

§ 355.50

40 CFR Ch. I (7-1-08 Edition)

(ii) An owner or operator of a facility from which there is a transportation-related release may meet the requirements of this section by providing the information indicated in paragraph (b)(2) to the 911 operator, or in the absence of a 911 emergency telephone number, to the operator. For purposes of this paragraph, a *transportation-related release* means a release during transportation, or storage incident to transportation if the stored substance is moving under active shipping papers and has not reached the ultimate consignee.

[52 FR 13395, Apr. 22, 1987, as amended at 54 FR 22543, May 24, 1989; 55 FR 30188, July 24, 1990; 63 FR 13475, Mar. 19, 1998; 64 FR 13115, Mar. 17, 1999; 71 FR 58533, Oct. 4, 2006]

§ 355.50 Penalties.

(a) *Civil penalties.* Any person who fails to comply with the requirements of § 355.40 shall be subject to civil penalties of up to \$25,000 for each violation

in accordance with section 325(b)(1) of the Act.

(b) *Civil penalties for continuing violations.* Any person who fails to comply with the requirements of § 355.40 shall be subject to civil penalties of up to \$25,000 for each day during which the violation continues, in accordance with section 325(b)(2) of the Act. In the case of a second or subsequent violation, any such person may be subject to civil penalties of up to \$75,000 for each day the violation continues, in accordance with section 325(b)(2) of the Act.

(c) *Criminal penalties.* Any person who knowingly and willfully fails to provide notice in accordance with § 355.40 shall, upon conviction, be fined not more than \$25,000 or imprisoned for not more than two (2) years, or both (or, in the case of a second or subsequent conviction, shall be fined not more than \$50,000 or imprisoned for not more than five (5) years, or both) in accordance with section 325(b)(4) of the Act.

APPENDIX A TO PART 355—THE LIST OF EXTREMELY HAZARDOUS SUBSTANCES AND THEIR THRESHOLD PLANNING QUANTITIES
[Alphabetical Order]

CAS No.	Chemical name	Notes	Reportable quantity* (pounds)	Threshold planning quantity (pounds)
75-86-5	Acetone Cyanohydrin		10	1,000
1752-30-3	Acetone Thiosemicarbazide		1,000	1,000/10,000
107-02-8	Acrolein		1	500
79-06-1	Acrylamide	l	5,000	1,000/10,000
107-13-1	Acrylonitrile	l	100	10,000
814-68-6	Acrylyl Chloride	h	100	100
111-69-3	Adiponitrile	l	1,000	1,000
116-06-3	Aldicarb	c	1	100/10,000
309-00-2	Aldrin		1	500/10,000
107-18-6	Allyl Alcohol		100	1,000
107-11-9	Allylamine		500	500
20859-73-8	Aluminum Phosphide	b	100	500
54-62-6	Aminopterin		500	500/10,000
78-53-5	Amiton		500	500
3734-97-2	Amiton Oxalate		100	100/10,000
7664-41-7	Ammonia	l	100	500
300-62-9	Amphetamine		1,000	1,000
62-53-3	Aniline	l	5,000	1,000
88-05-1	Aniline, 2,4,6-Trimethyl-		500	500
7783-70-2	Antimony Pentafluoride		500	500
1397-94-0	Antimycin A	c	1,000	1,000/10,000
86-88-4	ANTU		100	500/10,000
1303-28-2	Arsenic Pentoxide		1	100/10,000
1327-53-3	Arsenous Oxide	h	1	100/10,000
7784-34-1	Arsenous Trichloride		1	500
7784-42-1	Arsine		100	100
2642-71-9	Azinphos-Ethyl		100	100/10,000
86-50-0	Azinphos-Methyl		1	10/10,000
98-87-3	Benzal Chloride		5,000	500
98-16-8	Benzenamine, 3-(Trifluoromethyl)-		500	500
100-14-1	Benzene, 1-(Chloromethyl)-4-Nitro-		500	500/10,000
98-05-5	Benzeneearsonic Acid		10	10/10,000
3615-21-2	Benzimidazole, 4,5-Dichloro-2-(Trifluoromethyl)-	g	500	500/10,000