

**§ 372.28**

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production processes during the reporting year.

(b) If an owner or operator of a facility determines that the owner or operator may apply one of the alternate reporting thresholds specified in paragraph (a) of this section for a specific toxic chemical, the owner or operator is not required to submit a report for that chemical under §372.30, but must submit a certification statement that contains the information required in §372.95. The owner or operator of the facility must also keep records as specified in §372.10(d).

(c) Threshold determination provisions of §372.25 and exemptions pertaining to threshold determinations in §372.38 are applicable to the determination of whether the alternate threshold has been met.

(d) Each certification statement under this section for activities involving a toxic chemical that occurred during a calendar year at a facility must be submitted to EPA and to the State in which the facility is located on or before July 1 of the next year.

(e) The alternative thresholds described in paragraph (a) of this section are limited by the following:

(1) The provisions of paragraph (a)(1) of this section do not apply to any chemicals listed in §372.28.

(2) The provisions of paragraph (a)(2) of this section apply only to chemicals listed in §372.28.

(3) Dioxins and dioxin-like compounds are not eligible for the alternate thresholds described in paragraph (a) of this section.

[59 FR 61502, Nov. 30, 1994, as amended at 64 FR 58750, Oct. 29, 1999; 71 FR 76944, Dec. 22, 2006]

**§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	

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Category name	Reporting threshold
60851-34-5 2,3,4,6,7,8-Hexachlorodibenzofuran	100
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	
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	10
51207-31-9 2,3,7,8-Tetrachlorodibenzofuran	
01746-01-6 2,3,7,8 Tetrachlorodibenzo- <i>p</i> -dioxin	100
Mercury compounds	
Polycyclic aromatic compounds (PACs) (This category includes only those chemicals listed below).	
00056-55-3 Benz(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	
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,j)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) and, for the dioxin and dioxin-like compounds category, EPA Form R Schedule 1 (EPA

Form 9350-3) 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