

## Environmental Protection Agency

## § 721.4215

chemical hexafluoropropylene oxide (HFPO), CAS Number 428-59-1 [Listed in TSCA Inventory as oxirane, trifluoro(trifluoromethyl)-] is subject to reporting under this section for the significant new use described in paragraph (a)(2) of this section.

(2) The significant new use is any use other than as an intermediate in the manufacture of fluorinated substances in an enclosed process.

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

(1) *Definitions.* In addition to the definitions in § 721.3, the following definitions apply to this section:

(i) *Enclosed process* means a process that is designed and operated so that there is no intentional release of any substance present in the process. A process with fugitive, inadvertent, or emergency relief releases remains an enclosed process so long as measures are taken to prevent worker exposure to and environmental contamination from the releases.

(ii) [Reserved]

(2) [Reserved]

[52 FR 41300, Oct. 27, 1987. Redesignated at 53 FR 2845, Feb. 2, 1988. Further redesignated at 58 FR 29946, May 24, 1993, as amended at 58 FR 34204, June 23, 1993]

### § 721.4180 Hexamethylphosphoramide.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance hexamethylphosphoramide, CAS Number 680-31-9, is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new use is: Any use.

(b) *Special provisions.* The provisions of subpart A of the part apply to this section except as modified by this paragraph.

(1) *Persons who must report.* Section 721.5 applies to this section except for § 721.5(a)(2). A person who intends to manufacture, import, or process for commercial purposes the substance identified in paragraph (a)(1) of this section and intends to distribute the substance in commerce must submit a significant new use notice.

(2) [Reserved]

[51 FR 9453, Mar. 19, 1986. Redesignated at 53 FR 2845, Feb. 2, 1988. Further redesignated at 58 FR 29946, May 24, 1993, as amended at 58 FR 34204, June 23, 1993]

### § 721.4215 Hexanedioic acid, diethenyl ester.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as hexanedioic acid, diethenyl ester (PMN P-90-1564) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply once the substance has been incorporated into a polymer matrix with the level of residual monomer below 0.1 percent.

(2) The significant new uses are: (i) *Protection in the workplace.* Requirements as specified in § 721.63 (a)(1), (a)(2)(i), (There must be no permeation of the PMN substance greater than 0.05 µg/min · cm<sup>2</sup> after 8 hours of testing in accordance with the most current version of the American Society for Testing and Materials (ASTM) F739 "Standard Test Method for Resistance of Protective Clothing Materials to Permeation by Liquids or Gases." For conditions of exposure which are intermittent, gloves may be tested in accordance with the most current version of ASTM F1383 "Standard Test Method for Resistance of Protective Clothing Materials to Permeation by Liquids or Gases Under Conditions of Intermittent Contact," provided the contact time in testing is greater than or equal to the expected duration of dermal contact, and the purge time used in testing is less than or equal to the expected duration of noncontact during the intermittent cycle of dermal exposure in the workplace. If ASTM F1383 is used for testing, manufacturers, importers, and processors must submit to the Agency a description of worker activities involving the PMN substance which includes daily frequencies and durations of potential worker exposures. The results of all glove permeation testing must be reported in accordance with the most current version of ASTM F1194 "Guide for Documenting the Results of Chemical Permeation Testing of Protective Clothing

Materials.” Manufacturers, importers, and processors must submit all test data to the Agency and must receive written Agency approval for each type of glove tested prior to use of such gloves. The following gloves have been tested in accordance with the ASTM F739 method and found by EPA to satisfy the requirements for continuous use: North/B-161-R/Butyl rubber gloves (These gloves are acceptable for the solid form of the substance only.), 0.04 cm thick; and Ansell Edmont/4H/PE/EVOH/PE Laminate gloves, 0.006 cm thick. (Gloves may not be used for a time period longer than they are actually tested and must be replaced at the end of each work shift.), (a)(2)(ii) (With the exception of laboratory activities, full body chemical protective clothing is required for any worker activity in which the substance is reasonably likely to contact the worker in the following state(s): Open liquid pool or solid of greater than 5 kg; liquid spray or splash; mist; aerosol dust; or any worker activity which have potential for contact with the PMN chemical for more than 10 min/h. At a minimum, a chemical protective apron is required for any worker activity with potential for contact with the PMN chemical which is not covered by this paragraph), (a)(2)(iii), (a)(3), (a)(4), (a)(5)(iii) (if cartridge service life testing is not available), (a)(5)(xii) or (a)(5)(xiii) (if data on cartridge service life testing has been reviewed and approved in writing by EPA), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), and (a)(6)(v). As an alternative to the respiratory requirements in this section, manufacturers, importers, and processors may use the New Chemical Exposure Limits provisions, including sampling and analytical methods which have previously been approved by EPA for this substance, found in the 5(e) consent order for this substance.

(ii) *Hazard communication program.* Requirements as specified in § 721.72 (a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (h)(1)(vi) (The following additional statements shall appear on each label required by this paragraph: The health effects of this material have not been fully determined but are currently being tested. EPA is concerned however, that this material

may have serious chronic health and environmental effects. When using this material, use eye and skin protection, which includes gloves which have been determined to be impervious to this substance. Use respiratory protection, unless workplace airborne concentrations are maintained at or below an 8-h time weighted average (TWA) of 1 ppm, when there is a likelihood of exposure in the work area from dust, mist, smoke or vapors.), (h)(2)(ii)(F), (h)(2)(ii)(G), (h)(2)(ii)(I), (h)(2)(iii)(A), (h)(2)(iii)(B), (h)(2)(iii)(C), (h)(2)(iii)(E), (h)(2)(iv)(A), (h)(2)(iv)(B). The following additional statements shall appear on each MSDS required by this paragraph: This substance may cause moderate skin irritation. This substance may cause neurotoxicity. When using this substance, use respiratory protection, unless workplace airborne concentrations are maintained at or below an 8-h TWA of 1 ppm.

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

(iv) *Release to water.* Requirements as specified in § 721.90 (a)(4), (b)(4), and (c)(4) (where N = 80 ppb). When calculating the surface water concentrations according to the instructions in § 721.91(a)(4), the statement that the amount of the substance that will be released will be calculated before the substance enters control technology does not apply. Instead, if the waste stream containing the substance will be treated before release, then the amount of the substance reasonably likely to be removed from the waste stream by such treatment may be subtracted in calculating the number of kilograms released. No more than 75 percent removal efficiency may be attributed to such treatment. In addition, when the substance is released in combination with the substances hexanoic acid, 2-ethyl-, ethenyl ester, neononanoic acid, ethenyl ester, and propanoic acid, 2,2-dimethyl-, ethenyl ester, the quotient from the formula referenced in this section shall not exceed the average of the quotient applicable to the other substances weighted by the proportion of each substance present in the total daily amount released.

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

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125 (a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance. Manufacturers, importers, and processors of the substance must document that the PMN substance has been incorporated into a polymer matrix with the level of residual monomer below 0.1 percent if this section does not apply as described in paragraph (a)(1) of this section.

(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.

[58 FR 51703, Oct. 4, 1993]

**§ 721.4250 Hexanoic acid, 2-ethyl-, ethenyl ester.**

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as hexanoic acid, 2-ethyl-, ethenyl ester (PMN P-91-826) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply once the substance has been incorporated into a polymer matrix with the level of residual monomer below 0.1 percent.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63 (a)(1), (a)(2)(i) (There must be no permeation of the substance greater than 0.02 µg/min · cm<sup>2</sup> after 8 hours of testing in accordance with the most current version of the American Society for Testing and Materials (ASTM) F739 "Standard Test Method for Resistance of Protective Clothing Materials to Permeation by Liquids or Gases." For conditions of exposure which are intermittent, gloves may be tested in accordance with the most current version of ASTM F1383 "Standard Test Method for Resistance of Protective Clothing Materials to Permeation by Liquids or Gases Under Conditions of Intermittent Contact," provided the contact time in testing is greater than or equal

to the expected duration of dermal contact, and the purge time used in testing is less than or equal to the expected duration of noncontact during the intermittent cycle of dermal exposure in the workplace. If ASTM F1383 is used for testing, manufacturers, importers, and processors must submit to the Agency a description of worker activities involving the substance which includes daily frequencies and durations of potential worker exposures. The results of all glove permeation testing must be reported in accordance with the most current version of ASTM F1194 "Guide for Documenting the Results of Chemical Permeation Testing of Protective Clothing Materials." Manufacturers, importers, and processors must submit all test data to the Agency and must receive written Agency approval for each type of glove tested prior to use of such gloves. The following gloves have been tested in accordance with the ASTM F739 method and found by EPA to satisfy the requirements for continuous use: North/F101/Vitron gloves, 0.03 cm thick; and Ansell/Edmont/4H/PE/EVOH/PE Laminated gloves, 0.006 cm thick. (Gloves may not be used for a time period longer than they are actually tested and must be replaced at the end of each work shift.), (a)(2)(ii) (With the exception of laboratory activities, full body chemical protective clothing is required for any worker activity in which the substance is reasonably likely to contact the worker in the following state(s): Open liquid pool or solid of greater than 5 kg; liquid spray or splash; mist; aerosol dust; or any worker activity which have potential for contact with the PMN chemical for more than 10 min/h. At a minimum, a chemical protective apron is required for any worker activity with potential for contact with the PMN chemical which is not covered by this paragraph), (a)(2)(iii), (a)(3), (a)(4), (a)(5)(iii) (if cartridge service life testing is not available), (a)(5)(xii) or (a)(5)(xiii) (if data on cartridge service life testing has been reviewed and approved in writing by EPA), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), and (a)(6)(v). As an alternative to the respiratory requirements in this section,