

Environmental Protection Agency

§ 721.8170

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 hexanedioic acid, diethenyl ester, hexanoic acid, 2-ethyl-, ethenyl ester, and neononanoic acid, 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 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 51707, Oct. 4, 1993]

§ 721.8170 Propanol, [2-(1,1-dimethylethoxy)methylethoxy]-.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance propanol, [2-(1,1-dimethylethoxy)methylethoxy]- (CAS no. 132739-31-2) (P-93-193) 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 human health or the environment, the employer must incorporate this new information, and any information on methods for protecting against such risk, into a Material Safety Data Sheet (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, or who have received this substance from the employer within 5 years from the date the employer becomes aware of the new information described in 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.* Recordkeeping 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.

[60 FR 11044, Mar. 1, 1995]