

Title 40

SECTION 721.10536

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721.10536 Long-chain perfluoroalkyl carboxylate chemical substances.

§ 721.10536 Long-chain perfluoroalkyl carboxylate chemical substances.

(a) *Definitions.* The definitions in § 721.3 apply to this section. In addition, the following definition applies:

Carpet means a finished fabric or similar product intended to be used as a floor covering. This definition excludes resilient floor coverings such as linoleum and vinyl tile.

(b) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substances identified in this paragraph, where $5 < n < 21$ or $6 < m < 21$, are subject to reporting under this section for the significant new uses described in paragraph (b)(4)(i) and (b)(4)(iv) of this section.

(i) $CF_3(CF_2)_n-COO\ M$ where $M = H$ + or any other group where a formal dissociation can be made;

(ii) $CF_3(CF_2)_n-CH=CH_2$;

(iii) $CF_3(CF_2)_n-C(=O)-X$, where X is any chemical moiety;

(iv) $CF_3(CF_2)_m-CH_2-X$, where X is any chemical moiety; and

(v) $CF_3(CF_2)_m-Y-X$, where $Y = \text{non-S, non-N heteroatom}$ and where X is any chemical moiety.

(2) The chemical substances listed in Table 1 of this paragraph are subject to reporting under this section for the significant new uses described in paragraph (b)(4)(ii) of this section.

Table 1 to Paragraph (b)(2) - LCPFAC Chemical Substances Subject to Reporting After December 31, 2015

Chemical name	CAS registry No. (CASRN)	EPA accession No.	TSCA chemical inventory name
Perfluorooctyl iodide	507-63-1	N/A	Octane, 1,1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8-heptadecafluoro-8-iodo-
Tetrahydroperfluoro-1-decanol	678-39-7	N/A	1-Decanol, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,10-heptadecafluoro-
Perfluoro-1-dodecanol	865-86-1	N/A	1-Dodecanol, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,12-heneicosafuoro-
Perfluorodecyl iodide	2043-53-0	N/A	Decane, 1,1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8-heptadecafluoro-10-iodo-
1,1,2,2-Tetrahydroperfluorododecyl iodide	2043-54-1	N/A	Dodecane, 1,1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10-heneicosafuoro-12-iodo-
Perfluorodecylethyl acrylate	17741-60-5	N/A	2-Propenoic acid, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,12-heneicosafuorododecyl ester.
1,1,2,2-Tetrahydroperfluorodecyl acrylate	27905-45-9	N/A	2-Propenoic acid, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,10-heptadecafluorodecyl ester
1,1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12-Pentacosafuoro-14-iodotetradecane	30046-31-2	N/A	Tetradecane, 1,1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12-pentacosafuoro-14-iodo-

3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,13,13,14,14,14-Pentacosafuorotetradecan-1-ol	39239-77-5	N/A	1-Tetradecanol, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,13,13,14,14,14-pentacosafuoro-
3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,13,13,14,14,15,15,16,16,16-Nonacosafuorohexadecan-1-ol	60699-51-6	N/A	1-Hexadecanol, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,13,13,14,14,15,15,16,16,16-nonacosafuoro-
1,1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,13,13,14,14-Nonacosafuoro-16-iodohexadecane	65510-55-6	N/A	Hexadecane, 1,1,1,2,2,3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,13,13,14,14-nonacosafuoro-16-iodo-
Sodium;2-methylpropane-1-sulfonate	68187-47-3	N/A	1-Propanesulfonic acid, 2-methyl-, 2-[[1-oxo-3-[(.gamma.-omega.-perfluoro-C4-16-alkyl)thio]propyl]amino] derivs., sodium salts
1,1,2,2-Tetrahydroperfluoroalkyl (C8-C14) alcohol	68391-08-2	N/A	Alcohols, C8-14, .gamma.-omega.-perfluoro.
Thiols, C8-20, gamma-omega-perfluoro, telomers with acrylamide	70969-47-0	N/A	Thiols, C8-20, .gamma.-omega.-perfluoro, telomers with acrylamide.
Silicic acid (H4SiO4), sodium salt (1:2), reaction products with chlorotrimethylsilane and 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,10-heptadecafluoro-1-decanol	125476-71-3	N/A	Silicic acid (H4SiO4), sodium salt (1:2), reaction products with chlorotrimethylsilane and 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,10-heptadecafluoro-1-decanol.
Thiols, C4-20, gamma-omega-perfluoro, telomers with acrylamide and acrylic acid, sodium salts	1078712-88-5	N/A	Thiols, C4-20, .gamma.-omega.-perfluoro, telomers with acrylamide and acrylic acid, sodium salts.
1-Propanaminium, 3-amino-N-(carboxymethyl)-N,N-dimethyl-, N-[2-((gamma-omega-perfluoro-C4-20-alkyl)thio)acetyl] derivs., inner salts	1078715-61-3	N/A	1-Propanaminium, 3-amino-N-(carboxymethyl)-N,N-dimethyl-, N-[2-[(.gamma.-omega.-perfluoro-C4-20-alkyl)thio]acetyl] derivs., inner salts.
Polyfluoroalkyl betaine (generic)	CBI	71217	Polyfluoroalkyl betaine (PROVISIONAL).
Modified fluoroalkyl urethane (generic)	CBI	89419	Modified fluoroalkyl urethane (PROVISIONAL).
Perfluorinated polyamine (generic)	CBI	274147	Perfluorinated polyamine (PROVISIONAL).

(3) The chemical substances identified as perfluorooctanoic acid (PFOA) and its salts, including those listed in Table 2 of this paragraph, are subject to reporting under this section for the significant new uses described in paragraph (b)(4)(iii) of this section.

Table 2 to Paragraph (b)(3) - PFOA and Examples of Its Salts

Chemical name	CAS registry No. (CASRN)	TSCA chemical inventory name
Pentadecafluorooctanoyl fluoride	335-66-0	Octanoyl fluoride, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-
Perfluorooctanoic acid	335-67-1	Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro- (PFOA).
Silver perfluorooctanoate	335-93-3	Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-, silver (+) salt (1:1).
Sodium perfluorooctanoate	335-95-5	Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-, sodium salt (1:1).
Potassium perfluorooctanoate	2395-00-8	Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-, potassium salt (1:1).
Ammonium perfluorooctanoate	3825-26-1	Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-, ammonium salt (1:1) (APFO).

(4) Significant new uses:

(i) The significant new use for chemical substances identified in paragraph (b)(1) of this section is: Manufacture (including import) or processing for use as part of carpets or to treat carpets (e.g., for use in the carpet aftercare market).

(ii) The significant new use for chemical substances identified in paragraph (b)(2) of this section is: Manufacture (including import) or processing for any use after December 31, 2015.

(iii) The significant new use for chemical substances identified in paragraph (b)(3) of this section is: Manufacture (including import) or processing for any use. Import or processing of fluoropolymer dispersions and emulsions, and fluoropolymers as part of articles, containing chemical substances identified in paragraph (b)(3) of this section shall not be considered as a significant new use subject to reporting.

(iv) The significant new use for chemical substances identified in paragraph (b)(1) of this section, except for those chemicals identified in Table 1 of paragraph (b)(2) of this section is: Manufacture (including import) or processing for any use other than the use already covered by paragraph (b)(4)(i) of this section.

(5) Manufacturing (including importing) or processing of certain chemical substances identified in paragraph (b)(1), paragraph (b)(2), and paragraph (b)(3) of this section for the following specific uses shall not be considered as a significant new use subject to reporting under this section:

(i) Use in an antireflective coating, photoresists, or surfactant for use in photomicroolithography and other processes to produce semiconductors or similar components of electronic or other miniaturized devices.

(ii) Use of 2-Propenoic acid, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,10-heptadecafluorodecyl ester (CAS No. 27905-45-9) as a coating or component of a hydrophobic and/or oleophobic coating or barrier applied to manufactured articles or components of articles using an energy source or plasma deposition methods, which include a pulse deposition mode. Examples of such articles include: Electronic devices and components thereof, medical consumables and bio-consumables, filtration devices and filtration materials, clothing, footwear and fabrics.

(iii) Use of Silane, trichloro(3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,10-heptadecafluorodecyl)-(CAS No. 78560-44-8) as a surface treatment to make low refractive index resin for optical applications; surface treatment for minerals, particles and inorganic surfaces for hydrophobicity; and monomer to make specialty resins hydrophobic.

(iv) Use of Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro- (CAS No. 335-67-1) as a surfactant and coating, as part of articles: Stickers, labels, and parts to which those stickers and labels are attached.

(v) Use of 1-Propanesulfonic acid, 2-methyl-, 2-[[1-oxo-3-[(gamma.-omega.-perfluoro-C4-16-alkyl)thio]propyl]amino] derivs., sodium salts (CAS No. 68187-47-3); Thiols, C8-20, .gamma.-omega.-perfluoro, telomers with acrylamide (CAS No. 70969-47-0); or Perfluorinated polyamine (generic) (ACC274147) as a component in fire extinguishing agent.

(vi) Use of Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro- (CAS No. 335-67-1); Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-, sodium salt (1:1) (CAS No. 335-95-5); or Octanoic acid, 2,2,3,3,4,4,5,5,6,6,7,7,8,8,8-pentadecafluoro-, ammonium salt (1:1) (CAS No. 3825-26-1) for use in automotive articles, both in factory assembly and replacement parts.

(vii) Use of Poly(difluoromethylene), .alpha.,.alpha.'-[phosphinicobis(oxy-2,1-ethanediyl)]bis[.omega.-fluoro-, ammonium salt (1:1) (CAS No. 65530-70-3); Poly(difluoromethylene), .alpha.-fluoro-.omega.-[2-(phosphonoxy)ethyl]-, ammonium salt (1:1) (CAS No. 65530-71-4); or Poly(difluoromethylene), .alpha.-fluoro-.omega.-[2-(phosphonoxy)ethyl]-, ammonium salt (1:2) (CAS No. 65530-72-5) for use in the manufacturing or processing of:

(A) Architectural coatings or wood coatings, at a maximum concentration of 0.1% by weight.

(B) Industrial primer coatings for non-spray applications to metal by coil coating application, at a maximum concentration of 0.01% by weight.

(viii) Use of Alcohols, C8-14, .gamma.-omega.-perfluoro (CAS No. 68391-08-2) in the manufacture or processing of coatings and finishes for a variety of textile, leather, and hard surface treatments, and in the manufacture of wetting agents.

(ix) Use of Poly(oxy-1,2-ethanediyl), .alpha.-hydro-.omega.-hydroxy-, ether with .alpha.-fluoro-.omega.-[2-(hydroxyethyl)]poly(difluoromethylene) (1:1) (CAS No. 65545-80-4) in water-based inks.

(x) Use of Poly(difluoromethylene), .alpha.-[2-[(2-carboxyethyl)thio]ethyl]-.omega.-fluoro-, lithium salt (1:1) (CAS No. 65530-69-0) in photo media coatings.

(xi) Use of Ethanol, 2,2'-iminobis-, compd. with .alpha.-fluoro-.omega.-[2-(phosphonoxy)ethyl]poly(difluoromethylene) (2:1) (CAS No. 65530-63-4); Ethanol, 2,2'-iminobis-, compd. with .alpha.,.alpha.'-[phosphinicobis(oxy-2,1-ethanediyl)]bis[.omega.-fluoropoly(difluoromethylene)] (1:1) (CAS No. 65530-64-5); or Ethanol, 2,2'-iminobis-, compd. with .alpha.-fluoro-.omega.-[2-(phosphonoxy)ethyl]poly(difluoromethylene) (1:1) (CAS No. 65530-74-7) in paints and coatings, grouts, and sealers.

(xii) Use of Poly(oxy-1,2-ethanediyl), .alpha.-hydro-.omega.-hydroxy-, ether with .alpha.-fluoro-.omega.-[2-(hydroxyethyl)]poly(difluoromethylene) (1:1) (CAS No. 65545-80-4) in paints, coatings, ink jet inks, and ink masterbatch.

(xiii) Use of 1-Propanesulfonic acid, 2-methyl-, 2-[[1-oxo-3-[(gamma.-omega.-perfluoro-C4-16-alkyl)thio]propyl]amino] derivs., sodium salts (CAS No. 68187-47-3) in adhesives.

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

(1) *Revocation of certain notification exemptions.* With respect to imports of carpets, the provisions of § 721.45(f) do not apply to this section. With respect to imports of articles, the provisions of § 721.45(f) also do not apply to a chemical substance identified in paragraphs (b)(2) or (b)(3) of this section when they are part of a surface coating of an article. A person who imports a chemical substance identified in paragraph (b)(1) of this section as part of a carpet or who imports a chemical substance identified in paragraphs (b)(2) or (b)(3) of this section as part of a surface coating on an article is not exempt from submitting a significant new use notice. The other provision of § 721.45(f), respecting processing a chemical substance as part of an article, remains applicable.

(2) The provision at § 721.45(h) does not apply to this section.

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