

§721.4600 Recovered metal hydroxide.

(a) Chemical substance and significant new uses subject to reporting. (1) The chemical substance identified generically as a recovered metal hydroxide (PMN P-91-809) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) Hazard communication program. A significant new use of this substance is any manner or method of manufacture, import, or processing associated with any use of this substance without providing risk notification as follows:

(A) If as a result of the test data required under the section 5(e) consent order for this substance, the employer becomes aware that this substance may present a risk of injury to the environment, the employer must incorporate this new information, and any information on methods for protecting against such risk, into an MSDS as described in §721.72(c) within 90 days from the time the employer becomes aware of the new information. If this substance is not being manufactured, imported, processed, or used in the employer's workplace, the employer must add the new information to an MSDS before the substance is reintroduced into the workplace.

(B) The employer must ensure that persons who will receive this substance from the employer, or who have received this substance from the employer within 5 years from the date the employer becomes aware of the new information described under paragraph (a)(2)(i)(A) of this section, are provided an MSDS as described in §721.72(c) containing the information required under paragraph (a)(2)(i)(A) of this section within 90 days from the time the employer becomes aware of the new information.

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

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

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

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

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

[57 FR 44067, Sept. 23, 1992, as amended at 58 FR 29946, May 24, 1993; 58 FR 34204, June 23, 1993]