

contain a regulatory analysis under section 604 of the RFA, 5 U.S.C. 604.

VIII. Paperwork Reduction Act

The Paperwork Reduction Act ("PRA"), 44 U.S.C. 3501 *et seq.*, requires government agencies, before promulgating rules or other regulations that require "collections of information" (i.e., recordkeeping, reporting, or third-party disclosure requirements), to obtain approval from the Office of Management and Budget ("OMB"), 44 U.S.C. 3502. The Commission currently has OMB clearance for the Rule's information collection requirements (OMB No. 3084-0104). The amendment will not impose any additional information collection requirements, so OMB approval is unnecessary.

List of Subjects in 16 CFR Part 425

Trade practices.

Text of Amendments

PART 425—USE OF PRENOTIFICATION NEGATIVE OPTION PLANS

1. The authority citation for part 425 continues to read as follows:

Authority: 15 U.S.C. 41-58.

2. The heading of Part 425 is revised to read as set forth above.

§ 425.1 [Amended]

3. In § 425.1, the Note following paragraph (b)(5) is removed.

4. Section 425.1 is amended by revising the introductory text of paragraphs (a) and (b) to read as follows:

§ 425.1 The rule.

(a) In connection with the sale, offering for sale, or distribution of goods and merchandise in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, it is an unfair or deceptive act or practice, for a seller in connection with the use of any negative option plan to fail to comply with the following requirements:

* * * * *

(b) In connection with the sale or distribution of goods and merchandise in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, it shall constitute an unfair or deceptive act or practice for a seller in connection with the use of any negative option plan to:

* * * * *

By direction of the Commission.

Benjamin I. Berman,
Acting Secretary.

[FR Doc. 98-22446 Filed 8-19-98; 8:45 am]

BILLING CODE 6750-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 721

[OPPTS-50632; FRL-5788-7]

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 73 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 19, 1998. This rule shall be promulgated for purposes of judicial review at 1 p.m. (e.s.t.) on September 3, 1998.

If EPA receives notice before October 19, 1998 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-50632 and the name(s) of the chemical substance(s) 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, 401 M St., SW., Rm. G-099, East Tower, Washington, DC 20460.

Comments and data may also be submitted electronically to: oppt.ncic@epa.gov. Follow the instructions under Unit X. of this

document. No Confidential Business Information (CBI) should be submitted through e-mail.

All comments which contain information claimed as CBI must be clearly marked as such. Three sanitized copies of any comments containing information claimed as CBI must also be submitted and will be placed in the public record for this rulemaking. Persons submitting information on any portion of which they believe is entitled to treatment as CBI by EPA must assert a business confidentiality claim in accordance with 40 CFR 2.203(b) for each portion. This claim must be made at the time that the information is submitted to EPA. If a submitter does not assert a confidentiality claim at the time of submission, EPA will consider this as a waiver of any confidentiality claim and the information may be made available to the public by EPA without further notice to the submitter.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-531, 401 M St., SW., Washington, DC 20460, telephone: (202) 554-1404, TDD: (202) 554-0551; e-mail: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

Electronic Availability: Electronic copies of this document are available from the EPA Home Page at the **Federal Register**-Environmental Documents entry for this document under "Laws and Regulations" (<http://www.epa.gov/fedrgrstr/>).

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) of TSCA. Once EPA determines that a use of a chemical substance is a

significant new use, section 5(a)(1)(B) of TSCA requires persons to submit a notice to EPA at least 90 days before they manufacture, import, or process the substance for that use. The mechanism for reporting under this requirement is established under 40 CFR 721.10.

II. Applicability of General Provisions

General provisions for SNURs appear under subpart A of 40 CFR part 721. These provisions describe persons subject to the rule, recordkeeping requirements, exemptions to reporting requirements, and applicability of the rule to uses occurring before the effective date of the final rule. 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 TSCA section 5(b) and 5(d)(1), the exemptions authorized by TSCA 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 TSCA 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 TSCA 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 TSCA 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 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 for non-confidential chemical identities), basis for the action taken by EPA in the TSCA section 5(e) consent order or as a non-section 5(e) SNUR for

the substance (including the statutory citation and specific finding), toxicity concern, and the CFR citation assigned in the regulatory text section of this rule. The specific uses which are designated as significant new uses are cited in the regulatory text section of this document by reference to 40 CFR part 721, subpart E 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 TSCA section 5(e) consent 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 TSCA section 5(e) consent 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 TSCA section 5(e) consent 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 PMNs P-95-2040, P-97-77, P-97-118, P-97-214, P-98-5/6/7/8/9/10 which are subject to a final TSCA section 5(e) consent order. The TSCA section 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 TSCA 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 TSCA section 5(e) consent 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 section 5(e) consent order under TSCA.

PMN Numbers P-93-880/881

Chemical names: Amines, *N*-cocoalkyltrimethylenedi-, citrates (P-93-880); Amines, *N*-tallowalkyltripropylene-tetra-, citrates (P-93-881).

CAS number: 189120-63-6 (P-93-880); 189120-62-5 (P-93-881).

Effective date of section 5(e) consent order: September 4, 1997.

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

Toxicity concern: Based on test data for the substances and test data on structurally similar aliphatic amines, there is concern for toxicity to aquatic organisms at concentrations as low as 2 parts per billion (ppb) in surface waters. *Recommended testing:* EPA has determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a fish acute toxicity mitigated by dissolved organic carbon (humic acid

test) (OPPTS 850.1085 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.
CFR citations: 40 CFR 721.7285 (P-93-880); 40 CFR 721.7286 (P-93-881).

PMN Number P-95-1098

Chemical name: (generic) Tris carbamoyl triazine.

CAS number: Not available.

Effective date of section 5(e) consent order: April 25, 1997.

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

Toxicity concern: Based on test data for the substance, there is concern for toxicity to aquatic organisms at concentrations as low as 40 ppb in surface waters. The health testing required in the order is based on the exposure based finding pursuant to section 5(e)(1)(A)(ii)(II) of TSCA.

Recommended testing: EPA has determined that a chronic 60-day fish early life stage toxicity test in rainbow trout (40 CFR 797.1600 or OPPTS 850.1400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) and a 21-day daphnid chronic toxicity test (40 CFR 797.1330 or OPPTS 850.1300 test guideline (public draft; 61 FR 16486, April 15, 1996)) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance. The PMN submitter has agreed to conduct a prenatal developmental toxicity study by the oral route in one-species (40 CFR 799.9370) (62 FR 43832, August 15, 1997) (FRL-5719-5) before exceeding the production volume limit.
CFR citation: 40 CFR 721.9719.

PMN Numbers P-96-756/757/758

Chemical names: (generic) 1-Piperidinecarboxylic acid, 2-[(dichloro-hydroxy-carbomonocycle)hydrazono]-, methyl ester (P-96-756); (generic) Dichloro, hydroxy, hydrazino-carbomonocycle (P-96-757); (generic)

Dichloro, hydroxy, hydrazino-carbomonocycle-monohydrochloride (P-96-758).

CAS number: Not available.

Effective date of section 5(e) consent order: August 29, 1997.

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

Toxicity concern: Structurally similar chemicals have been shown to cause effects to internal organs and cancer in test animals.

Recommended testing: A 90-day oral subchronic toxicity in rats (40 CFR 798.2650 or OPPTS 870.3100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)) and a two-species carcinogenicity study (40 CFR 799.9420) (62 FR 43838, August 15, 1997) (FRL-5719-5) are recommended to help characterize health effects. The PMN submitter has agreed not to exceed the production volume limit without performing the 90-day oral subchronic toxicity test for P-96-756.

CFR citations: 40 CFR 721.2078 (P-96-756); 40 CFR 721.2079 (P-96-757); 40 CFR 721.2081 (P-96-758).

PMN Number P-96-1006

Chemical name: 1,3-Dioxolane, 2-ethenyl-

CAS number: 3984-22-3.

Effective date of section 5(e) consent order: May 1, 1997.

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

Toxicity concern: Based on submitted acute toxicity testing by the dermal (LD₅₀ = 25.1 milligram/kilogram (mg/kg)) and oral (LD₅₀ = 84.7 mg/kg) routes, exposure to the substance may result in fatality, central nervous system effects, liver toxicity, and irritation to the skin and eyes.

Recommended testing: EPA has determined that a 90-day subchronic inhalation study (40 CFR 799.9346) (62 FR 43828, August 15, 1997) (FRL-5719-5) and a 90-day subchronic dermal study (40 CFR 798.2250 or OPPTS 870.3250 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)) would help characterize the health effects of the PMN substance.

CFR citation: 40 CFR 721.2485.

PMN Number P-96-1320

Chemical name: (generic)

Isoalkyldimethylamine.

CAS number: Not available.

Basis for action: The PMN substance will be used as an intermediate. Based on structure activity analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 3 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 in significant quantities. 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 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.

CFR citation: 40 CFR 721.2480.

PMN Numbers P-96-1425/1426

Chemical names: (generic) Salt of a modified tallow alkylenediamine (P-96-1425); salt of a fatty alkylamine derivative (P-96-1426).

CAS number: Not available.

Basis for action: The PMN substances will be used as processing aids. Based on structure activity analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMNs did not present an unreasonable risk because the substances would not be released to surface waters. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information the PMN substances 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 or OPPTS 850.1075 test guideline public draft; 61

FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substances.
CFR citations: 40 CFR 721.630 (P-96-1425); 40 CFR 721.558 (P-96-1426).

PMN Number P-96-1428

Chemical name: (generic) Modified polyisocyanates.

CAS number: Not available.

Effective date of section 5(e) consent order: July 7, 1997.

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

Toxicity concern: Structurally similar chemicals have been shown to cause skin irritation and allergic reactions, respiratory irritation and sensitization, and lung toxicity in test animals.

Recommended testing: A 90-day subchronic inhalation toxicity study in rats (40 CFR 799.9346) (62 FR 43828, August 15, 1997) (FRL-5719-5) will help the Agency to characterize the human health effects of the PMN substance. The PMN submitter has agreed not to exceed the production volume limit without performing the 90-day study.

CFR citation: 40 CFR 721.6498.

PMN Number P-96-1520

Chemical name: Octadecanoic acid, ester with 1,2-propanediol, phosphate, anhydride with silicic acid (H₄SiO₄).

CAS number: 177771-31-2.

Effective date of section 5(e) consent order: July 8, 1997.

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

Toxicity concern: Structurally similar chemicals have been shown to cause toxicity in aquatic organisms.

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline public draft; 61 FR 16486, April 15, 1996) (FRL-5363-

1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance. The PMN submitter has agreed not to exceed the production volume limit without performing these tests.

CFR citation: 40 CFR 721.3635.

PMN Number P-97-4

Chemical name: (generic) Substituted diphenylmethane.

CAS number: Not available.

Basis for action: The PMN substance will be used as a raw material for manufacture of light stabilizers. Based on submitted test data, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 10 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 substances 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 or OPPTS 850.1400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a 21-day daphnid chronic toxicity test (40 CFR 797.1330 or OPPTS 850.1300 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.
CFR citation: 40 CFR 721.2532.

PMN Numbers P-97-42/43

Chemical name: (generic) Phenylazoalkoxy naphthylamines.

CAS number: Not available.

Basis for action: The PMN substances will be used as petroleum additives. Based on structural activity analogy to neutral organics, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 50 ppb for P-97-42 and 40 ppb for P-97-43 in surface waters. EPA determined that use of the substances as described in the PMNs did not present an unreasonable

risk because the substances would not be released to surface waters in significant quantities. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information the PMN substances meet the concern criteria at

§ 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a chronic 60-day fish early life stage toxicity test in rainbow trout (40 CFR 797.1600 or OPPTS 850.1400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) and a 21-day daphnid chronic toxicity test (40 CFR 797.1330 or OPPTS 850.1300 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substances.

CFR citation: 40 CFR 721.5290.

PMN Numbers P-97-93/94

Chemical names: (generic) Di-substituted acetophenone (P-97-93); (generic) Di-substituted propanedione (P-97-94).

CAS number: Not available.

Effective date of section 5(e) consent order: June 9, 1997.

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

Toxicity concern: Based on submitted test data for P-97-94 the substances may cause liver, kidney, adrenal gland, and heart toxicity in test animals.

Recommended testing: EPA has determined that a glove permeation study according to American Society for Testing and Materials (ASTM) F739, an *in vitro* dermal absorption study published in the **Federal Register** on April 3, 1996 (61 FR 14773) (FRL-5359-3) and a 90-day gavage study in rats (40 CFR 798.2650 or OPPTS 870.3100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)) would help characterize the health effects of the PMN substance. The PMN submitter has agreed not to exceed the production volume limit without performing these tests.
CFR citations: 40 CFR 721.305 (P-97-93); 40 CFR 721.8153 (P-97-94).

PMN Numbers P-97-179/783, P-97-181/781, P-97-189/769, and P-97-775/782

Chemical name: (generic) Zirconium dichlorides.

CAS number: Not available.

Basis for action: The PMN substances will be used as polymerization catalysts.

Based on structural activity analogy to organo zirconium compounds, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMNs did not present an unreasonable risk because the substances would not be released to surface waters in significant quantities. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information the PMN substances 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 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substances. *CFR citation:* 40 CFR 721.9973.

PMN Numbers P-97-296/297/298/299

Chemical name: (generic) Alkyl benzene sulfonic acids and alkyl sulfates, amine salts.

CAS number: Not available.

Basis for action: The PMN substances will be used as polymerization catalysts. Based on submitted test data and structural activity analogy to anionic surfactants, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 30 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because the substances would not be released to surface waters in significant quantities. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information the PMN substances meets the concern criteria at § 721.170(b)(4)(i) and (b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an

algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substances. *CFR citation:* 40 CFR 721.9595.

PMN Number P-97-332

Chemical name: Siloxanes and silicones, de-Me, 3-[4-[[[3(dimethylamino) propyl]amino] carbonyl]-2-oxo-1-pyrrolidinyl] propyl Me.

CAS number: 179005-02-8.

Basis for action: The PMN substance will be used as an intermediate in a multiple step synthesis. Test data on structurally similar chemical substances which the Agency has received under section 8(e) of TSCA raised concerns for lung toxicity. EPA determined that use of the PMN substance as an intermediate as described in the PMN did not present an unreasonable risk because workers would not be subject to significant inhalation exposures. However, EPA has identified other potential uses which may result in significant inhalation exposures to workers. Based on this information the PMN substance meets the concern criteria at 721.170(b)(3)(ii).

Recommended testing: EPA has determined that the results of an acute inhalation toxicity test in rats (OPPTS 870.1300 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)) and a 90-day subchronic inhalation study (40 CFR 799.9346) (62 FR 43828, August 15, 1997) (FRL-5719-5) would help characterize the health effects of the PMN substance. *CFR citation:* 40 CFR 721.9517.

PMN Number P-97-370

Chemical name: (generic) Propionic acid methyl ester.

CAS number: Not available.

Basis for action: The PMN substance will be used as a solvent. Based on submitted test data, there is concern for developmental toxicity. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because significant worker exposure would not result if dermal protection were used by workers and only if the specific uses stated in the PMN apply. EPA has determined that manufacture, processing, or use of the substance without dermal protection, for uses other than stated in the PMN, and domestic manufacture may result in significant exposure to workers. Based on this information the PMN substance meets the concern criteria at § 721.170(b)(3)(i).

Recommended testing: None.

CFR citation: 40 CFR 721.8660.

PMN Number P-97-497

Chemical name: Poly(oxy-1,2-ethanediyl), alpha, alpha'-[thiobis(1-oxo-3,1-propanediyl)] bis[omega-hydroxy-,bis (C₁₁₋₁₅ and C_{11-15-isoalkyl}) ethers.

CAS number: 174254-18-3.

Basis for action: The PMN substance will be used as a spin finish for industrial polyamide fibers. Based on analogy to nonionic surfactants, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 2 ppb of the PMN substance in surface waters. EPA determined that use of the substance did not present an unreasonable risk because significant releases would not occur. EPA has determined that uses other than those specified in the PMN may result in significant environmental exposure. 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 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance. *CFR citation:* 40 CFR 721.9663.

PMN Numbers P-97-520/521

Chemical names: 2-Piperidinone, 1,3-dimethyl- (P-97-520); 2-piperidinone, 1,5-dimethyl- (P-97-521).

CAS number: 1690-76-2 (P-97-520); 86917-58-0 (P-97-521).

Basis for action: The PMN substances will be used as semiconductor cleaning solvents. Based on structural activity analogy to 2-piperidinone, N-methylpyrrolidone, and other similarly analogous substances, there is concern for neurotoxicity, developmental toxicity, and reproductive toxicity. EPA determined that the stated use of the substances as described in the PMN did not present an unreasonable risk because significant worker or general population exposure would not result. EPA has determined that manufacture, processing, or use of the substances other than for the use stated in the PMN may result in significant exposure to workers or the general population. Based on this information the PMN substances meet the concern criteria at § 721.170 (b)(3)(ii).

Recommended testing: EPA has determined that a 90-day oral subchronic toxicity study in rats (40

CFR 798.2650 or OPPTS 870.3100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)), a reproduction and fertility effects study in rats by the oral route (40 CFR 799.9380) (62 FR 43834, August 15, 1997) (FRL-5719-5), and a prenatal developmental toxicity study by the oral route in two-species (40 CFR 799.9370) (62 FR 43832, August 15, 1997) (FRL-5719-5) would help characterize the human health effects of the PMN substances.

CFR citations: 40 CFR 721.6175 (P-97-520); 40 CFR 721.6176 (P-97-521).

PMN Numbers P-97-552/553

Chemical names: Boric acid (H_3BO_3), zinc salt (2=3) (P-97-552); Boric acid (H_3BO_3), zinc salt (P-97-553).
CAS number: 10192-46-8 (P-97-552); 14720-55-9 (P-97-553).

Basis for action: The PMN substances will be used as nucleating agents for no-stick automotive glass coating. Based on structural activity analogy to zinc and boron compounds, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 3 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because the substances would not be released to surface waters in significant quantities. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information the PMN substances meet the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substances.

CFR citations: 40 CFR 721.3031 (P-97-552); 40 CFR 721.3032 (P-97-553).

PMN Numbers P-97-582 and P-97-583

Chemical name: (generic) Substituted heteroaromatic-2 [[4-(dimethylamino)phenyl] azo]-3-methyl-, salts.

CAS number: Not available.

Basis for action: The PMN substances will be used as textile dyes. Based on the submitted test data, structural activity analogy to a similar delocalized

cationic dye, the aniline-based azo reduction product, analogy to Butter Yellow, and analogy to trichlorozincate, EPA is concerned that the PMN substances may cause developmental toxicity, carcinogenicity, neurotoxicity, acute and chronic toxicity, severe eye irritation and corrosivity, blood toxicity, and mutagenicity. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because there were no significant worker exposures. EPA has determined that domestic manufacture of the PMN substances may result in significant worker exposures. Based on this information the PMN substances meet the concern criteria at § 721.170(b)(1)(i)(C), (b)(2), (b)(3)(ii), and (b)(3)(iii).

Recommended testing: EPA has determined that a 90-day oral subchronic toxicity study in rats (40 CFR 798.2650 or OPPTS 870.3100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)), an oral two-species carcinogenicity study (40 CFR 799.9420) (62 FR 43838, August 15, 1997) (FRL-5719-5) and a prenatal developmental toxicity study by the oral route in two-species (40 CFR 799.9370) (62 FR 43832, August 15, 1997) (FRL-5719-5) would help characterize the health effects of the PMN substances.

CFR citation: 40 CFR 721.4098.

PMN Number P-97-593

Chemical name: (generic) Hydrofluorochloroalkene.

CAS number: Not available.

Basis for action: The PMN substance will be used as an intermediate. Based on structural activity analogy to similar substances and toxicity data submitted with the PMN, EPA is concerned that mutagenicity, neurotoxicity, immunotoxicity, carcinogenicity, liver toxicity, and kidney toxicity will occur in exposed workers. EPA determined that use of the substance as an intermediate did not present an unreasonable risk because it did not result in significant worker exposure. EPA has determined that use other than as an intermediate may result in significant worker exposure. Based on this information the PMN substance meets the concern criteria at § 721.170(b)(1)(i)(B), (b)(3)(i), and (b)(3)(ii).

Recommended testing: EPA has determined that a 90-day oral subchronic toxicity study in rats (40 CFR 798.2650 or OPPTS 870.3100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)) and an oral two-species carcinogenicity study (40 CFR 799.9420) (62 FR 43838, August 15, 1997) (FRL-

5719-5) would help characterize the health effects of the PMN substance.
CFR citation: 40 CFR 721.450.

PMN Number P-97-740

Chemical name: Siloxanes and silicones, 3-[(2-aminoethyl) amino]propyl Me, di-Me, reaction products with polyethylene-polypropylene glycol Bu glycidyl ether.
CAS number: 189354-73-2.

Basis for action: The PMN substance will be used as an ingredient for plastic resins. Based on structural activity analogy to similar substances, EPA is concerned that lung toxicity 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. EPA has determined that applications generating an aerosol, mist, or vapor 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 90-day oral subchronic toxicity study in rats (40 CFR 798.2650 or OPPTS 870.3100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)) would help to characterize the health effects of the PMN substance.

CFR citation: 40 CFR 721.9516.

PMN Number P-97-813

Chemical name: (generic) Diphenol tars.
CAS number: Not available.

Basis for action: The PMN substance will be used as a polymer additive. Based on structural activity analogy to phenols, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 10 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 substances would not be released to surface waters in significant quantities. EPA has determined that other uses of the substance may result in releases to surface waters during use which exceed the concern concentration. Based on this information the PMN substance meet the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test

guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.
CFR citation: 40 CFR 721.9661.

PMN Number P-97-820

Chemical name: (generic) C.I. Disperse Red 152.

CAS number: Not available.

Basis for action: The PMN substance will be used as a dyestuff for fabrics. Based on analogy to structurally similar substances, EPA is concerned that cancer and developmental toxicity 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. EPA has determined that use 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)(1)(i)(D) and (b)(3)(ii).

Recommended testing: EPA has determined that a prenatal developmental toxicity test by the oral route in two-species (40 CFR 799.9370) (62 FR 43832, August 15, 1997) (FRL-5719-5) and a two-species oral carcinogenicity study (40 CFR 799.9420) (62 FR 43838, August 15, 1997) (FRL-5719-5) would help to characterize the health effects of the PMN substance.
CFR citation: 40 CFR 721.2580.

PMN Numbers P-97-854

Chemical name: (generic) 3,6-Bis(dialkylamino)-9-[2-alkoxycarbonyl]phenyl]-xanthylium salt.

CAS number: Not available.

Basis for action: The PMN substance will be used as a colorant additive. Based on structural activity analogy to cationic dyes, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 2 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 in significant quantities. 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 an activated sludge sorption isotherm (OPPTS 835.1110 test guideline (63 FR 4259, January 28, 1998) (FRL-5761-7)), an algal acute toxicity study (40 CFR 797.1050 or OPPTS

850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a chronic 60-day fish early life stage toxicity test in rainbow trout (40 CFR 797.1600 or OPPTS 850.1400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and a 21-day daphnid chronic toxicity test (40 CFR 797.1330 or OPPTS 850.1300 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.
CFR citation: 40 CFR 721.9969.

PMN Numbers P-97-869/870/871

Chemical name: (generic) Alkylated diphenyls.

CAS number: Not available.

Basis for action: The PMN substances will be used as specialty solvents. Based on structural activity analogy to similar substances, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMNs did not present an unreasonable risk because the substances would not be released to surface waters in significant quantities. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information the PMN substances meet the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substances.
CFR citation: 40 CFR 721.2570.

PMN Number P-97-878

Chemical name: (generic) Polysubstituted carbomonocyclic hydroxylamine.

CAS number: Not available.

Basis for action: The PMN substance will be used as an antioxidant. Based on analogy to structurally similar substances, there is concern for liver toxicity, kidney toxicity, developmental toxicity, and neurotoxicity. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because significant

worker exposure would not result if respiratory protection were used by workers. EPA has determined that manufacture, processing, or use of the substance without respiratory protection may result in significant inhalation exposure to workers. Based on this information the PMN substance meets the concern criteria at § 721.170(b)(3)(ii).

Recommended testing: EPA has determined that a 90-day oral subchronic toxicity study in rats (40 CFR 798.2650 or OPPTS 870.3100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)) and a prenatal developmental toxicity study by the oral route in two-species (40 CFR 799.9370) (62 FR 43832, August 15, 1997) (FRL-5719-5) would characterize the human health effects of the PMN substance.
CFR citation: 40 CFR 721.2083.

PMN Numbers P-97-880/881/882

Chemical name: (generic)

Alkylphenylpolyetheralkanolamines.

CAS number: Not available.

Basis for action: The PMN substances will be used as a fuel additive. Based on structural activity analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at a concentration 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 would not be released to surface waters. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information the PMN substances meet the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substances.
CFR citation: 40 CFR 721.435.

PMN Numbers P-97-943/944/945/946/947/948

Chemical name: (generic) Mixed trialkylamines.

CAS number: Not available.

Basis for action: The PMN substances will be used as dispersing agents,

surfactants, and manufacturing intermediates. Based on structural activity analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1 ppb of the PMN substances in surface waters. EPA determined that use of these substances as described in the PMN did not present an unreasonable risk because the submitter has agreed to recommend "no releases to water" in its Material Safety Data Sheet (MSDS). EPA has determined that other uses of these substances may result in releases to surface waters which exceed the concern concentration. Based on this information the PMN substances 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 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substances.

CFR citation: 40 CFR 721.9685.

PMN Number P-97-956

Chemical name: (generic) Mixed metal oxide.

CAS number: Not available.

Basis for action: The PMN substance will be used as a pearlescent pigment. Based on analogy to structurally similar substances, there is concern for lung toxicity and fibrosis. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because significant worker exposure would not result if respiratory protection were used by workers. EPA has determined that manufacture, processing, or use of the substance without respiratory protection may result in significant inhalation exposure to workers. Based on this information the PMN substance meets the concern criteria at § 721.170(b)(3)(ii).

Recommended testing: EPA has determined that a 90-day subchronic inhalation study (40 CFR 799.9346) (62 FR 43828, August 15, 1997) (FRL-5719-5) would characterize the human health effects of the PMN substance.

CFR citation: 40 CFR 721.5548.

PMN Number P-97-1011

Chemical name: Oxirane, 2,2'-[methylenebis [(2,6-dimethyl-4,1-phenylene) oxymethylene]]bis-.
CAS number: 93705-66-9.

Effective date of section 5(e) consent order: January 15, 1998.

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

Toxicity concern: Structurally similar chemicals have been shown to cause cancer and reproductive effects in test animals and toxicity to aquatic organisms.

Recommended testing: EPA has determined that a 90-day subchronic inhalation study in rats with attention to pathology of the reproductive organs (40 CFR 799.9346) (62 FR 43828, August 15, 1997) (FRL-5719-5) and a two-species carcinogenicity study (40 CFR 799.9420) (62 FR 43838, August 15, 1997) (FRL-5719-5) would help to characterize health effects. EPA has determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance. The PMN submitter has agreed not to exceed the production volume limit without performing the 90-day subchronic inhalation toxicity test.

CFR citation: 40 CFR 721.5580.

PMN Numbers P-97-1028/1029

Chemical name: (generic) Substituted nitrobenzene (P-97-1028); (generic) Substituted benzonitrile (P-97-1029).
CAS number: Not available.

Basis for action: The PMN substances will be used as described in the PMNs. Based on analogy to structurally similar substances, there is concern for mutagenicity, carcinogenicity, immunotoxicity, liver toxicity, kidney toxicity, reproductive/developmental toxicity, and neurotoxicity. EPA determined that use of the substances as described in the PMNs did not present an unreasonable risk because significant worker exposure would not result if respiratory protection and impervious gloves were used by workers. EPA has determined that manufacture,

processing, or use of the substances without respiratory and dermal protection may result in significant inhalation and dermal exposure to workers. Based on this information the PMN substances meet the concern criteria at § 721.170(b)(3)(ii).

Recommended testing: EPA has determined that a skin sensitization test in Guinea pigs (40 CFR 798.4100 or OPPTS 870.2600 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)), a Salmonella assay (40 CFR 798.5625 or OPPTS 870.5265 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)), a mouse micronucleus assay by intraperitoneal injection (40 CFR 799.9539) (62 FR 43853, August 15, 1997) (FRL-5719-5), a neurotoxicity screening battery, National Technical Information Service (NTIS) Publication 91-154617, March 1991, series 81-8, 82-7, 831 (emphasizes the automated measuring of motor activity which was seen to be a sensitive end point for several analogues), an Organization for Economic Cooperation and Development (OECD) guideline no. 421, reproductive/developmental toxicity screening test (for initial information on all aspects of reproductive/developmental toxicity), a 28-day repeated oral exposure test in species to determine liver/kidney toxicity (40 CFR 798.4900 or OPPTS 870.3700 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)), and a two-species carcinogenicity study (40 CFR 799.9420) (62 FR 43838, August 15, 1997) (FRL-5719-5) would help characterize the health effects of the PMN substances.
CFR citations: 40 CFR 721.5360 (P-97-1028); 40 CFR 721.1734 (P-97-1029).

PMN Number P-97-1046

Chemical name: (generic) Substituted S-phenylthiazole.

CAS number: Not available.

Basis for action: The PMN substance will be used as a pesticide intermediate. Based on submitted test data for a structurally similar substance, EPA is concerned that the PMN substance may cause hepatotoxicity, kidney toxicity, reproductive toxicity, blood toxicity, developmental toxicity, and toxicity to the spleen and adrenal glands. Based on structural activity analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 40 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 there were no significant worker or environmental exposures. EPA has determined that domestic manufacture of the PMN substance may result in significant

worker or environmental exposures. Based on this information the PMN substance meets the concern criteria at § 721.170 (b)(3)(ii) and (b)(4)(ii).

Recommended testing: EPA has determined that a 90-day subchronic oral study in rats (40 CFR 798.2650 or OPPTS 870.3100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)), a prenatal developmental toxicity study by the oral route in two-species (40 CFR 799.9370) (62 FR 43832, August 15, 1997) (FRL-5719-5), and a reproduction and fertility effects study by the oral route (40 CFR 799.9380) (62 FR 43834, August 15, 1997) (FRL-5719-5) would help characterize the health effects of the PMN substance. EPA has also determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.
CFR citation: 40 CFR 721.5965.

PMN Numbers P-97-1060/1061/1062

Chemical name: (generic) Sodium salts of dodecylphenol.

CAS number: Not available.

Basis for action: The PMN substances will be used as catalysts. Based on structural activity analogy to phenols, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMNs did not present an unreasonable risk because the substances would not be released to surface waters in significant quantities. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information the PMN substances 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 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486,

April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substances.

CFR citation: 40 CFR 721.2585.

PMN Number P-97-1095

Chemical name: (generic) Substituted alkyl aminomethylene polyphosphonic acid, salt.

CAS number: Not available.

Basis for action: The PMN substance will be used as a processing aid. Based on structural activity analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 200 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters. 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 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.
CFR citation: 40 CFR 721.7785.

PMN Number P-98-24

Chemical name: (generic) Methoxy benzoic acid derivative.

CAS number: Not available.

Basis for action: The PMN substance will be used as a mediator in enzyme catalyzed reactions. Based on submitted test data, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 40 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 in significant quantities. 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 or OPPTS 850.1400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) and a 21-day daphnid chronic toxicity test (40 CFR 797.1330 or OPPTS 850.1300 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.

CFR citation: 40 CFR 721.1710

PMN Number P-98-45

Chemical name: (generic)

Dialkylaminophenyl imino pyrazole acid ester.

CAS number: Not available.

Basis for action: The PMN substance will be used as a colorant for thermal printing. Based on structural activity analogy to esters, EPA is concerned that toxicity to aquatic organisms may occur at a concentration 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 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 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.
CFR citation: 40 CFR 721.987.

PMN Number P-98-91

Chemical name: (generic) Pyrazolone azomethine dye.

CAS number: Not available.

Basis for action: The PMN substance will be used as a colorant for thermal printing. Based on submitted test data, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an

unreasonable risk because the substance would not be released to surface waters. 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 or OPPTS 850.1400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) and a 21-day daphnid chronic toxicity test (40 CFR 797.1330 or OPPTS 850.1300 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.

CFR citation: 40 CFR 721.988.

PMN Number P-98-101

Chemical name: 7-Oxabicyclo[4.1.0]heptane-3-carboxylic acid, methyl ester.

CAS number: 41088-52-2.

Basis for action: The PMN substance will be used as a chemical intermediate. Based on analogy to structurally similar substances and toxicity data submitted with the PMN, EPA is concerned that mutagenicity, carcinogenicity, reproductive toxicity in males, developmental toxicity, irritation to membranes, and sensitization to lungs and skin will occur in exposed workers. EPA determined that use of the substance as an intermediate did not present an unreasonable risk because it did not result in significant worker exposure. EPA has determined that use other than as an intermediate may result in significant worker exposure. Based on this information the PMN substance meets the concern criteria at § 721.170(b)(1)(i)(B), (b)(3)(i), and (b)(3)(ii).

Recommended testing: EPA has determined that a 90-day oral subchronic toxicity study in rats (40 CFR 798.2650 or OPPTS 870.3100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)) and an oral two-species carcinogenicity study (40 CFR 799.9420) (62 FR 43838, August 15, 1997) (FRL-5719-5) would help characterize the health effects of the PMN substance. *CFR citation:* 40 CFR 721.4097.

PMN Number P-98-155

Chemical name: (generic) Disubstituted benzene ether, polymer with substituted phenol.

CAS number: Not available.

Basis for action: The PMN substance will be used as a reactant in the manufacture of a thermosetting adhesive

polymer. Based on structural activity analogy to phenols, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 1 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters. 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 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance.

CFR citation: 40 CFR 721.1580.

PMN Number P-98-185

Chemical name: Ethanol, 2,2'-nitrioltris-, compound with alpha-[2,4,6-tris(1-phenylethyl)phenyl]-omega-hydroxypoly (oxy-1,2-ethanediyl)-phosphate.

CAS number: 105362-40-1.

Basis for action: The PMN substance will be used as a pesticide inert. Based on submitted test data, EPA is concerned that liver toxicity, effects to the thyroid and pituitary glands, and effects to the kidneys will occur in exposed workers. EPA determined that import of the substance for use as a pesticide inert did not present an unreasonable risk because it did not result in significant worker exposure. EPA has determined that use other than import for use as a pesticide inert may result in significant worker exposure. Based on this information the PMN substance meets the concern criteria at § 721.170(b)(3)(i).

Recommended testing: EPA has determined that a 2-year oral chronic toxicity study in rats (40 CFR 798.3260 or OPPTS 870.4100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)) would help characterize the health effects of the PMN substance.

CFR citation: 40 CFR 721.5356.

PMN Number P-98-198

Chemical name: Phenol, 5-amino-2,4-dichloro-, hydrochloride.

CAS number: 197178-93-1.

Basis for action: The PMN substance will have a destructive use. Based on structural activity analogy to phenols and anilines, EPA is concerned that toxicity to aquatic organisms may occur at a concentration as low as 2 ppb of the PMN substance in surface waters. Based on structural activity analogy to halogenated benzenes, phenols, and anilines EPA is concerned for potential liver toxicity, kidney toxicity, developmental toxicity, neurotoxicity, carcinogenicity, blood toxicity, immunotoxicity, and irritation to skin, eyes, and mucous membranes. 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 and workers would not be exposed via inhalation. EPA has determined that other uses of the substance may result in releases to surface waters which exceed the concern concentration and inhalation exposure to workers. Based on this information the PMN substance meets the concern criteria at § 721.170(b)(1)(i)(C), (b)(3)(ii), and (b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substance. EPA has also determined that a 90-day oral subchronic toxicity study in rats (40 CFR 798.2650 or OPPTS 870.3100 test guideline (63 FR 41845, August 5, 1998) (FRL-5740-1)), a prenatal developmental toxicity study by the oral route in two-species (40 CFR 799.9370) (62 FR 43832, August 15, 1997) (FRL-5719-5) and an oral two-species carcinogenicity study (40 CFR 799.9420) (62 FR 43838, August 15, 1997) (FRL-5719-5) would help characterize the health effects of the PMN substance. *CFR citation:* 40 CFR 721.5775.

PMN Numbers P-98-412/414/415/416/417

Chemical names: (generic) Coco alkyldimethyl amine salts.

CAS number: Not available.

Basis for action: The PMN substances will be used as a component of a coating. Based on submitted test data, EPA is concerned that toxicity to aquatic organisms may occur at a concentration 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 would not be released to surface waters. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information the PMN substances meet the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400 or OPPTS 850.1075 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), a daphnid acute toxicity study (40 CFR 797.1300 or OPPTS 850.1010 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)), and an algal acute toxicity study (40 CFR 797.1050 or OPPTS 850.5400 test guideline (public draft; 61 FR 16486, April 15, 1996) (FRL-5363-1)) would help characterize the environmental effects of the PMN substances.

CFR citation: 40 CFR 721.9490.

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 12 of the 73 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, TSCA section 5(e) consent orders requiring the use of appropriate exposure controls were negotiated with the PMN submitters; the SNUR provisions for these substances designated herein are consistent with the provisions of the TSCA section 5(e) consent orders.

In the other 61 cases for which the proposed uses are not regulated under a TSCA section 5(e) consent 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:

(1) 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.

(2) 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.

(3) 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.

(4) All manufacturers, importers, and processors of the same chemical substance which is subject to a TSCA section 5(e) consent 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 October 19, 1998, unless EPA receives a written notice by September 21, 1998 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 TSCA section 5(e) consent order requires or recommends certain testing, Unit III. of this preamble lists those recommended tests.

However, EPA has established production limits in the TSCA section 5(e) consent 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 consent orders required submissions at least 12 weeks) before reaching the specified production limit. Listings of the tests specified in the TSCA section 5(e) consent 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 TSCA 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 subject to Agency confidentiality regulations at 40 CFR part 2. 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. TSCA section 5(e) consent orders have been issued for 12 substances and notice submitters are prohibited by the TSCA section 5(e) consent orders from

undertaking activities which EPA is designating as significant new uses. In cases where EPA has not received an NOC and the substance has not been added to the Inventory, no other person may commence such activities without first submitting a PMN. For substances for which an NOC has not been submitted at this time, EPA has concluded that the uses are not ongoing. However, EPA recognizes in cases when chemical substances identified in this SNUR are added to the Inventory prior to the effective date of the rule, the substances may be manufactured, imported, or processed by other persons for a significant new use as defined in this rule before the effective date of the rule. However, 63 of the 73 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) of TSCA 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 significant new use notice requirements for potential

manufacturers, importers, and processors of the chemical substances subject to this rule. EPA's complete economic analysis is available in the rulemaking record for this rule (OPPTS-50632).

X. Public Record and Electronic Submissions

The official record for this rulemaking, as well as the public version, has been established for this rulemaking under docket control number OPPTS-50632 (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 official rulemaking record is located in the TSCA Nonconfidential Information Center Rm. NE-B607, 401 M St., SW., Washington, DC.

Electronic comments can be sent directly to EPA at:
oppt.ncic@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 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket control number OPPTS-50632. Electronic comments on this rule may be filed online at many Federal Depository Libraries.

The OPPTS harmonized test guidelines referenced in this document are available on EPA's World Wide Web site (<http://www.epa.gov/epahome/research.htm>) under the heading "Test Methods and Guidelines/OPPTS Harmonized Test Guidelines."

XI. Regulatory Assessment Requirements

Under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" subject to review by the Office of Management and Budget (OMB). In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act (UMRA) of 1995 (Pub. L. 104-4), or require prior consultation with State officials as also specified in Executive Order 12875, entitled *Enhancing the Intergovernmental Partnership* (58 FR 58093, October 28, 1993). Nor does it involve special considerations of

environmental justice related issues as required by Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994), or additional OMB review in accordance with Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997).

According to the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information that requires OMB approval under the PRA, unless it has been approved by OMB and displays a currently valid OMB control number. The OMB control numbers for EPA's regulations, after initial display in the preamble of the final rules, are listed in 40 CFR part 9. The information collection requirements related to this action have already been approved by OMB pursuant to the PRA under OMB control number 2070-0012 (EPA ICR No. 574). This action does not impose any burden requiring additional OMB approval.

If an entity were to submit a significant new use notice to the Agency, the annual burden is estimated to average between 30 and 170 hours per response. This burden estimate includes the time needed to review instructions, search existing data sources, gather and maintain the data needed, and complete, review and submit the required significant new use notice.

Send any comments about the accuracy of the burden estimate, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques, to the Director, OPPE Regulatory Information Division, Environmental Protection Agency (Mail Code 2137), 401 M St., SW., Washington, DC 20460, with a copy to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th St., NW., Washington, DC 20503, marked "Attention: Desk Officer for EPA." Please remember to include the OMB control number in any correspondence, but do not submit any completed forms to these addresses.

In addition, pursuant to section 605(b) of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), the Agency has previously certified, as a generic matter, that the promulgation of a SNUR does not have a significant adverse economic impact on a substantial number of small entities. The Agency's generic certification for promulgation of new SNURs appears on June 2, 1997 (62 FR

29684) (FRL-5597-1) and was provided to the Chief Counsel for Advocacy of the Small Business Administration.

XII. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: August 10, 1998.

Ward Penberthy,

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 § 721.305 to subpart E to read as follows:

§ 721.305 Di-substituted acetophenone (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as di-substituted acetophenone (PMN P-97-93) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63 (a)(1), (a)(2)(i), (a)(2)(ii), (a)(2)(iii), (a)(3), (b) (concentration set at 1.0 percent), and (c).

(ii) *Hazard communication program.*

Requirements as specified in § 721.72 (a), (b), (c), (d), (e) (concentration set at 1.0 percent), (f), (g)(2)(i), (g)(2)(v). The following statement shall appear on each label as specified in § 721.72(b) and the MSDS as specified in

§ 721.72(c): This substance is expected to be dermally absorbed and may cause effects to the liver, kidney, adrenal glands, and the heart.

(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), (b), (c), (d), (e), (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.

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

3. By adding new § 721.435 to subpart E to read as follows:

§ 721.435

Alkylphenylpolyetheralkanolamines (generic).

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

(1) The chemical substances identified generically as alkylphenylpolyetheralkanolamines (PMNs P-97-880/881/882) 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)(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 these substances.

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

4. By adding new § 721.450 to subpart E to read as follows:

§ 721.450 Hydrofluorochloroalkene (generic).

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

(1) The chemical substance identified generically as a hydrofluorochloroalkene (PMN P-97-593) 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.* The 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.

5. By adding new § 721.558 to subpart E to read as follows:

§ 721.558 Salt of a fatty alkylamine derivative (generic).

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

(1) The chemical substance identified generically as a salt of a fatty alkylamine derivative (PMN P-96-1426) 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.

6. By adding new § 721.630 to subpart E to read as follows:

§ 721.630 Salt of a modified tallow alkylenediamine (generic).

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

(1) The chemical substance identified generically as a salt of a modified tallow alkylenediamine (PMN P-96-1425) 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.

7. By adding new § 721.987 to subpart E to read as follows:

§ 721.987 Dialkylaminophenyl imino pyrazole acid ester (generic).

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

(1) The chemical substance identified generically as dialkylaminophenyl imino pyrazole acid ester (PMN P-98-45) 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.

8. By adding new § 721.988 to subpart E to read as follows:

§ 721.988 Pyrazolone azomethine dye (generic).

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

(1) The chemical substance identified generically as a pyrazolone azomethine dye (PMN P-98-91) 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.

9. By adding new § 721.1580 to subpart E to read as follows:

§ 721.1580 Disubstituted benzene ether, polymer with substituted phenol (generic).

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

(1) The chemical substance generically identified as disubstituted benzene ether, polymer with substituted phenol (PMN P-98-155) 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 § 721.1710 to subpart E to read as follows:

§ 721.1710 Methoxy benzoic acid derivative (generic).

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

(1) The chemical substance identified generically as a methoxy benzoic acid derivative (PMN P-98-24) 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) *Release to water.* Requirements as specified in § 721.90 (a)(4), (b)(4), and (c)(4) (N = 40).

(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 § 721.1734 to subpart E to read as follows:

§ 721.1734 Substituted benzonitrile (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as a substituted benzonitrile (PMN P-97-1029) 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)(2)(i), (a)(3), (a)(4), (a)(5)(ii), (a)(5)(iv), (a)(5)(v), and (a)(6)(v).

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

(iii) *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.* The recordkeeping requirements specified in § 721.125 (a), (b), (c), (d), (e), (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.

12. By adding new § 721.2078 to subpart E to read as follows:

§ 721.2078 1-Piperidinecarboxylic acid, 2-[(dichloro-hydroxy-carbomonocycle)hydrazono]-, methyl ester (generic).

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

(1) The chemical substance generically identified as 1-piperidinecarboxylic acid, 2-[(dichloro-hydroxy-carbomonocycle)hydrazono]-, methyl ester (PMN P-96-756) 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)(5)(i), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72 (a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (g)(1)(iv), (g)(1)(vii), (g)(2)(ii), (g)(2)(iii), (g)(2)(iv), and (g)(5).

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

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

13. By adding new § 721.2079 to subpart E to read as follows:

§ 721.2079 Dichloro, hydroxy, hydrazino-carbomonocycle (generic).

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

(1) The chemical substance generically identified as dichloro, hydroxy, hydrazino-carbomonocycle (PMN P-96-757) 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)(5)(i), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72 (a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (g)(1)(iv), (g)(1)(vii), (g)(2)(ii), (g)(2)(iii), (g)(2)(iv), and (g)(5).

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

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

14. By adding new § 721.2081 to subpart E to read as follows:

§ 721.2081 Dichloro, hydroxy, hydrazino-carbomonocycle-monohydrochloride (generic).

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

(1) The chemical substance generically identified as dichloro, hydroxy, hydrazino-carbomonocycle-

monohydrochloride (PMN P-96-758) 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)(5)(i), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.*

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

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

(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 § 721.2083 to subpart E to read as follows:

§ 721.2083 Polysubstituted carbomonocyclic hydroxylamine (generic).

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

(1) The chemical substance identified generically as a polysubstituted carbomonocyclic hydroxylamine (PMN P-97-878) 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)(5)(ii), (a)(5)(iv), (a)(5)(v), and (a)(6)(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.* The recordkeeping requirements specified in § 721.125 (a), (b), (c), and (d) 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 § 721.2480 to subpart E to read as follows:

§ 721.2480 Isoalkyldimethylamine (generic).

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

(1) The chemical substance identified generically as isoalkyldimethylamine (PMN P-96-1320) 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) (N = 3).

(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.

17. By adding new § 721.2485 to subpart E to read as follows:

§ 721.2485 1,3-Dioxolane, 2-ethenyl-

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

(1) The chemical substance identified as 1,3-Dioxolane, 2-ethenyl- (PMN P-96-1006; CAS No. 3984-22-3) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63 (a)(1), (a)(2)(i), (a)(2)(ii), (a)(3)(i), (a)(4), (a)(5)(iii), (a)(5)(xii), (a)(5)(xiii), (a)(5)(xiv), (a)(6)(v), (b) (concentration set at 1.0 percent), and (c). The imperviousness of each item pursuant to (a)(2)(i) and (a)(2)(ii) must be demonstrated by actual testing under (a)(3)(i) and not by manufacturer specifications. Permeation testing shall be conducted according to the ASTM F739 "Standard Test Method for Resistance of Protective Clothing Materials to Permeation by Liquids or Gases." Results shall be recorded as a cumulative permeation rate as a function of time, and shall be documented in accordance with ASTM F739 using the format specified in ASTM F1194-89 "Guide for Documenting the Results of Chemical Permeation Testing on Protective Clothing Materials." Gloves may not be used for a time period longer than they are actually tested and must be replaced at the end of each work shift. The manufacturer, importer, or processor

must submit all test data to the Agency and must receive written Agency approval for each type of glove tested prior to use of such gloves.

(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)(iv), (g)(2)(ii), (g)(2)(iii), and (g)(5). The following statements shall appear on each label as specified in § 721.72(b) and the MSDS as specified in § 721.72(c): This substance may cause fatality. When using this substance avoid dermal contact. When using this substance use respiratory protection or engineering and process controls to mitigate respiratory exposure. When using this substance use dermal protection to prevent dermal exposure.

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

(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), (d), (e), (f), (g), and (h) are applicable to manufacturers, importers, and processors of this substance.

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

18. By adding new § 721.2532 to subpart E to read as follows:

§ 721.2532 Substituted diphenylmethane (generic).

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

(1) The chemical substance identified generically as a substituted diphenylmethane (PMN P-97-4) 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.

19. By adding new § 721.2570 to subpart E to read as follows:

§ 721.2570 Alkylated diphenyls (generic).

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

(1) The chemical substances identified generically as alkylated diphenyls (PMNs P-97-869/870/871) 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) (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 these substances.

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

20. By adding new § 721.2580 to subpart E to read as follows:

§ 721.2580 C.I. Disperse Red 152 (generic).

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

(1) The chemical substance identified generically as C.I. disperse red 152 (PMN P-97-820) 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 (v)(1), (w)(1), and (x)(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.

21. By adding new § 721.2585 to subpart E to read as follows:

§ 721.2585 Sodium salts of dodecylphenol (generic).

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

(1) The chemical substances identified generically as sodium salts of dodecylphenol (PMNs P-97-1060/1061/1062) 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) (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 these substances.

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

22. By adding new § 721.3031 to subpart E to read as follows:

§ 721.3031 Boric acid (H₃BO₃), zinc salt (2=3).

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

(1) The chemical substance identified as boric acid (H₃BO₃), zinc salt (2=3) (PMN P-97-552; CAS No. 10192-46-8) 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) (N = 3).

(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.

23. By adding new § 721.3032 to subpart E to read as follows:

§ 721.3032 Boric acid (H₃BO₂), zinc salt.

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

(1) The chemical substance identified as boric acid (H₃BO₂), zinc salt (PMN P-97-553; CAS No. 14720-55-9) 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) (N = 3).

(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 § 721.3635 to subpart E to read as follows:

§ 721.3635 Octadecanoic acid, ester with 1,2-propanediol, phosphate, anhydride with silicic acid (H₄SiO₄).

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

(1) The chemical substance identified as octadecanoic acid, ester with 1,2-propanediol, phosphate, anhydride with silicic acid (H₄SiO₄) (PMN P-96-1520; CAS No. 177771-31-2) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Hazard communication program.* Requirements as specified in § 721.72 (a), (b), (c), (d), (f), (g)(3)(ii), (g)(4)(i), and (g)(5). The following statement shall appear on each label as specified in § 721.72(b) and the MSDS as specified in § 721.72(c): Do not release into the environment in quantities that allow surface water concentrations to exceed 6 ppb.

(ii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(p) (15 months).

(iii) *Release to water.* Requirements as specified in § 721.90 (a)(4), (b)(4), and (c)(4) (N = 6).

(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), (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.

25. By adding new § 721.4097 to subpart E to read as follows:

§ 721.4097 7-Oxabicyclo[4.1.0]heptane-3-carboxylic acid, methyl ester.

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

(1) The chemical substance identified as 7-oxabicyclo[4.1.0]heptane-3-carboxylic acid, methyl ester (PMN P-98-101) 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.* The 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.

26. By adding new § 721.4098 to subpart E to read as follows:

§ 721.4098 Substituted heteroaromatic-2[[4-(dimethylamino) phenyl]azo]-3-methyl-, salts (generic).

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

(1) The chemical substances identified generically as substituted heteroaromatic-2[[4-(dimethylamino)phenyl]azo]-3-methyl-, salts (PMNs P-97-582 and P-97-583) are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

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

(ii) [Reserved]

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

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125 (a), (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.

27. By adding new § 721.5290 to subpart E to read as follows:

§ 721.5290 Phenylazoalkoxy naphthylamines (generic).

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

(1) The chemical substances identified generically as phenylazoalkoxy naphthylamines (PMNs P-97-42 and P-97-43) 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) (N = 50 for P-97-42) (N = 40 for P-97-43).

(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 these substances.

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

28. By adding new § 721.5356 to subpart E to read as follows:

§ 721.5356 Ethanol, 2,2',2''-nitrilotriss-, compound with alpha-2,4,6-tris(1-phenylethyl)phenyl]-omega-hydroxypoly (oxy-1,2-ethanediyl) phosphate.

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

(1) The chemical substance identified as ethanol, 2,2',2''-nitrilotriss-, compound with alpha-[2,4,6-tris(1-phenylethyl)phenyl]-omega-hydroxypoly (oxy-1,2-ethanediyl) phosphate (PMN P-98-185) 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 (j) (pesticide inert).

(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.* The 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.

29. By adding new § 721.5360 to subpart E to read as follows:

§ 721.5360 Substituted nitrobenzene (generic).

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

(1) The chemical substance identified generically as substituted nitrobenzene (PMN P-97-1028) 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)(2)(i), (a)(3), (a)(4), (a)(5)(ii), (a)(5)(iv), (a)(5)(v), and (a)(6)(v).

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

(iii) *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.* The recordkeeping requirements specified in § 721.125 (a), (b), (c), (d), (e), (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.

30. By adding new § 721.5548 to subpart E to read as follows:

§ 721.5548 Mixed metal oxide (generic).

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

(1) The chemical substance identified generically as a mixed metal oxide (PMN P-97-956) 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)(5)(iii), (a)(5)(iv), and (a)(6)(i).

(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.* The recordkeeping requirements specified in § 721.125 (a), (b), (c), and (d) are applicable to manufacturers, importers, and processors of this substance.

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

31. By adding new § 721.5580 to subpart E to read as follows:

§ 721.5580 Oxirane, 2,2'-[methylenebis[(2,6-dimethyl-4,1-phenylene)oxymethylene]]bis-

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

(1) The chemical substance identified as oxirane, 2,2'-[methylenebis[(2,6-dimethyl-4,1-phenylene)oxymethylene]]bis- (PMN P-97-1011; CAS No. 93705-66-9) 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)(5)(iii), (a)(5)(iv), (a)(5)(v), (a)(5)(vi), (a)(5)(vii), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 0.1 percent), and (c). As an alternative to the respiratory requirements listed here, a manufacturer, importer, or processor may choose to follow the new chemical exposure limit (NCEL) provisions listed in the TSCA section 5(e) consent order for this substance. The NCEL is 0.35 milligram/meter³ (mg/m³).

(ii) *Hazard communication program.* Requirements as specified in § 721.72 (a), (b), (c), (d), (e) (concentration set 0.1 percent), (f), (g)(1)(vi), (g)(1)(vii), (g)(2)(ii), (g)(2)(iv), (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 (f) and (g).

(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), (b), (c), (d), (f), (g), (h), (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.

32. By adding new § 721.5775 to subpart E to read as follows:

§ 721.5775 Phenol, 5-amino-2,4-dichloro-, hydrochloride.

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

(1) The chemical substance identified as phenol, 5-amino-2,4-dichloro-, hydrochloride (PMN P-98-198) 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 (v)(i), (w)(i), and (x)(i).

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

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

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125

(a), (b), (c), (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.

33. By adding new § 721.5965 to subpart E to read as follows:

§ 721.5965 Substituted S-phenylthiazole (generic).

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

(1) The chemical substance identified generically as substituted s-phenylthiazole (PMN P-97-1046) 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), (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.

34. By adding new § 721.6175 to subpart E to read as follows:

§ 721.6175 2-Piperdinone, 1,3-dimethyl-

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

(1) The chemical substance identified as 2-Piperdinone, 1,3-dimethyl- (PMN P-97-520; CAS No. 1690-76-2) 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 § 721.80(j).

(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.* The 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.

35. By adding new § 721.6176 to subpart E to read as follows:

§ 721.6176 2-Piperdinone, 1,5-dimethyl-

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

(1) The chemical substances identified as 2-Piperdinone, 1,5-dimethyl- (PMN P-97-521; CAS No. 86917-58-0) 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 § 721.80(j).

(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.* The 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.

36. By adding new § 721.6498 to subpart E to read as follows:

§ 721.6498 Modified polyisocyanates (generic).

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

(1) The chemical substance identified generically as modified polyisocyanates (PMN P-96-1428) 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)(ii), (a)(5)(viii), (a)(5)(ix), (a)(6)(ii), (b) (concentration set at 0.1 percent), and (c). As an alternative to the respiratory requirements listed here, a manufacturer, importer, or processor may choose to follow the NCEL provisions listed in the TSCA section 5(e) consent order for this substance. The NCEL is 0.05 mg/m³.

(ii) *Hazard communication program.*

Requirements as specified in § 721.72 (a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), and (g)(5). The following statements shall appear on each label as specified in § 721.72(b) and the MSDS as specified in § 721.72(c): Warnings. Exposure to diisocyanates may cause the following human health effects: Skin irritation and allergic reactions, respiratory irritation, respiratory sensitization, and lung toxicity; some diisocyanates also may cause cancer. The likelihood that these effects will occur depends on a number of factors; among them, the level of exposure, frequency of exposure, part of the body exposed, and sensitivity of the

exposed individual. Symptoms of allergic reaction and respiratory sensitization include rashes, cough, shortness of breath, asthma, chest tightness and other breathing difficulties. There is uncertainty as to the mechanism by which sensitization occurs. In sensitized individuals, exposure to even small amounts of diisocyanates (below government-recommended workplace exposure levels) may cause allergic respiratory reactions like asthma and severe breathing difficulties. It is especially important to note that contact with skin may lead to respiratory sensitization or cause other allergic reactions. In some cases, the effects of diisocyanate exposure may be immediate and life-threatening; in others, the effects may be delayed and occur hours after the exposure has ended. Repeated or prolonged exposure to diisocyanates may also cause irritation to eyes, skin, respiratory tract and lungs, as well as adverse chronic lung effects, like decreased lung capacity and function. Individuals experiencing shortness of breath, tightness in the chest or other problems breathing should seek immediate medical attention. When using this substance the following protective measures should be used: In workplaces where individuals handle diisocyanates or coatings or other formulations that contain them, an industrial hygiene and safety program should be operative. Important components of this program include: Hazard communication and training on safe handling practices; use of efficient and well-maintained application equipment, engineering controls and personal protective equipment; housekeeping procedures including spill prevention and cleanup practices; and, if feasible, means to measure airborne levels of polyisocyanates and diisocyanates. During spray applications, workers should take precautions to avoid breathing vapors, mists or aerosols. Inhalation exposures should be limited to < 0.05 mg/m³ as an 8-hour time-weighted average (TWA) for combined polyisocyanates and diisocyanates. Engineering controls should serve as the first, most effective means of reducing airborne polyisocyanate and diisocyanate concentrations; an appropriate National Institute for Occupational Safety and Health/Mine Safety and Health Administration (NIOSH/MSHA) approved respirator should be used as a secondary tool to lower exposures. Currently, downdraft spray booths and high-volume low-pressure (HVLP) spray guns appear to offer the most efficient

technology to reduce inhalation exposures; a maintenance program should always be used to ensure optimal operating efficiencies. To limit dermal contact, individuals should wear impermeable gloves, protective clothing and goggles or glasses with side shields.

(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), (b), (c), (d), (e), (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.

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

37. By adding new § 721.7285 to subpart E to read as follows:

§ 721.7285 Amines, N-cocoalkyltrimethylenedi-, citrates.

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

(1) The chemical substance identified as amines, N-cocoalkyltrimethylenedi-, citrates. (PMN P-93-880; CAS No. 189120-63-6) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

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

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

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

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

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

38. By adding new § 721.7286 to subpart E to read as follows:

§ 721.7286 Amines, N-tallowalkyltri-propylenetetra-, citrates.

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

(1) The chemical substance identified as amines, N-tallowalkyltri-propylenetetra-, citrates (PMN P-93-881; CAS No. 189120-62-5) 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) *Hazard communication program.* Requirements as specified in § 721.72 (a), (b), (c), (d), (f), (g)(3)(ii), (g)(4)(iii), and (g)(5).

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

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

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

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

39. By adding new § 721.7785 to subpart E to read as follows:

§ 721.7785 Substituted alkyl aminomethylene polyphosphonic acid, salt (generic).

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

(1) The chemical substance identified generically as a substituted alkylamino methylene polyphosphonic acid, salt (PMN P-97-1095) 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.

40. By adding new § 721.8153 to subpart E to read as follows:

§ 721.8153 Di-substituted propanedione (generic).

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

(1) The chemical substance identified

generically as di-substituted propanedione (PMN P-97-94) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63 (a)(1), (a)(2)(i), (a)(2)(ii), (a)(2)(iii), (a)(3), (b) (concentration set at 1.0 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72 (a), (b), (c), (d), (e) (concentration set at 1.0 percent), (f), (g)(2)(i), (g)(2)(v). The following statement shall appear on each label as specified in § 721.72(b) and the MSDS as specified in § 721.72(c): This substance is expected to be dermally absorbed and may cause effects to the liver, kidney, adrenal glands, and the heart.

(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), (b), (c), (d), (e), (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.

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

41. By adding new § 721.8660 to subpart E to read as follows:

§ 721.8660 Propionic acid methyl ester (generic).

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

(1) The chemical substance identified generically as a propionic acid methyl ester (PMN P-97-370) 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), and (a)(3).

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

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

(1) *Recordkeeping.* The recordkeeping requirements specified in § 721.125 (a), (b), (c), (d), (e), 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.

42. By adding new § 721.9490 to subpart E to read as follows:

§ 721.9490 Coco alkyl dimethyl amine salts (generic).

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

(1) The chemical substances identified generically as coco alkyl dimethyl amine salts (PMNs P-98-412/414/415/416/417) 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)(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.

43. By adding new § 721.9516 to subpart E to read as follows:

§ 721.9516 Siloxanes and silicones, 3-[(2-aminoethyl) amino]propyl Me, di-Me, reaction products with polyethylene-polypropylene glycol Bu glycidal ether.

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

(1) The chemical substance identified generically as siloxanes and silicones, 3-[(2-aminoethyl) amino]propyl Me, di-Me, reaction products with polyethylene-polypropylene glycol Bu glycidyl ether (PMN P-97-740; CAS No. 189354-73-2) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

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

(ii) [Reserved]

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

(1) *Recordkeeping.* Recordkeeping requirements 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.

44. By adding new § 721.9517 to subpart E to read as follows:

§ 721.9517 Siloxanes and silicones, de-Me, 3-[4-[[[3-(dimethyl amino) propyl] amino]carbonyl]-2-oxo-1-pyrrolidinyl] propyl Me.

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

(1) The chemical substance identified as siloxanes and silicones, de-Me, 3-[4-[[[3-(dimethylamino) propyl]amino] carbonyl]-2-oxo-1-pyrrolidinyl]propyl Me (PMN P-97-332) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

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

(ii) [Reserved]

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

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

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

45. By adding new § 721.9595 to subpart E to read as follows:

§ 721.9595 Alkyl benzene sulfonic acids and alkyl sulfates, amine salts (generic).

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

(1) The chemical substances identified generically as alkyl benzene sulfonic acids and alkyl sulfates, amine salts (PMNs P-97-296/297/298/299) 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)(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 these substances.

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

46. By adding new § 721.9661 to subpart E to read as follows:

§ 721.9661 Diphenol tars (generic).

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

(1) The chemical substance identified generically as diphenol tars (PMN P-97-813) 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(j).

(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.

47. By adding new § 721.9663 to subpart E to read as follows:

§ 721.9663 Poly(oxy-1,2-ethanediyl), alpha, alpha'-[thiobis (1-oxo-3,1-propanediyl)]bis [omega-hydroxy-,bis (C₁₁₋₁₅ and C₁₁₋₁₅-isoalkyl)] ethers.

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

(1) The chemical substance identified as poly(oxy-1,2-ethanediyl), alpha, alpha'-[thiobis (1-oxo-3,1-propanediyl)]bis [omega-hydroxy-,bis(C₁₁₋₁₅ and C₁₁₋₁₅-isoalkyl)] ethers (PMN P-97-497; CAS No. 174254-18-3) 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(j).

(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.* The 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.

48. By adding new § 721.9685 to subpart E to read as follows:

§ 721.9685 Mixed trialkylamines (generic).

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

(1) The chemical substances identified generically as mixed trialkylamines (PMNs P-97-943/944/945/946/947/948) 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)(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 these substances.

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

49. By adding new § 721.9719 to subpart E to read as follows:

§ 721.9719 Tris carbamoyl triazine (generic).

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

(1) The chemical substance identified generically as tris carbamoyl triazine (PMN P-95-1098) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

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

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

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

(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), (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.

50. By adding new § 721.9969 to subpart E to read as follows:

§ 721.9969 3,6-Bis(dialkylamino)-9-[2-alkoxycarbonyl] phenyl]-xanthylum salt (generic).

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

(1) The chemical substance identified generically as 3,6-bis(dialkylamino)-9-[2-alkoxycarbonyl] phenyl]-xanthylum salt (PMN P-97-854) 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 (j).

(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.

51. By adding new § 721.9973 to subpart E to read as follows:

§ 721.9973 Zirconium dichlorides (generic).

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

(1) The chemical substances identified generically as zirconium dichlorides (PMNs P-97-179/181/189/769/775/781/782/783) 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) (N = 20).

(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 these substances.

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

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-8; RM-9178]

Radio Broadcasting Services; Albion, Honeoye Falls, South Bristol Township, NY

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Citicasters Company, reallots Channel 297A from Honeoye Falls, NY, to South Bristol Township, NY, modifies the license of Station WMAX-FM accordingly, reallots Channel 236B from South Bristol Township to Honeoye Falls, modifies the license of Station WNVE accordingly, and substitutes Channel 271A for vacant but applied-for Channel 238A at Albion, NY. See 63 FR 6698, February 10, 1998. Channel 236B can be allotted to Honeoye Falls in compliance with the Commission's minimum distance separation requirements with respect to domestic allotments, with a site restriction of 16.5 kilometers (10.3 miles) northeast, at coordinates 43-02-00; 77-25-17, to accommodate petitioner's desired transmitter site. This site is short-spaced to Stations CKQT-FM, Channel 235B, Oshawa, Ontario, and CKDS-FM, Channel 237C1, Hamilton, Ontario, Canada. Channel 297A can be allotted to South Bristol Township in compliance with the Commission's minimum distance separation requirements with a site restriction of 2.9 kilometers (1.8 miles) northwest, at coordinates 42-44-47; 77-25-35, to accommodate petitioner's desired transmitter site. Channel 271A can be allotted to Albion in compliance with the Commission's minimum distance separation requirements, with respect to domestic allotments, without the imposition of a site restriction, at coordinates 43-14-48; 78-11-36. This allotment is short-spaced to Station CFNY-FM, Channel 271C1, Brampton, Ontario, Canada, and to the vacant Channel 272B at Belleville, Canada. Canadian concurrence in these allotments has been received since each of the communities are located within 320 kilometers (200 miles) of the U.S.-Canadian border. The allotments at Honeoye Falls and Albion have been concurred in as specially negotiated short-spaced allotments. With this action, this proceeding is terminated.

EFFECTIVE DATE: September 28, 1998.