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**Title 40 – Protection of Environment**  
**Chapter I – Environmental Protection Agency**  
**Subchapter R – Toxic Substances Control Act**  
**Part 721 – Significant New Uses of Chemical Substances**  
**Subpart E – Significant New Uses for Specific Chemical Substances**

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

**Source:** 49 FR 35018, Sept. 5, 1984, unless otherwise noted.

**Editorial Note:** Nomenclature changes to part 721 appear at 87 FR 39764, July 5, 2022.

**§ 721.11695 Modified graphene (generic).**

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

(1) The chemical substance identified generically as modified graphene (PMN P–20–5) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured), embedded into a thermoset polymer resin as an intermediate step before curing, or embedded into a permanent solid polymer form that is not intended to undergo further processing, except mechanical processing or physical blending.

(2) The significant new uses are:

(i) **Protection in the workplace.** Requirements as specified in § 721.63(a)(1) and (3) through (6) and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. Where workers are reasonably expected to be exposed by inhalation to dust from the substance, dust controls shall be implemented that demonstrate an exposure reduction of at least 90%. For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50. For purposes of § 721.63(a)(6), the airborne form(s) of the substance include: particulate (including solids or liquid droplets).

(ii) **Industrial, commercial, and consumer activities.** Requirements as specified in § 721.80(f) and (k). It is a significant new use to use the substance in an application method that results in inhalation exposure to workers.

(iii) **Disposal.** Requirements as specified in § 721.85(a)(1) and (2), (b)(1) and (2), and (c)(1) and (2). It is a significant new use to release the substance directly to air.

(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 (b).

- (1) **Recordkeeping.** Recordkeeping requirements as specified in § 721.125(a) through (e) and (i) through (k) are applicable to manufacturers, importers, and processors of this substance.
- (2) **Limitation or revocation of certain notification requirements.** The provisions of § 721.185 apply to this section.

[88 FR 13701, Mar. 6, 2023]