

Environmental Protection Agency

§ 372.28

in which the facility is located on or before July 1 of the next year.

(e) The provisions of this section do not apply to any chemicals listed in § 372.28.

[59 FR 61502, Nov. 30, 1994, as amended at 64 FR 58750, Oct. 29, 1999]

§ 372.28 Lower thresholds for chemicals of special concern.

(a) Notwithstanding § 372.25 or § 372.27, for the toxic chemicals set forth in this section, the threshold amounts for manufacturing (including importing), processing, and otherwise using such toxic chemicals are as set forth in this section.

(1) Chemical listing in alphabetic order.

| Chemical name | CAS No. | Reporting threshold |
|---|-----------------|---------------------|
| Aldrin | 00309-00-2 | 100 |
| Benzo(g,h,i)perylene | 00191-24-2 | 10 |
| Chlordane | 00057-74-9 | 10 |
| Heptachlor | 00076-44-8 | 10 |
| Hexachlorobenzene | 00118-74-1 | 10 |
| Isodrin | 00465-73-6 | 10 |
| Lead (this lower threshold does not apply to lead when contained in a stainless steel, brass or bronze alloy) | 7439-92-1 | 100 |
| Mercury | 07439-97-6 | 10 |
| Methoxychlor | 00072-43-5 | 100 |
| Octachlorostyrene | 29082-74-4 | 10 |
| Pendimethalin | 40487-42-1 | 100 |
| Pentachlorobenzene | 00608-93-5 | 10 |
| Polychlorinated biphenyl (PCBs) | 01336-36-3 | 10 |
| Tetrabromobisphenol A | 00079-94-7 | 100 |
| Toxaphene | 08001-35-2 | 10 |
| Trifluralin | 01582-09-8 | 100 |

(2) Chemical categories in alphabetic order.

| Category name | Reporting threshold |
|--|---------------------|
| Dioxin and dioxin-like compounds (Manufacturing; and the processing or otherwise use of dioxin and dioxin-like compounds if the dioxin and dioxin-like compounds are present as contaminants in a chemical and if they were created during the manufacturing of that chemical) (This category includes only those chemicals listed below). | 0.1 grams |
| 67562-39-4 1,2,3,4,6,7,8-Heptachlorodibenzofuran | |
| 55673-89-7 1,2,3,4,7,8,9-Heptachlorodibenzofuran | |
| 70648-26-9 1,2,3,4,7,8-Hexachlorodibenzofuran | |
| 57117-44-9 1,2,3,6,7,8-Hexachlorodibenzofuran | |
| 72918-21-9 1,2,3,7,8,9-Hexachlorodibenzofuran | |
| 60851-34-5 2,3,4,6,7,8-Hexachlorodibenzofuran | |
| 39227-28-6 1,2,3,4,7,8-Hexachlorodibenzo- <i>p</i> -dioxin | |
| 57653-85-7 1,2,3,6,7,8-Hexachlorodibenzo- <i>p</i> -dioxin | |
| 19408-74-3 1,2,3,7,8,9-Hexachlorodibenzo- <i>p</i> -dioxin | |
| 35822-46-9 1,2,3,4,6,7,8-Heptachlorodibenzo- <i>p</i> -dioxin | |
| Lead Compounds | 100 |
| 39001-02-0 1,2,3,4,6,7,8,9-Octachlorodibenzofuran | |
| 03268-87-9 1,2,3,4,6,7,8,9-Octachlorodibenzo- <i>p</i> -dioxin | |
| 57117-41-6 1,2,3,7,8-Pentachlorodibenzofuran | |
| 57117-31-4 2,3,4,7,8-Pentachlorodibenzofuran | |
| 40321-76-4 1,2,3,7,8-Pentachlorodibenzo- <i>p</i> -dioxin | |
| 51207-31-9 2,3,7,8-Tetrachlorodibenzofuran | |
| 01746-01-6 2,3,7,8 Tetrachlorodibenzo- <i>p</i> -dioxin | |
| Mercury compounds | 10 |
| Polycyclic aromatic compounds (PACs) (This category includes only those chemicals listed below). | 100 |
| 00056-55-3 Benzo(a)anthracene | |
| 00205-99-2 Benzo(b)fluoranthene | |
| 00205-82-3 Benzo(j)fluoranthene | |
| 00207-08-9 Benzo(k)fluoranthene | |
| 00206-44-0 Benzo(i,k)fluorene | |

| Category name | Reporting threshold |
|---------------|--------------------------------|
| 00189-55-9 | Benzo(r,s,t)pentaphene |
| 00218-01-9 | Benzo(a)phenanthrene |
| 00050-32-8 | Benzo(a)pyrene |
| 00226-36-8 | Dibenz(a,h)acridine |
| 00224-42-0 | Dibenz(a,i)acridine |
| 00053-70-3 | Dibenzo(a,h)anthracene |
| 00194-59-2 | 7H-Dibenzo(c,g)carbazole |
| 05385-75-1 | Dibenzo(a,e)fluoranthene |
| 00192-65-4 | Dibenzo(a,e)pyrene |
| 00189-64-0 | Dibenzo(a,h)pyrene |
| 00191-30-0 | Dibenzo(a,l)pyrene |
| 00057-97-6 | 7,12-Dimethylbenz(a)anthracene |
| 00193-39-5 | Indeno[1,2,3-cd]pyrene |
| 00056-49-5 | 3-Methylcholanthrene |
| 03697-24-3 | 5-Methylchrysene |
| 05522-43-0 | 1-Nitropyrene |

(b) The threshold determination provisions under § 372.25(c) through (h) and the exemptions under § 372.38(b) through (h) are applicable to the toxic chemicals listed in paragraph (a) of this section.

[64 FR 58750, Oct. 29, 1999, as amended at 66 FR 4527, Jan. 17, 2001]

§ 372.30 Reporting requirements and schedule for reporting.

(a) For each toxic chemical known by the owner or operator to be manufactured (including imported), processed, or otherwise used in excess of an applicable threshold quantity in § 372.25, § 372.27, or § 372.28 at its covered facility described in § 372.22 for a calendar year, the owner or operator must submit to EPA and to the State in which the facility is located a completed EPA Form R (EPA Form 9350-1) in accordance with the instructions referred to in subpart E of this part.

(b)(1) The owner or operator of a covered facility is required to report as described in paragraph (a) of this section on a toxic chemical that the owner or operator knows is present as a component of a mixture or trade name product which the owner or operator receives from another person, if that chemical is imported, processed, or otherwise used by the owner or operator in excess of an applicable threshold quantity in § 372.25, § 372.27, or § 372.28 at the facility as part of that mixture or trade name product.

(2) The owner or operator knows that a toxic chemical is present as a component of a mixture or trade name product (i) if the owner or operator knows

or has been told the chemical identity or Chemical Abstracts Service Registry Number of the chemical and the identity or Number corresponds to an identity or Number in § 372.65, or (ii) if the owner or operator has been told by the supplier of the mixture or trade name product that the mixture or trade name product contains a toxic chemical subject to section 313 of the Act or this part.

(3) To determine whether a toxic chemical which is a component of a mixture or trade name product has been imported, processed, or otherwise used in excess of an applicable threshold in § 372.25, § 372.27, or § 372.28 at the facility, the owner or operator shall consider only the portion of the mixture or trade name product that consists of the toxic chemical and that is imported, processed, or otherwise used at the facility, together with any other amounts of the same toxic chemical that the owner or operator manufactures, imports, processes, or otherwise uses at the facility as follows:

(i) If the owner or operator knows the specific chemical identity of the toxic chemical and the specific concentration at which it is present in the mixture or trade name product, the owner or operator shall determine the weight of the chemical imported, processed, or otherwise used as part of the mixture or trade name product at the facility and shall combine that with the weight of the toxic chemical manufactured (including imported), processed, or otherwise used at the facility other than as part of the mixture or trade name product. After combining these