

## § 704.45

## 40 CFR Ch. I (7-1-07 Edition)

3 years following the date of the report or the date of the intended start of import whichever occurs later.

(7) The number of persons exposed to the chemical substance during manufacture, import, processing, distribution in commerce, use, and disposal.

(8) If a manufacturer's waste contains one or more of the chemical substances identified in paragraph (b) of this section, the manufacturer must:

(i) Provide the quantity (by weight) of the chemical substances identified in paragraph (b) of this section present in the waste.

(ii) Identify the constituents of the waste and their concentrations.

(iii) State the rate of waste generation as a percentage of production volume.

(iv) Describe where in the manufacturing process the waste is generated, and

(v) Describe the method for disposal of the waste.

(f) *When to report.* (1) Persons who are manufacturing or importing a chemical substance identified in paragraph (b) of this section on October 8, 1984 must notify EPA by November 6, 1984.

(2) Persons who propose to import a chemical substance identified in paragraph (b) of this section on or after October 8, 1984 must notify EPA by November 6, 1984, or 15 days after making the management decision described in § 704.3, whichever is later in time.

(3) Persons who manufacture a chemical substance identified in paragraph (b) of this section after October 8, 1984 must notify EPA within 30 days after the initial date of manufacture.

[49 FR 33653, Aug. 24, 1984; 49 FR 45133, Nov. 15, 1984; 50 FR 1215, Jan. 10, 1985; 51 FR 19839, June 3, 1986; 52 FR 20083, May 29, 1987. Redesignated at 53 FR 51717, Dec. 22, 1988]

### § 704.45 Chlorinated terphenyl.

(a) *Definitions.* (1) *Chlorinated terphenyl* means a chemical substance, CAS No. 61788-33-6, comprised of chlorinated ortho-, meta-, and paraterphenyl.

(2) *Extent of chlorination* means the percent by weight of chlorine for each isomer (ortho, meta, and para).

(3) *Isomeric ratio* means the ratios of ortho-, meta-, and parachlorinated terphenyls.

(4) *Polychlorinated biphenyl* means any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees.

(5) *Small manufacturer* means a manufacturer (importers are defined as manufacturers under TSCA) who meets either of the following standards under this rule:

(i) *First standard.* A manufacturer of an existing chemical substance is small if its total annual sales, when combined with those of its parent company (if any), are less than \$40 million. However, if the annual production volume of a particular chemical substance at any individual site owned or controlled by the manufacturer is greater than 45,400 kilograms (100,000 pounds), the manufacturer shall not qualify as small for purposes of reporting on the production of that chemical substance at the site, unless the manufacturer qualified as small under paragraph (a)(5)(ii) of this section.

(ii) *Second standard.* A manufacturer of an existing chemical substance is small if its total annual sales, when combined with those of its parent company (if any), are less than \$4 million, regardless of the quantity of chemicals produced by that manufacturer.

(b) *Persons who must report.* Except for small manufacturers and as provided in § 704.5, the following persons are subject to the rule:

(1) Persons who manufacture or propose to manufacture chlorinated terphenyl.

(2) Persons who import (importers) or propose to import chlorinated terphenyl as a chemical substance in bulk or as part of a mixture.

(c) *What information to report.* Persons subject to this rule as described in paragraph (b) of this section must notify EPA of current or proposed manufacture or import of chlorinated terphenyl. The notice must include, to the extent that it is known to the person making the report or is reasonably ascertainable, the following information:

(1) Company name and address.

(2) Name, address, and telephone number of principal technical contact.

(3) A description of the use(s) or intended use(s) for chlorinated terphenyl.

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(4) A description of the isomeric ratio and extent of chlorination of the chlorinated terphenyl and the impurity level of polychlorinated biphenyls.

(5) The quantity (by weight) manufactured or imported within 12 months prior to the effective date of the rule, if any, and the estimated quantity (by weight) to be manufactured or imported for the first three years following the date of the report or the date of the intended start of production, whichever occurs later.

(6) The proposed date for the initiation of manufacturing or importation of chlorinated terphenyl, if appropriate.

(d) *When to report.* Persons who are manufacturing or importing chlorinated terphenyl on the effective date of the rule must notify EPA within 30 days of the effective date of the rule. Persons who propose to manufacture or import chlorinated terphenyl must notify EPA within 15 days after making the management decision described in § 704.3 "Proposed to manufacture or import".

[49 FR 11184, Mar. 26, 1984, as amended at 49 FR 32068, Aug. 10, 1984; 50 FR 2048, Jan. 15, 1985; 52 FR 20083, May 29, 1987. Redesignated at 53 FR 51717, Dec. 22, 1988; 58 FR 34204, June 23, 1993]

**§ 704.95 Phosphonic acid, [1,2-ethanediyl-bis[nitrilobis-(methylene)]]tetrakis- (EDTMPA) and its salts.**

(a) *Substances for which reporting is required.* The chemical substances for which reporting is required under this section are:

CAS No.	Chemical name
1429-50-1	Phosphonic acid, [1,2-ethanediyl-bis[nitrilobis (methylene)]] tetrakis- (EDTMPA)
15142-96-8	Phosphonic acid, [1,2-ethanediyl-bis[nitrilobis(methylene)]] tetrakis-hexasodium salt
34274-30-1	Phosphonic acid, [1,2-ethanediyl-bis[nitrilobis(methylene)]] tetrakis-, potassium salt
57011-27-5	Phosphonic acid, [1,2-ethanediyl-bis[nitrilobis (methylene)]] tetrakis-, ammonium salt
67924-23-6	Cobaltate (6-), [[[1,2-ethanediylbis [nitrilobis (methylene)]] tetrakis-[phosphonato]] (8-)-, pentapotassium hydrogen, (OC-6-21)-
67969-67-9	Cobaltate (6-), [[[1,2-ethanediylbis [nitrilobis (methylene)]] tetrakis- [phosphonato]] (8-)-, N,N',O,O',O''',O''''-], pentasodium hydrogen, (OC-6-21)-
67989-89-3	Cuprate (6-), [[[1,2-ethanediylbis [nitrilobis (methylene)]] tetrakis- [phosphonato]] (8-)-, pentapotassium hydrogen, (OC-6-21)-

CAS No.	Chemical name
68025-39-8	Cobaltate (6-), [[[1,2-ethanediylbis [nitrilobis (methylene)]] tetrakis- [phosphonato]] (6-)-, N,N',O,O',O''',O''''-], pentaammonium hydrogen, (OC-6-21)-
68188-96-5	Phosphonic acid, [1,2-ethanediylbis [nitrilobis (methylene)]] tetrakis-, tetrapotassium salt
68309-98-8	Cadmate (6-), [[[1,2-ethanediylbis [nitrilobis (methylene)]] tetrakis- [phosphonato]] (8-)-, pentapotassium hydrogen, (OC-6-21)-
68901-17-7	Phosphonic acid, [1,2-ethanediylbis [nitrilobis (methylene)]] tetrakis-, octaammonium salt
68958-86-1	Nickelate (6-), [[[1,2-ethanediylbis [nitrilobis (methylene)]] tetrakis- [phosphonato]] (8-)-, pentaammonium hydrogen, (OC-6-21)-
68958-87-2	Nickelate (6-), [[[1,2-ethanediylbis [nitrilobis (methylene)]] tetrakis- [phosphonato]] (8-)-, pentapotassium hydrogen, (OC-6-21)-
68958-88-3	Nickelate (6-), [[[1,2-ethanediylbis [nitrilobis (methylene)]] tetrakis [phosphonato]] (8-)-, pentasodium hydrogen, (OC-6-21)-

(b) *Persons who must report.* Unless exempt as provided in § 704.5, reports must be submitted by:

(1) Persons who manufacture or import any of the substances identified in paragraph (a) of this section.

(2) Persons who propose to manufacture or propose to import any of the substances identified in paragraph (a) of this section. For the purposes of importer reporting under this section, an import site is the operating unit within the person's organization which is directly responsible for importing the substance and which controls the import transaction; the import site may in some cases be the organization's headquarters office in the United States.

(c) *What information to report.* Persons identified in paragraph (b) of this section must report to EPA, for each of the substances identified in paragraph (a) of this section, the following information to the extent known to or reasonably ascertainable by them.

(1) Initial Report:

(i) Name and Chemical Abstracts Service Registry Number of the substance for which the report is submitted.

(ii) Company name and headquarters address.

(iii) Name, address, and telephone number of the principal technical contact.

(iv) The total quantity (by weight in pounds) of the substance manufactured or imported for the person's most recently completed corporate fiscal year.