	9/1/88
	56 FR 30200 .....	7/1/91
	57 FR 42832 .....	9/16/92
Checklist 115: Reportable Quantity Adjustment, Chlorinated Toluene Production Wastes .....	57 FR 47376 .....	10/15/92
Checklist 118: Liquids in Landfills .....	57 FR 54452 .....	11/18/92
Checklist 119: Toxicity Characteristic Revision; Correction .....	57 FR 55114 .....	11/24/92
	58 FR 6854 .....	2/2/93
Checklist 120: Wood Preserving; Technical Amendment .....	57 FR 61492 .....	12/24/92
Checklist 122: Recycled Used Oil Management Standards; Technical Amendments .....	58 FR 26420 .....	5/3/93
Checklist 124: Land Disposal Restrictions for Ignitable and Corrosive Characteristic Wastes .....	58 FR 29860 .....	5/24/93

Mississippi's application for these program revisions meet all of the statutory and regulatory requirements established by RCRA. Accordingly, Mississippi is granted final authorization to operate its hazardous waste program as revised.

Mississippi now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out other aspects of the RCRA program, subject to the limitations of its program revision application and previously approved authorities. Mississippi also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under Section 3007 of RCRA and to take enforcement actions under Section 3008, 3013, and 7003 of RCRA.

**Compliance With Executive Order 12866**

The Office of Management and Budget has exempted this rule from the requirements of Section 6 of Executive Order 12866.

**Certification Under the Regulatory Flexibility Act**

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This

authorization effectively suspends the applicability of certain Federal regulations in favor of Mississippi's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

**List of Subjects in 40 CFR Part 271**

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

**Authority:** This notice is issued under the authority of Sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended (42 U.S.C. 6912(a), 6926, 6974(b)).

Dated: August 18, 1995.

**Patrick M. Tobin,**

*Acting Regional Administrator.*

[FR Doc. 95-21279 Filed 8-29-95; 8:45 am]

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**40 CFR Part 721**

[OPPTS-50622; FRL-4926-2]

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 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 October 30, 1995. This rule shall be

promulgated for purposes of judicial review at 1 p.m. Eastern Standard Time on September 13, 1995. If EPA receives notice before September 29, 1995 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-50622 and the names of the chemical substances subject to the comment. All comments should be sent in triplicate to: OPPT Document Control Officer (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-G99, 401 M St., SW., 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.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: [ncic@epamail.epa.gov](mailto:ncic@epamail.epa.gov). Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number OPPTS-50622. No CBI should be submitted through e-mail. Electronic comments on this final rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in Unit X. of this document.

**FOR FURTHER INFORMATION CONTACT:**

Susan B. Hazen, Director, Environmental Assistance Division (7408), 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, e-mail: [TSCA-Hotline@epamail.epa.gov](mailto:TSCA-Hotline@epamail.epa.gov).

**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 at 40 CFR part 721, subpart A. 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. Provisions relating to 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. Such persons 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 of this rule. The specific uses which are designated as significant new uses are cited in the regulatory text of this document 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 (SNUN) 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 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.

EPA is not publishing SNURs for P-93-1231, P-93-1315, P-94-212, P-94-343/344, P-94-506/507/508/509, P-94-615/616, P-94-697 through P-94-895, P-94-919, P-94-1080, P-94-1484, P-94-1561/1562/1563/1564, P-94-1634/1635/1636/1637/1638/1639, P-94-1705, and P-94-1771, which are subject to a final TSCA 5(e) consent order. The 5(e) consent orders for these substances are derived from an exposure finding based solely on substantial production volume and significant or substantial human exposure and/or release to the environment of substantial quantities. For these cases there were limited or no toxicity data available for the PMN substances. In such cases, EPA regulates the new chemical substances 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. 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.

On March 29, 1994, EPA received a SNUN, P-94-1218, for 1,1,1-trifluoroethane which is subject to a SNUR at 40 CFR 721.4390. The submitter was notifying EPA that it intended to exceed the production volume limit for the substance. EPA allowed the 90-day review period to expire without taking any action. EPA is in the process of revoking the SNUR based on toxicity testing received for the substance. EPA is issuing this explanation and notification as required in section 5(g) of TSCA as it has not initiated any action to prohibit or limit

manufacture, process, distribute in commerce, use, or dispose of 1,1,1-trifluoroethane with respect to which notification or data was required by the SNUR.

The designation L-91-87 for the substance with the generic name "substituted phenol" denotes a low-volume exemption which is an exemption to premanufacture requirements of section 5(a)(1)(A) of TSCA. The terms and requirements are described in § 723.50.

#### PMN Number P-85-619

*Chemical name:* (generic) Tetrasubstituted aminocarboxylic acid.  
*CAS number:* Not available.  
*Effective date of section 5(e) consent order:* August 4, 1994.

*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:* Test data on substances similar in structure to the PMN substance have been shown to cause carcinogenicity and mutagenicity in test animals and toxicity to aquatic organisms.

*Recommended testing:* EPA has determined that the results of a 2-year two-species rodent bioassay (40 CFR 798.3300) would help characterize the carcinogenic effects of the PMN substance. A 96-hour bioassay in algae (40 CFR 797.1050) and a 96-hour LC50 study in fish (40 CFR 797.1400) would help to characterize the environmental effects of the substance.

*CFR citation:* 40 CFR 721.2089.

#### PMN Number P-85-941

*Chemical name:* (generic) Substituted alkylamine salt.

*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as described in the PMN. Based on test data on the substance, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 70 ppb (parts per billion) 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 above a concentration of 70 ppb. EPA has determined that other uses of the substance may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(i).  
*Recommended testing:* EPA has determined that 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 would help characterize the environmental effects of the PMN substance.  
*CFR citation:* 40 CFR 721.562.

#### PMN Number P-86-1491

*Chemical name:* (generic) 3-Hydroxy-1,1-dimethylbutyl derivative.

*CAS number:* Not available.

*Effective date of section 5(e) consent order:* January 21, 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:* Test data on substances similar in structure to the PMN substance have been shown to cause carcinogenicity in test animals.  
*Recommended testing:* EPA has determined that the results of a 2-year two-species rodent bioassay (40 CFR 798.3300) would help characterize the carcinogenic effects of the PMN substance

*CFR citation:* 40 CFR 721.4466.

#### PMN Number P-87-1036

*Chemical name:* (generic) Substituted 1,6-dihydroxynaphthalene.

*CAS number:* Not available.

*Effective date of section 5(e) consent order:* October 30, 1987.

*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 human health and that this substance is expected to be produced in substantial quantities and that there may be significant or substantial human exposure.

*Toxicity concern:* Test data on substances similar in structure to the PMN substance have been shown to cause carcinogenicity and reproductive effects in test animals.

*Recommended testing:* EPA has determined that the results of a 90-day subchronic dermal study (40 CFR 798.2650) and a 2-year two-species rodent bioassay (40 CFR 798.3300) would help characterize the health effects of the PMN substance. The PMN submitter has agreed not to exceed the production volume limit without performing the 90-day subchronic study.

*CFR citation:* 40 CFR 721.5192.

#### PMN Numbers P-88-998/999

*Chemical name:* (generic) Fluorene-containing diaromatic amines.

*CAS number:* Not available.

*Basis of action:* The PMN substances will be used as matrix resins. Based on data on the PMN substances, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 1 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 did not exceed a concentration of 1 ppb when released to surface waters. EPA has determined that other uses may result in releases to surface waters above 1 ppb. Based on this information, the PMN substances meet the concern criteria at § 721.170(b)(4)(i).

*Recommended testing:* EPA has determined that 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 would help characterize the environmental effects of the PMN substances.  
*CFR citation:* 40 CFR 721.3760.

#### PMN Number P-91-818

*Chemical name:* (generic) Alkyl di(alkyl oxyhydroxypropyl) derivative, phosphoric acid esters, potassium salts.  
*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as a mining chemical. Based on data on the PMN substance, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 30 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 did not exceed a concentration of 30 ppb when released to surface waters. EPA has determined domestic manufacture or consumer use may result in releases to surface waters above 30 ppb. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(i).

*Recommended testing:* EPA has determined that 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 would help characterize the environmental effects of the PMN substance.  
*CFR citation:* 40 CFR 721.6110.

#### PMN Number P-93-633

*Chemical name:* (generic) Aliphatic ester.

*CAS number:* Not available.

*Effective date of section 5(e) consent order:* September 28, 1994.

*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 liver and developmental toxicity in test animals.  
*Recommended testing:* The Agency has determined that the results of a 90-day subchronic toxicity (40 CFR 798.2650) and developmental toxicity (oral route) (40 CFR 798.4900) studies would help characterize liver and developmental effects.

*CFR citation:* 40 CFR 721.2815.

#### PMN Number P-93-955

*Chemical name:* (generic) Formaldehyde, polymer with substituted phenols, glycidyl ether.

*CAS number:* Not available.

*Effective date of section 5(e) consent order:* June 16, 1994.

*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:* The PMN substance has been shown to cause systemic effects in test animals. Similar chemicals have been shown to cause systemic toxicity, reproductive toxicity, mutagenicity, and oncogenicity in test animals. Similar chemicals have been shown to cause toxicity to aquatic organisms.

*Recommended testing:* A 90-day subchronic (oral) toxicity test with special attention to the testes will help to characterize the systemic and reproductive effects. The PMN submitter has agreed not to exceed the production volume limit without performing this test. A 2-year, two-species rodent (oral) bioassay study (40 CFR § 798.3300) would be required to evaluate the potential oncogenic effects of the PMN substance. A 96-hour bioassay in algae (40 CFR 797.1050), a 48-hour LC50 test in daphnia (40 CFR 797.1300), and a 96-hour LC50 test in freshwater fish (40 CFR 797.1400) would be required to evaluate the environmental effects which may be caused by 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. To evaluate worker exposure from the potential dusting of the PMN substance, simulation of shipping and handling conditions using the following 2-step set of tests from the current version of the American Society of Testing and Materials (ASTM) guidelines would be required. Drop tests for the PMN

substance in their shipping containers should be conducted according to ASTM Method D959—Drop test for Filled Bags and ASTM Method D997—Drop Test for Loaded Cylindrical Containers. The PMN substance in the bags or containers in the studies above should be tested using ASTM Method D999—Vibration Testing of Shipping Containers.

After the 2-step set of tests is complete, the particle size distribution of the PMN substance from the shipping containers should be measured using ASTM Method D 1921—Standard Test Methods for Particle Size (Sieve Analysis) of Plastic Materials, using wire-cloth sieves meeting the requirements of ASTM D11—Standard Specifications for Wire-Cloth Sieves for Testing Purposes.  
*CFR citation:* 40 CFR 721.7046.

#### PMN Number P-93-987

*Chemical name:* (generic) Mixture of nitrated alkylated phenols.

*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as a polymerization inhibitor. Based on test data on the substance, EPA is concerned that toxicity to aquatic organisms may occur at concentrations 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 above a concentration of 1 ppb. EPA has determined that other uses of the substance may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(i).  
*Recommended testing:* EPA has determined that 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 would help characterize the environmental effects of the PMN substance.  
*CFR citation:* 40 CFR 721.5769.

#### PMN Number P-93-1649

*Chemical name:* (generic) Alkylated urea.

*CAS number:* Not available.

*Effective date of section 5(e) consent order:* August 25, 1994.

*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 neurotoxicity

and developmental toxicity in test animals.

*Recommended testing:* A dermal developmental toxicity study (40 CFR 798.4900) and a 90-day dermal subchronic study (40 CFR 798.2250 and NTIS: PB91-154617) would help characterize the potential adverse neurotoxic and developmental effects of this 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 dermal developmental toxicity study. The PMN submitter has also agreed not to exceed the second production volume limit without performing the 90-day dermal subchronic study.  
*CFR citation:* 40 CFR 721.9892.

#### PMN Number P-94-24

*Chemical name:* Ethanaminium, N-ethyl-2-hydroxy-N,N-bis(2-hydroxyethyl)-, diester with C<sub>12-18</sub> fatty acids, ethyl sulfates (salts).  
*CAS number:* Not available.  
*Effective date of section 5(e) consent order:* April 24, 1994.  
*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 the environment, is expected to be produced in substantial quantities, and may reasonably be expected to enter the environment in substantial quantities.

*Recommended testing:* EPA has also determined that a modified SCAS test (semicontinuous activated sludge procedure), a soil sediment adsorption isotherm test (40 CFR 796.2750), a fish acute toxicity study modified with humic acid (40 CFR 797.1400), a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize possible environmental effects of the substance. The PMN submitter has agreed not to exceed the production volume limit without performing these tests.  
*CFR citation:* 40 CFR 721.3152.

#### PMN Number P-94-47

*Chemical name:* (generic) Polyurethane polymer.  
*CAS number:* Not available.  
*Effective date of section 5(e) consent order:* August 3, 1994.  
*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 respiratory and dermal sensitization in test animals.

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

*CFR citation:* 40 CFR 721.8090.

#### PMN Number P-94-1042

*Chemical name:* (generic) Methylenebis benzotriazolyl phenols.

*CAS number:* Not available.

*Effective date of section 5(e) consent order:* September 1, 1994.

*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 systemic and reproductive toxicity in test animals.

*Recommended testing:* A 90-day gavage study in rats (40 CFR § 798.2650) to help characterize systemic and reproductive effects. The PMN submitter has agreed not to exceed the production volume limit without performing this test.

*CFR citation:* 40 CFR 721.5763.

#### PMN Number P-94-1453

*Chemical name:* (generic) Hydrochloro fluorocarbon.

*Basis of action:* The PMN substance will be used as an intermediate. Based on analogy to similar substances, the PMN substance may cause cancer and cardiac sensitization. EPA has determined that persons exposed to the PMN substance through 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 there were no significant worker exposures from use as an intermediate. EPA has determined that worker exposures from use other than an intermediate may result in significant exposures. 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 a cardiac sensitization study in dogs and a 2-year two-species oral bioassay (40 CFR 798.3300) will help to characterize the health effects of the PMN substance.

*CFR citation:* 40 CFR 721.4463.

#### PMN Number P-94-1487

*Chemical name:* (generic) Thiaalkanethiol.

*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as a surfactant. Based on analogy to anionic surfactants, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 20 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. EPA has determined that domestic manufacture of the substance may result in releases to surface waters. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(ii).

*Recommended testing:* EPA has determined that an algal acute toxicity study (40 CFR 797.1050), a chronic 60-day fish early life stage toxicity test in rainbow trout (40 CFR 797.1600), a 21-day chronic daphnid toxicity test, a ready biodegradability test, and a modified SCAS test would help characterize the environmental effects of the PMN substance.

*CFR citation:* 40 CFR 721.9656.

#### PMN Numbers P-89-1125, L-91-87, P-92-41, P-92-511, P-94-1527, and P-94-1755

*Chemical name:* (generic) Substituted phenol.

*CAS number:* Not available.

*Basis of action:* The PMN substance has been the subject of six different PMN notices. Based on test data on the PMN substance and by analogy to phenols, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 1 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in several of the PMNs did not present an unreasonable risk because the substance did not exceed a concentration of 1 ppb when released to surface waters. The only PMN where releases over 1 ppb were expected has been withdrawn. EPA has determined that other uses and increased production volume may result in releases to surface waters above 1 ppb. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(i).

*Recommended testing:* EPA has determined that an algal acute toxicity study (40 CFR 797.1050), 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 would help characterize the

environmental effects of the PMN substance.

*CFR citation:* 40 CFR 721.5867.

**PMN Number P-94-1631**

*Chemical name:* (generic) Thiadiazole derivative.

*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as a coloring agent. Based on analogy of the substance to neutral organic substances, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 90 ppb of the PMN substance in surface waters. Based on analogy of the substance to other thiadiazoles, EPA is concerned for developmental toxicity to exposed workers. 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 above a concentration of 90 ppb and significant worker exposure would not occur because the substance was used in an enclosed process, was not manufactured domestically, and was not used as a powder. EPA has determined that other uses of the substance may result in significant worker exposure and releases to surface waters which exceed the concern concentration. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(ii) and (b)(3)(i).

*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 an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance. EPA has determined that a developmental toxicity study (40 CFR 708.4900) would help characterize the health effects of the PMN substance.  
*CFR citation:* 40 CFR 721.9658.

**PMN Number P-94-1810**

*Chemical name:* (generic) Amine aldehyde condensate.

*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as a fuel additive. Based on analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at concentrations 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. EPA has determined that other uses of the substance may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN substance meets

the concern criteria at § 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 an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.

*CFR citation:* 40 CFR 721.639.

**PMN Number P-94-1864**

*Chemical name:* (generic) Dialkylamido imidazoline.

*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as a site-limited intermediate. Based on analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 6 ppb of the PMN substance in surface waters. EPA determined that use of the substance as a site-limited intermediate did not present an unreasonable risk because the substance would not exceed the concern concentration when released to surface waters. EPA has determined that other uses of the substance may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN substance meets the concern criteria at § 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 an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.

*CFR citation:* 40 CFR 721.4473.

**PMN Number P-94-2166**

*Chemical name:* Sodium perthiocarbonate.

*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as an oil well additive. Based on test data on a structurally similar substance, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 20 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. EPA has determined that other uses of the substance may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN substance meets the concern criteria at § 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 an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.

*CFR citation:* 40 CFR 721.9526.

**PMN Number P-94-2177**

*Chemical name:* (generic) Trisodium chloro(trisubstituted heteromonocycleamino) propylamino triazinylaminohydroxyazo naphthalenetrisulfonate.

*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as a fiber-reactive dye. Based on toxicity data for the substance, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 100 ppb of the PMN substance in surface waters. Based on toxicity data for the substance, EPA is concerned for neurological effects, kidney toxicity, and liver toxicity to exposed workers. 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 above a concentration of 100 ppb and significant worker exposure would not occur because the substance was not manufactured domestically. EPA has determined that domestic manufacture of the substance may result in releases to surface waters which exceed the concern concentration and significant worker exposure. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(i) and (b)(3)(i).

*Recommended testing:* EPA has determined that 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 would help characterize the environmental effects of the PMN substance and a 90-day subchronic oral study in rats (40 CFR 798.2650) would help characterize the health effects of the PMN substance.  
*CFR citation:* 40 CFR 721.5282.

**PMN Number P-94-2230**

*Chemical name:* (generic) Polyglycerin mono(4-nonyl phenyl) ether.

*CAS number:* Not available.

*Basis of action:* The PMN substance will be employed in a contained use. Based on analogy to nonionic surfactants and alcohol ethoxylates, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 400 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. EPA has determined that other uses, increased production volume, and domestic manufacture of the substance may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN substance meets the concern criteria at § 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 an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.

*CFR citation:* 40 CFR 721.3486.

#### PMN Number P-95-17

*Chemical name:* Benzene, 2-bromo-1,4-dimethoxy-

*CAS number:* 25245-34-5.

*Basis of action:* The PMN substance will be used as an intermediate. Based on analogy to neutral organic compounds, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 200 ppb of the PMN substance in surface waters. Based on analogy to halogenated aromatic compounds, EPA is concerned that the substance may cause liver and kidney toxicity to exposed workers. EPA determined that use of the substance as an intermediate did not present an unreasonable risk because the substance would not be released to surface waters and significant worker exposure would not occur. EPA has determined that other uses of the substance may result in releases to surface waters which exceed the concern concentration and significant worker exposure. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(ii) and (b)(3)(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 an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance and a 90-day subchronic oral study in rats (40 CFR 798.2650) would help characterize the health effects of the PMN substance.

*CFR citation:* 40 CFR 721.1193.

#### PMN Number P-95-85

*Chemical name:* (generic) Substituted naphthalenesulfonic acid, alkali salt.

*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as a reactive textile dye. Based on analogy to similar substances, EPA is concerned that respiratory sensitization will occur in exposed workers. EPA

determined that use of the substance did not present an unreasonable risk because significant worker exposure would not occur because the substance was not manufactured domestically.

EPA has determined that domestic manufacture of the substance may result in significant worker exposure. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(3)(ii).

*Recommended testing:* EPA has determined that a respiratory sensitization study (Sarlo, K. and Clark, E.D., A Tier Approach for Evaluating the Respiratory Allergenicity of Low Molecular Weight Chemicals, *Fundamental and Applied Toxicology* 18:107-114 (1992)) would help characterize the health effects of the PMN substance.

*CFR citation:* 40 CFR 721.5278.

#### PMN Number P-95-86

*Chemical name:* (generic) Benzenesulfonic acid, amino substituted phenylazo-

*CAS number:* Not available.

*Basis of action:* The PMN substance will be used as a textile dye. Based on analogy of the azo reduction products to a similar substance, EPA is concerned that developmental, reproductive, and kidney toxicity will occur in exposed workers. EPA determined that use of the substance did not present an unreasonable risk because the substance would not be manufactured as a powder and significant worker exposure would not occur. EPA has determined that manufacture of the substance as a powder may result in significant worker exposure. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(3)(iii).

*Recommended testing:* EPA has determined that a 90-day subchronic oral study in rats (40 CFR 798.2650), a two-generation reproduction study (40 CFR 798.4700), and a developmental toxicity study (40 CFR 708.4900) would help characterize the health effects of the PMN substance.

*CFR citation:* 40 CFR 721.1643.

#### 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 9 of the 26 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 17 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 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; 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; 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 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 Procedures

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 [insert date 60 days after date of publication in the **Federal Register**], unless EPA receives a written notice by [insert date 30 days after date of publication in the **Federal Register**] 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 for the specific substance to which the adverse or critical comments apply. EPA will then propose a SNUR for the specific substance 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 SNUN. 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, SNUNs 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 SNUN submitters contact EPA early enough so that they will be able to conduct the appropriate tests.

SNUN submitters should be aware that EPA will be better able to evaluate SNUNs 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 is required to keep this information confidential to protect the CBI 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 nine substances and notice submitters are prohibited by the section 5(e) orders from undertaking activities which EPA is designating as significant new uses. In cases where EPA has not received a Notice of Commencement (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, 23 of the 26 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 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 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 would 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 SNUN 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-50622).

### X. Rulemaking Record

A record has been established for this rulemaking under docket number OPPTS-50622 (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

Electronic comments can be sent directly to EPA at:  
ncic@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

### XI. Regulatory Assessment Requirements

#### A. Executive Order 12866

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the Agency must determine whether the regulatory action is "significant" and therefore subject to all the requirements of the Executive Order (i.e., Regulatory Impact

Analysis, review by the Office of Management and Budget (OMB)). Under section 3(f), the order defines a "significant regulatory action" as an action likely to lead to a rule:

(1) Having an annual effect on the economy of \$100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities ("also referred to as economically significant").

(2) Creating serious inconsistency or otherwise interfering with an action taken or planned by another agency.

(3) Materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof.

(4) Raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of this Executive Order, it has been determined that this rule is not "significant" and is therefore not subject to OMB review.

#### 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 SNUNs for these 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.

OMB has approved the information collection requirements contained in this rule under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), and has 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 (2131), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460;

and to Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for EPA." The final rule will respond to any OMB or public comments on the information requirements contained in this final rule.

### List of Subjects in 40 CFR Part 721

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

Dated: August 21, 1995.

**Frank D. Kover,**

*Acting Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

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 § 721.562 to subpart E to read as follows:

#### § 721.562 Substituted alkylamine salt.

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

(1) The chemical substance identified generically as a substituted alkylamine salt (PMN P-85-941) 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 = 70).

(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.

3. By adding new § 721.639 to subpart E to read as follows:

#### § 721.639 Amine aldehyde condensate.

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

(1) The chemical substance identified generically as an amine aldehyde condensate (PMN P-94-1810) 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)(1), (b)(1), and (c)(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 (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.

4. By adding new § 721.1193 to subpart E to read as follows:

**§ 721.1193 Benzene, 2-bromo-1,4-dimethoxy-**

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

(1) The chemical substance identified as benzene, 2-bromo-1,4-dimethoxy- (PMN P-95-17, CAS No. 25245-34-5) 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)(1), (b)(1), and (c)(1).

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

(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 specified in § 721.125(a), (b), (c), (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.

5. By adding new § 721.1643 to subpart E to read as follows:

**§ 721.1643 Benzenesulfonic acid, amino substituted phenylazo-**

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

(1) The chemical substance identified generically as a benzenesulfonic acid, amino substituted phenylazo- (PMN P-95-86) 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).

(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 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 § 721.2089 to subpart E to read as follows:

**§ 721.2089 Tetrasubstituted aminocarboxylic acid.**

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

(1) The chemical substance identified generically as a tetrasubstituted aminocarboxylic acid (PMN P-85-619) 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)(vii), (g)(2)(iii), (g)(3)(ii), (g)(4)(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) through (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.

7. By adding new § 721.2815 to subpart E to read as follows:

**§ 721.2815 Aliphatic ester.**

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

(1) The chemical substance identified generically as an aliphatic ester (PMN P-93-633) 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), (e) (concentration set at 1.0 percent), (f),

(g)(1)(iv), (g)(1)(ix), and (g)(5). In addition, the following human health and environmental hazard and precautionary statements shall appear on each label as specified in § 721.72(b) and the material safety data sheet (MSDS) as specified in § 721.72(c): This substance may not be used for any application that generates a dust, mist, or aerosol. Avoid inhalation and ingestion.

(ii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(y)(1) and (y)(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), (c), (f), (g), (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.

8. By adding new § 721.3152 to subpart E to read as follows:

**§ 721.3152 Ethanaminium, N-ethyl-2-hydroxy-N,N-bis(2-hydroxyethyl)-, diester with C<sub>12-18</sub> fatty acids, ethyl sulfates (salts).**

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

(1) The chemical substance ethanaminium, N-ethyl-2-hydroxy-N,N-bis(2-hydroxyethyl)-, diester with C<sub>12-18</sub> fatty acids, ethyl sulfates (salts) (P-94-24) 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 or the environment the employer must incorporate this new information, and any information on methods for protecting against such risk, into a material safety data sheet (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 in 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(p) (1,900,000 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), (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.

9. By adding new § 721.3486 to subpart E to read as follows:

**§ 721.3486 Polyglycerin mono(4-nonylphenyl) ether.**

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

(1) The chemical substance identified generically as a polyglycerin mono(4-nonylphenyl) ether (PMN P-94-2230) 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)(1), (b)(1), and (c)(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 (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.

10. By adding new § 721.3760 to subpart E to read as follows:

**§ 721.3760 Fluorene-containing diaromatic amines.**

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

(1) The chemical substances identified generically as fluorene-containing diaromatic amines (PMN P-88-998 and P-88-999) 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 = 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 (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.

11. By adding new § 721.4463 to subpart E to read as follows:

**§ 721.4463 Hydrochlorofluorocarbon.**

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

(1) The chemical substance identified generically as a hydrochlorofluorocarbon (PMN P-94-1453) 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(g).

(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.

12. By adding new § 721.4466 to subpart E to read as follows:

**§ 721.4466 3-Hydroxy-1,1-dimethylbutyl derivative.**

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

(1) The chemical substance identified generically as a 3-hydroxy-1,1-

dimethylbutyl derivative (PMN P-86-1491) 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), (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)(1)(vii), (g)(2)(i), (g)(2)(v), and (g)(5).

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

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

(v) *Release to water.* Requirements as specified in § 721.90(a)(3).

(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.

13. By adding new § 721.4473 to subpart E to read as follows:

**§ 721.4473 Dialkylamidoimidazoline.**

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

(1) The chemical substance identified as dialkylamidoimidazoline (PMN P-94-1864) 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) 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.

14. By adding new § 721.5192 to subpart E to read as follows:

**§ 721.5192 Substituted 1,6-dihydroxy naphthalene.**

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

(1) The chemical substance identified generically as substituted 1,6-dihydroxy naphthalene (PMN P-87-1036) 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), (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)(1)(vi), (g)(1)(vii), (g)(2)(i), (g)(2)(v), and (g)(5).

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

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

(v) *Release to water.* Requirements as specified in § 721.90(a)(3).

(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.

15. By adding new § 721.5278 to subpart E to read as follows:

**§ 721.5278 Substituted naphthalenesulfonic acid, alkali salt.**

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

(1) The chemical substance identified generically as a substituted naphthalenesulfonic acid, alkali salt (PMN P-95-85) 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.

16. By adding new § 721.5282 to subpart E to read as follows:

**§ 721.5282 Trisodium chloro [(trisubstituted heteromonocycle amino) propylamino]triazinylamino hydroxyazo naphthalenetrisulfonate.**

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

(1) The chemical substance identified generically as a trisodium chloro[(trisubstituted heteromonocycleamino) propylamino]triazinyl aminohydroxyazo naphthalenetrisulfonate (PMN P-94-2177) 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.

17. By adding new § 721.5763 to subpart E to read as follows:

**§ 721.5763 Methylenebisbenzotriazolyl phenols.**

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

(1) The chemical substance identified generically as methylenebisbenzotriazolyl phenols (P-94-1042) 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)(4), (a)(6)(i), (b)(concentration set at 1.0 percent) and (c). Requirements as specified in § 721.63(a)(5)(i) apply during manufacture of the PMN substance. Requirements as specified in § 721.63(a)(5)(iii) through (a)(5)(vii) apply during use of the PMN substance.

(ii) *Hazard communication program.* Requirements as specified in

§ 721.72(a), (b), (c), (d), (e) (concentration set at 1.0 percent), (f), (g)(1)(iv), (g)(1)(vi), (g)(2)(iii), (g)(2)(iv), and (g)(5).

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

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.575(b)(1) apply to this section.

18. By adding new § 721.5769 to subpart E to read as follows:

**§ 721.5769 Mixture of nitrated alkylated phenols.**

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

(1) The chemical substance identified as a mixture of nitrated alkylated phenols (PMN P-93-987) 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).

(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.

19. By adding new § 721.5867 to subpart E to read as follows:

**§ 721.5867 Substituted phenol.**

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

(1) The chemical substance identified generically as a substituted phenol (PMN P-89-1125, L-91-87, P-92-41, P-92-511, P-94-1527, P-94-1755) 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  $n = 1$ ).

(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.

20. By adding new § 721.6110 to subpart E to read as follows:

**§ 721.6110 Alkyldi(alkyloxyhydroxypropyl) derivative, phosphoric acid esters, potassium salts.**

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

(1) The chemical substance identified generically as an alkyldi(alkyloxyhydroxypropyl) derivative, phosphoric acid esters, potassium salts (PMN P-91-818) 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) and (o).

(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.

21. By adding new § 721.7046 to subpart E to read as follows:

**§ 721.7046 Formaldehyde, polymer with substituted phenols, glycidyl ether.**

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

(1) The chemical substance identified generically as formaldehyde, polymer with substituted phenols, glycidyl ether (P-93-955) 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)(6)(i), (b) (concentration set at 0.1 percent), and (c). Requirements as specified in § 721.63(a)(5)(i) apply during manufacturing only. Requirements as specified in § 721.63(a)(5)(i) through (a)(5)(vii) apply during processing for workers exposed greater than 17 days per year or during use.

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e)

(concentration set at 0.1 percent), (f), (g)(1)(iv), (g)(1)(vi), (g)(1)(vii), (g)(2)(i) through (g)(2)(v), (g)(3)(i), (g)(3)(ii), (g)(4)(i), (g)(4)(iii), and (g)(5).

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

22. By adding new § 721.8090 to subpart E to read as follows:

**§ 721.8090 Polyurethane polymer.**

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

(1) The chemical substance identified generically as a polyurethane polymer (P-94-47) 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)(iii), (a)(5)(viii) through (a)(5)(xi), (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) through (g)(2)(v), and (g)(5).

(iii) *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) 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.

(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 § 721.9526 to subpart E to read as follows:

**§ 721.9526 Sodium perthiocarbonate.**

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

(1) The chemical substance identified as sodium perthiocarbonate (PMN P-94-2166) 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)(1), (b)(1), and (c)(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 (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 § 721.9656 to subpart E to read as follows:

**§ 721.9656 Thiaalkanethiol.**

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

(1) The chemical substance identified generically as a thiaalkanethiol (PMN P-94-1487) 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)(1), (b)(1), and (c)(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 (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 § 721.9658 to subpart E to read as follows:

**§ 721.9658 Thiadiazole derivative.**

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

(1) The chemical substance identified as a thiadiazole derivative (PMN P-94-1631) 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(a), (c), (f), (v)(1), (w)(1), and (x)(1).

(ii) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where n = 90).

(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), (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 § 721.9892 to subpart E to read as follows:

**§ 721.9892 Alkylated urea.**

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

(1) The chemical substance identified generically as an alkylated urea (PMN P-93-1649) 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), (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)(iii), (g)(1)(ix), (g)(2)(i), (g)(2)(iii), (g)(2)(v), and (g)(5).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(l) 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) 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 § 721.575(b)(1) apply to this section.

[FR Doc. 95-21519 Filed 8-29-95; 8:45 am]

BILLING CODE 6560-50-F

**GENERAL SERVICES ADMINISTRATION**

**41 CFR Part 101-17**

RIN: 3090-AD42

[FPMR Temp. Reg. D-76, Suppl. 4]

**Federal Property Management: Public Buildings and Space; Space Utilization and Assignment**

AGENCY: Public Buildings Service, General Services Administration (GSA).

ACTION: Temporary rule.

**SUMMARY:** This supplement extends the expiration date of FPMR Temporary Regulation D-76 to November 26, 1995. Temporary Regulation D-76 provides procedures governing the assignment and utilization of space in Federal or leased facilities under the custody and control of the General Services Administration.

**DATES:** Effective Date: August 30, 1995. Expiration Date: November 26, 1995.

**ADDRESSES:** Comments should be submitted to the General Services Administration, (PG) Washington, DC 20405.

**FOR FURTHER INFORMATION CONTACT:** Stanley C. Langfeld, Director, Real Property Policy Division, Office of Governmentwide Real Property Policy, at (202-501-1737).

**SUPPLEMENTARY INFORMATION:** The purpose of this regulation is to extend Temporary Regulation D-76 until such time as the Final Rule which will supersede it is approved for publication.

The General Services Administration (GSA) has determined that this rule is not a significant regulatory action for the purposes of Executive Order 12866.

This rule is written to ensure maximum benefits to Federal agencies. This Governmentwide management regulation will have little or no cost effect on society. Therefore, the rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (U.S.C. 601 *et seq.*).

**List of Subjects in 41 CFR Part 101-17**

Administrative practices and procedures, Federal buildings and

facilities, Government real property management.

**Authority:** (Sec. 205(c), 63 Stat. 390, 40 U.S.C. 486(c)).

In 41 CFR Chapter 101, FPMR Temp. Reg. D-76, Supplement 4 is added to the appendix at the end of Subchapter D to read as follows:

August 25, 1995.

**Federal Property Management Regulations Temporary Regulation D-76 Supplement 4**

To: Heads of Federal Agencies  
Subject: Assignment and Utilization of Space

1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation D-76.

2. *Effective date.* This regulation is effective upon publication in the Federal Register.

3. *Expiration of change.* This supplement expires November 26, 1995.

4. *Explanation of change.* The expiration date in Temporary Regulation D-76 is revised to November 26, 1995.

**Roger W. Johnson,**

*Administrator of General Services.*

[FR Doc. 95-21510 Filed 8-29-95; 8:45 am]

BILLING CODE 6820-23-M

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Health Care Financing Administration**

**42 CFR Parts 442, 486, and 493**

[BPD-840-CN]

**Medicaid and Medicare Programs; Technical Amendatory Language Changes; Correction**

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Final rules; correction.

**SUMMARY:** This notice corrects errors made in three final rules. These rules concern survey, certification, and enforcement of skilled nursing facilities and nursing facilities for the mentally retarded; technical amendments of regulations on providers and suppliers of specialized services; and categorization of tests and personnel modifications.

**EFFECTIVE DATE:** These regulations are effective on July 1, 1995 for item A below, February 8, 1995 for item B below, and April 24, 1995 for item C below.

**FOR FURTHER INFORMATION CONTACT:** Julie Brown, (410) 786-4669.