

2. Section 518.54 Initial Denial Authority (IDA) is amended by adding the following information as paragraph (d)(25):

§ 518.54 Initial Denial Authority (IDA).

(d) * * *

(25) The Director, Management Directorate, Office, Director of the Army Staff, Pentagon, for records requested under the Freedom of Information Act pertaining to realignment and closure of military installations.

Kenneth L. Denton,

Alternate Army Federal Register Liaison Officer.

[FR Doc. 90-18994 Filed 8-14-90; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD8-90-05]

Drawbridge Operation Regulations; La Carpe Bayou, LA

AGENCY: U.S. Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the Louisiana Department of Transportation and Development (LDOTD), the Coast Guard is changing the regulation governing the operation of the vertical lift span bridge on State Route 661 across La Carpe Bayou, mile 7.5, at Houma, Terrebonne Parish, Louisiana, by permitting the draw to open on at least four hours advance notice during the time not covered by the existing regulation, which states that the draw need not be opened for the passage of vessels from 7 a.m. to 8:30 a.m. and from 4:30 p.m. to 6 p.m. Monday through Friday, except holidays. This additional regulation is being added because of a steady decline in vessel passages. This action will relieve the bridge owner of the burden of having a person constantly available at the bridge for operations of the draw, at a savings to the taxpayer, while still providing for the reasonable needs of navigation.

EFFECTIVE DATE: This regulation becomes effective on September 14, 1990.

FOR FURTHER INFORMATION CONTACT:

Mr. John Wachter, Bridge Administration Branch, Eighth Coast Guard District, telephone (504) 589-2965.

SUPPLEMENTARY INFORMATION: On May 21, 1990, the Coast Guard published a proposed rule (55 FR 20805) concerning

this amendment. The Commander, Eighth Coast Guard District, also published the proposal as a Public Notice dated June 5, 1990. In each notice interested parties were given until July 5, 1990 to submit comments.

Drafting Information

The drafters of this regulation are Mr. John Wachter, project officer, and LT J.A. Wilson, project attorney.

Discussion of Comments

Three letters of comment were received in response to public notification of the proposed rule change. The Federal Emergency Management Agency and the National Marine Fisheries Service offered no objection to the proposed change. One commentor suggested that industries in the area may need the bridge to open. Alternate routes to bypass the bridge are available in the immediate area and no comments from local industries were received. The commentor also suggested that a public hearing on the proposal be held. Because the proposal did not generate any significant controversy, a hearing was deemed unnecessary. Immediate access to the Gulf Intracoastal Waterway and the Houma Navigation Canal, from Bayou La Carpe, insures no great burden to vessels to bypass the bridge. Therefore, in the absence of significant objection to the proposal, the final rule is unchanged from the proposed rule.

Federalism Implications

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the final rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Economic Assessment and Certification

This regulation is considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under the Department of Transportation regulatory policies and procedures [44 FR 11034, February 26, 1979].

The economic impact of this regulation is expected to be so minimal that a full regulatory evaluation is unnecessary. The basis for this conclusion is that few vessels use this bridge and vessels can still pass when the need arises by providing four hours notice. Since the economic impact of this regulation is expected to be minimal, the Coast Guard certifies that it will not have a significant economic

impact on a substantial number of small entities.

The advance notice for opening of the draw can be given by placing a toll-free call at anytime to the LDOTD in Bridge City, Louisiana, telephone 1-800-256-1599. From afloat, this contact may be made by radiotelephone through a public coast station.

The LDOTD recognizes that there may be an unusual occasion to open the bridge on less than four hours notice for an emergency, or to operate the bridge on demand for an isolated but temporary surge in waterway traffic, and has committed to doing so if such an event should occur.

List of Subjects in 33 CFR Part 117

Bridges.

Regulation

In consideration of the foregoing, part 117 of title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46 and 33 CFR 1.05-1(g).

2. Section 117.460 is revised to read as follows:

§ 117.460 La Carpe Bayou.

The draw of the S661 bridge, mile 7.5, shall open on signal if at least four hours advance notice is given; except that, the draw need not be opened for the passage of vessels Monday through Friday except holidays from 7 a.m. to 8:30 a.m. and 4:30 p.m. to 6 p.m.

Dated: July 24, 1990.

J. M. Loy,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 90-19149 Filed 8-14-90; 8:45 am]

BILLING CODE 4910-14-M

POSTAL SERVICE

39 CFR Part 111

Optional Use of Barcoded Sack Labels

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule amends the Domestic Mail Manual (DMM) to provide for the optional use of barcoded sack labels for second-, third-, and fourth-class mail. The Postal Service plans to deploy to the Bulk Mail Centers (BMCs) barcode scanning systems in a

phase-in period between June and December 1990. The sack barcode scanning systems will improve the quality of mail distribution, which should result in improved service and reduce costs in rehandling mail. The Postal Service plans to start printing barcoded labels for this type of mail in August 1990. Mailers printing their own sack labels are encouraged to also print new labels with the barcode.

EFFECTIVE DATE: September 16, 1990.

FOR FURTHER INFORMATION CONTACT: George W. Shannon, 202-268-2244.

SUPPLEMENTARY INFORMATION:

Currently, mail sacks are sorted by postal employees in BMCs. The operator must position the sack label and read the destination ZIP Code. This information is then entered on a keyboard. At some BMCs, the type of mail being sorted may also affect where it is to be routed by the operator for further sorting. For sack labels that are barcoded, the automated system will eliminate the reading, scheme memory translation, and keying. The automated system will still provide the capability to do manual entry for the sack labels without a barcode.

The sack barcode sortation system will improve the quality of the distribution of the mail. This will lead to the improvement of on-time service to customers and to savings in mail rehandling costs to the Postal Service.

Consequently, effective with Domestic Mail Manual Issue 36 (9/16/90), sections 446, 646, and 769 are added to include the optional use of barcoded sack labels for second-, third-, and fourth-class mail. The Postal Service plans to start printing barcoded labels for this type of mail in August 1990. Once stock on hand is exhausted, mailers printing their own sack labels are encouraged to print new labels with correctly prepared barcodes on them.

The new sack label will have a barcode added on its left side. The barcode will contain the 5-digit destination ZIP code and a 3-digit sack content identifier code. The Postal Service has defined the sack content identifier code to cover the categories of mail shipped in sacks.

Sections 441.321, 445.432, 641.133, 641.224, 641.323, 641.423, 644.332, 764.21, 767.23, 767.33, and 767.823 are also

revised to include consistent language and correct references to the sections affected by the above changes.

Accordingly, the Postal Service adopts the following amendments to the Domestic Mail Manual, which is incorporated in the Code of Federal Regulations. See 39 CFR 111.1.

List of Subjects in 39 CFR Part 111

Postal service.

PART 111—GENERAL INFORMATION ON POSTAL SERVICE

1. The authority citation for part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001-3011, 3201-3219, 3403-3406, 3621, 5001.

Chapter 4—SECOND-CLASS MAIL

* * * * *

PART 440—GETTING THE PUBLICATION READY FOR MAILING—PRESORTING

* * * * *

441 Required and Optional Preparation Requirements for the Basic Rates (Levels A, G, and J)

* * * * *

441.3 Sacking Requirements

* * * * *

441.32 Sack, Bundle, and Pallet Label Preparation Requirements

* * * * *

441.321 General

* * * * *

2. Amend 441.321 by adding at the end the following:

g. Barcodes. It is preferred that sack labels include a barcode, prepared as required in 446.

* * * * *

445 Bundling and Palletizing

* * * * *

445.4 Palletizing Sacks

* * * * *

445.43 Sack Preparation

* * * * *

445.432 Sack Labeling

* * * * *

3. Revise 445.432 to read as follows:

445.432 Sack Labeling. Sacks must be labeled in accordance with the requirements in 441.31 a through g, 441.32, 443.31, 443.32, 443.33 444.31, 444.32, and 444.33.

* * * * *

4. Add 446 to read as follows:

446 Optional Use of Barcoded Sack Labels

446.1 General. Sack labels supplied by the Postal Service will be machine-printed with barcodes that enable scanning and sortation by automated equipment. Alternatively, mailers who produce their own sack labels are encouraged to prepare them with a barcoded label that meets the criteria in 446.2 and 446.3.

446.2 Sack Label Specifications

446.21 Color. Sack labels must be printed on pink-colored label stock.

446.22 Size. Sack labels must fall within the following tolerances:

- a. Height (vertical): 0.965 of an inch +/− 0.015 of an inch;
- b. Length (horizontal): 3.312 inches +/− 0.062 of an inch.

446.23 Stock. The paper stock used for sack labels must be 70 pounds or heavier.

446.24 Printed Text Lines. The preparation of the printed text lines must be in accordance with 441.321 and

441.322. Extraneous information as described in 441.323 may be printed on the label as long as it appears to the right of the "quiet zone" (see 446.35) and does not interfere with scanning and sorting by automated equipment.

446.25 Printing Density. The human-readable content of sack labels must be machine-printed at five lines per inch. The preferred machine printed pitch is 12 characters per inch. If the information to be contained on the label cannot be shortened using acceptable postal abbreviations, it may be printed at a pitch of up to 15 characters per inch, provided at least 22 human-readable characters fit on the label without interfering with the "quiet zone" (see 446.35). The minimum acceptable height for the destination ZIP Code must be 0.111 of an inch (8 point). The minimum acceptable character height for all other information contained in lines 1, 2, and 3 must be 0.083 of an inch (6 point).

446.3 Barcode Specifications

446.31 Type. The barcode must be an interleaved 2-of-5 code in accordance with the Automatic Identification Manufacturers' Uniform Symbology Specification (AIM/USS-I 2/5) and the requirements of this section.

446.32 Barcode Location. The barcode must be located on the left side of the sack label. A clear space must be maintained between both the left edge of the sack label and the barcode and between the barcode and the printed text lines, in accordance with the requirements set forth in 446.35 (see Exhibit 446.32).

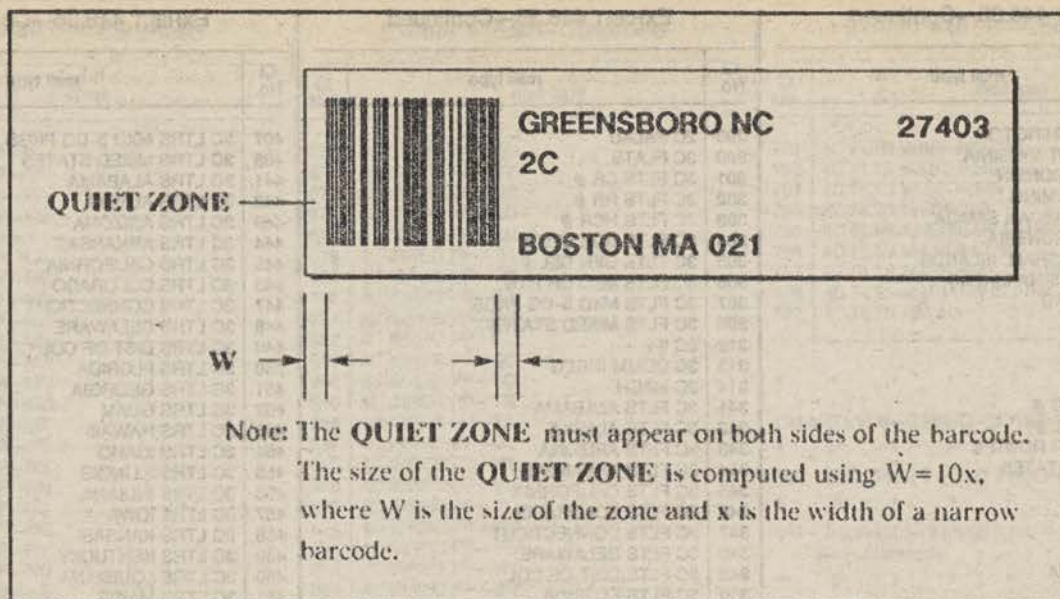


Exhibit 446.32

446.33 Dimensions. The nominal width of the bars and spaces ("X" dimension) must be between 0.010 of an inch and 0.015 of an inch. An "X" dimension of 0.010 of an inch is preferred. The tolerance of the width of all bars and spaces is ± 0.004 of an inch. The nominal wide-to-narrow ratio for barcodes with an "X" dimension less than 0.013 of an inch is 3 to 1. The nominal wide-to-narrow ratio for barcodes with an "X" dimension between 0.013 of an inch and 0.015 of an inch is 2.3 to 1. The height of the barcode must be at least 0.700 of an inch.

446.34 Reflectance. When measured at 633 nanometers, the maximum bar reflectance must be less than 30 percent, and the minimum space reflectance must be 40 percent or greater. The minimum bar-to-space reflectance difference must be greater than 40 percent.

446.35 Clear Space (Quiet Zone). There must be a clear area (or "quiet zone") at each end of the barcode that is no less than 10 times the "X" dimension width and at least as high as the height of the bars in the barcode. The reflectance of the clear area must meet the requirement for minimum space reflectance (see 446.34).

446.36 Barcode Contents. The barcode on the sack labels must consist of eight numeric characters representing the 5-digit ZIP Code of the sack's destination (see 446.24) and the applicable 3-digit

sack contents identifier code in Exhibit 446.36. When only a 3-digit ZIP Code prefix is required, it must be followed by two zeros. When the contents of the sack do not correspond to an available sack contents code, three zeros must be used.

EXHIBIT 446.36

CI No.	mail type
100	NEWS
101	NEWS CR #
102	NEWS RR #
103	NEWS HCR #
104	NEWS BOX SEC #
105	NEWS GEN DEL #
106	NEWS CARRIER ROUTES
107	NEWS MIXED STATES
108	NEWS APO
109	NEWS FPO
110	NEWS DRX
141	NEWS ALABAMA
142	NEWS ALASKA
143	NEWS ARIZONA
144	NEWS ARKANSAS
145	NEWS CALIFORNIA
146	NEWS COLORADO
147	NEWS CONNECTICUT
148	NEWS DELAWARE
149	NEWS DIST OF COL
150	NEWS FLORIDA
151	NEWS GEORGIA
152	NEWS GUAM
153	NEWS HAWAII
154	NEWS IDAHO
155	NEWS ILLINOIS
156	NEWS INDIANA

EXHIBIT 446.36—Continued

CI No.	mail type
157	NEWS IOWA
158	NEWS KANSAS
159	NEWS KENTUCKY
160	NEWS LOUISIANA
161	NEWS MAINE
162	NEWS MARYLAND
163	NEWS MASSACHUSETTS
164	NEWS MICHIGAN
165	NEWS MINNESOTA
166	NEWS MISSISSIPPI
167	NEWS MISSOURI
168	NEWS MONTANA
169	NEWS NEBRASKA
170	NEWS NEVADA
171	NEWS NEW HAMPSHIRE
172	NEWS NEW JERSEY
173	NEWS NEW MEXICO
174	NEWS NEW YORK
175	NEWS NORTH CAROLINA
176	NEWS NORTH DAKOTA
177	NEWS OHIO
178	NEWS OKLAHOMA
179	NEWS OREGON
180	NEWS PENNSYLVANIA
181	NEWS PUERTO RICO
182	NEWS RHODE ISLAND
183	NEWS SOUTH CAROLINA
184	NEWS SOUTH DAKOTA
185	NEWS TENNESSEE
186	NEWS TEXAS
187	NEWS UTAH
188	NEWS VERMONT
189	NEWS VIRGINIA
190	NEWS VIRGIN ISLANDS

EXHIBIT 446.36—Continued

CI No.	mail type
191	NEWS WASHINGTON
192	NEWS WEST VIRGINIA
193	NEWS WISCONSIN
194	NEWS WYOMING
195	NEWS AMERICAN SAMOA
196	NEWS MICRONESIA
197	NEWS MARSHALL ISLANDS
198	NEWS MARIANA IS (CM)
199	NEWS PALAU
200	2C
201	2C CR #
202	2C RR #
203	2C HCR #
204	2C BOX SEC #
205	2C GEN DEL #
206	2C CARRIER ROUTES
207	2C MIXED STATES
208	2C APO
209	2C FPO
210	2C DRX
211	PRINTS
241	2C ALABAMA
242	2C ALASKA
243	2C ARIZONA
244	2C ARKANSAS
245	2C CALIFORNIA
246	2C COLORADO
247	2C CONNECTICUT
248	2C DELAWARE
249	2C DIST OF COL
250	2C FLORIDA
251	2C GEORGIA
252	2C GUAM
253	2C HAWAII
254	2C IDAHO
255	2C ILLINOIS
256	2C INDIANA
257	2C IOWA
258	2C KANSAS
259	2C KENTUCKY
260	2C LOUISIANA
261	2C MAINE
262	2C MARYLAND
263	2C MASSACHUSETTS
264	2C MICHIGAN
265	2C MINNESOTA
266	2C MISSISSIPPI
267	2C MISSOURI
268	2C MONTANA
269	2C NEBRASKA
270	2C NEVADA
271	2C NEW HAMPSHIRE
272	2C NEW JERSEY
273	2C NEW MEXICO
274	2C NEW YORK
275	2C NORTH CAROLINA
276	2C NORTH DAKOTA
277	2C OHIO
278	2C OKLAHOMA
279	2C OREGON
280	2C PENNSYLVANIA
281	2C PUERTO RICO
282	2C RHODE ISLAND
283	2C SOUTH CAROLINA
284	2C SOUTH DAKOTA
285	2C TENNESSEE
286	2C TEXAS
287	2C UTAH
288	2C VERMONT
289	2C VIRGINIA
290	2C VIRGIN ISLANDS
291	2C WASHINGTON
292	2C WEST VIRGINIA
293	2C WISCONSIN
294	2C WYOMING
295	2C AMERICAN SAMOA
296	2C MICRONESIA
297	2C MARSHALL ISLANDS
298	2C MARIANA IS (CM)

EXHIBIT 446.36—Continued

CI No.	mail type
299	2C PALAU
300	3C FLATS
301	3C FLTS CR #
302	3C FLTS RR #
303	3C FLTS HCR #
304	3C FLTS BOX SEC #
305	3C FLTS GEN DEL #
306	3C FLTS MXD CR RTS
307	3C FLTS MXD 5-DG PKGS
308	3C FLTS MIXED STATES
312	3C IPP
313	3C COMM IRREG
314	3C MACH
341	3C FLTS ALABAMA
342	3C FLTS ALASKA
343	3C FLTS ARIZONA
344	3C FLTS ARKANSAS
345	3C FLTS CALIFORNIA
346	3C FLTS COLORADO
347	3C FLTS CONNECTICUT
348	3C FLTS DELAWARE
349	3C FLTS DIST OF COL
350	3C FLTS FLORIDA
351	3C FLTS GEORGIA
352	3C FLTS GUAM
353	3C FLTS HAWAII
354	3C FLTS IDAHO
355	3C FLTS ILLINOIS
356	3C FLTS INDIANA
357	3C FLTS IOWA
358	3C FLTS KANSAS
359	3C FLTS KENTUCKY
360	3C FLTS LOUISIANA
361	3C FLTS MAINE
362	3C FLTS MARYLAND
363	3C FLTS MASSACHUSETTS
364	3C FLTS MICHIGAN
365	3C FLTS MINNESOTA
366	3C FLTS MISSISSIPPI
367	3C FLTS MISSOURI
368	3C FLTS MONTANA
369	3C FLTS NEBRASKA
370	3C FLTS NEVADA
371	3C FLTS NEW HAMPSHIRE
372	3C FLTS NEW JERSEY
373	3C FLTS NEW MEXICO
374	3C FLTS NEW YORK
375	3C FLTS NORTH CAROLINA
376	3C FLTS NORTH DAKOTA
377	3C FLTS OHIO
378	3C FLTS OKLAHOMA
379	3C FLTS OREGON
380	3C FLTS PENNSYLVANIA
381	3C FLTS PUERTO RICO
382	3C FLTS RHODE ISLAND
383	3C FLTS SOUTH CAROLINA
384	3C FLTS SOUTH DAKOTA
385	3C FLTS TENNESSEE
386	3C FLTS TEXAS
387	3C FLTS UTAH
388	3C FLTS VERMONT
389	3C FLTS VIRGINIA
390	3C FLTS VIRGIN ISLANDS
391	3C FLTS WASHINGTON
392	3C FLTS WEST VIRGINIA
393	3C FLTS WISCONSIN
394	3C FLTS WYOMING
395	3C FLTS AMERICAN SAMOA
396	3C FLTS MICRONESIA
397	3C FLTS MARSHALL ISLANDS
398	3C FLTS MARIANA IS (CM)
399	3C FLTS PALAU
400	3C LTRS
401	3C LTRS CR #
402	3C LTRS RR #
403	3C LTRS HCR #
404	3C LTRS BOX SEC #
405	3C LTRS GEN DEL #
406	3C LTRS MXD CR RTS

EXHIBIT 446.36—Continued

CI No.	mail type
407	3C LTRS MXD 5-DG PKGS
408	3C LTRS MIXED STATES
441	3C LTRS ALABAMA
442	3C LTRS ALASKA
443	3C LTRS ARIZONA
444	3C LTRS ARKANSAS
445	3C LTRS CALIFORNIA
446	3C LTRS COLORADO
447	3C LTRS CONNECTICUT
448	3C LTRS DELAWARE
449	3C LTRS DIST OF COL
450	3C LTRS FLORIDA
451	3C LTRS GEORGIA
452	3C LTRS GUAM
453	3C LTRS HAWAII
454	3C LTRS IDAHO
455	3C LTRS ILLINOIS
456	3C LTRS INDIANA
457	3C LTRS IOWA
458	3C LTRS KANSAS
459	3C LTRS KENTUCKY
460	3C LTRS LOUISIANA
461	3C LTRS MAINE
462	3C LTRS MARYLAND
463	3C LTRS MASSACHUSETTS
464	3C LTRS MICHIGAN
465	3C LTRS MINNESOTA
466	3C LTRS MISSISSIPPI
467	3C LTRS MISSOURI
468	3C LTRS MONTANA
469	3C LTRS NEBRASKA
470	3C LTRS NEVADA
471	3C LTRS NEW HAMPSHIRE
472	3C LTRS NEW JERSEY
473	3C LTRS NEW MEXICO
474	3C LTRS NEW YORK
475	3C LTRS NORTH CAROLINA
476	3C LTRS NORTH DAKOTA
477	3C LTRS OHIO
478	3C LTRS OKLAHOMA
479	3C LTRS OREGON
480	3C LTRS PENNSYLVANIA
481	3C LTRS PUERTO RICO
482	3C LTRS RHODE ISLAND
483	3C LTRS SOUTH CAROLINA
484	3C LTRS SOUTH DAKOTA
485	3C LTRS TENNESSEE
486	3C LTRS TEXAS
487	3C LTRS UTAH
488	3C LTRS VERMONT
489	3C LTRS VIRGINIA
490	3C LTRS VIRGIN ISLANDS
491	3C LTRS WASHINGTON
492	3C LTRS WEST VIRGINIA
493	3C LTRS WISCONSIN
494	3C LTRS WYOMING
495	3C LTRS AMERICAN SAMOA
496	3C LTRS MICRONESIA
497	3C LTRS MARSHALL ISLANDS
498	3C LTRS MARIANA IS (CM)
499	3C LTRS PALAU
500	4C MACH
501	4C MACH PP CR #
502	4C MACH PP—MXD CR RTS
503	4C MACH PP—MIXED STATES
541	4C MACH PP—AL
542	4C MACH PP—AK
543	4C MACH PP—AZ
544	4C MACH PP—AR
545	4C MACH PP—CA
546	4C MACH PP—CO
547	4C MACH PP—CT
548	4C MACH PP—DE
549	4C MACH PP—DC
550	4C MACH PP—FL
551	4C MACH PP—GA
552	4C MACH PP—GU
553	4C MACH PP—HI
554	4C MACH PP—ID

EXHIBIT 446.36—Continued

CI No.	mail type
555	4C MACH PP—IL
556	4C MACH PP—IN
557	4C MACH PP—IA
558	4C MACH PP—KS
559	4C MACH PP—KY
560	4C MACH PP—LA
561	4C MACH PP—ME
562	4C MACH PP—MD
563	4C MACH PP—MA
564	4C MACH PP—MI
565	4C MACH PP—MN
566	4C MACH PP—MS
567	4C MACH PP—MO
568	4C MACH PP—MT
569	4C MACH PP—NE
570	4C MACH PP—NV
571	4C MACH PP—NH
572	4C MACH PP—NJ
573	4C MACH PP—NM
574	4C MACH PP—NY
575	4C MACH PP—NC
576	4C MACH PP—ND
577	4C MACH PP—OH
578	4C MACH PP—OK
579	4C MACH PP—OR
580	4C MACH PP—PA
581	4C MACH PP—PR
582	4C MACH PP—RI
583	4C MACH PP—SC
584	4C MACH PP—SD
585	4C MACH PP—TN
586	4C MACH PP—TX
587	4C MACH PP—UT
588	4C MACH PP—VT
589	4C MACH PP—VA
590	4C MACH PP—VI
591	4C MACH PP—WA
592	4C MACH PP—WV
593	4C MACH PP—WS
594	4C MACH PP—WY
595	4C MACH PP—AS
596	4C MACH PP—CM
597	4C MACH PP—TT
600	4C IRREG
601	4C IRREG PP CR #
602	4C IRREG PP—MXD CR RTS
603	4C IRREG PP—MIXED STATES
641	4C IRREG PP—AL
642	4C IRREG PP—AK
643	4C IRREG PP—AZ
644	4C IRREG PP—AR
645	4C IRREG PP—CA
646	4C IRREG PP—CO
647	4C IRREG PP—CT
648	4C IRREG PP—DE
649	4C IRREG PP—DC
650	4C IRREG PP—FL
651	4C IRREG PP—GA
652	4C IRREG PP—GU
653	4C IRREG PP—HI
654	4C IRREG PP—ID
655	4C IRREG PP—IL
656	4C IRREG PP—IN
657	4C IRREG PP—IA
658	4C IRREG PP—KS
659	4C IRREG PP—KY
660	4C IRREG PP—LA
661	4C IRREG PP—ME
662	4C IRREG PP—MD
663	4C IRREG PP—MA
664	4C IRREG PP—MI
665	4C IRREG PP—MN
666	4C IRREG PP—MS
667	4C IRREG PP—MO
668	4C IRREG PP—MT
669	4C IRREG PP—NE
670	4C IRREG PP—NV
671	4C IRREG PP—NH
672	4C IRREG PP—NJ

EXHIBIT 446.36—Continued

CI No.	mail type
673	4C IRREG PP—NM
674	4C IRREG PP—NY
675	4C IRREG PP—NC
676	4C IRREG PP—ND
677	4C IRREG PP—OH
678	4C IRREG PP—OK
679	4C IRREG PP—OR
680	4C IRREG PP—PA
681	4C IRREG PP—PR
682	4C IRREG PP—RI
683	4C IRREG PP—SC
684	4C IRREG PP—SD
685	4C IRREG PP—TN
686	4C IRREG PP—TX
687	4C IRREG PP—UT
688	4C IRREG PP—VT
689	4C IRREG PP—VA
690	4C IRREG PP—VI
691	4C IRREG PP—WA
692	4C IRREG PP—WV
693	4C IRREG PP—WS
694	4C IRREG PP—WY
695	4C IRREG PP—AS
696	4C IRREG PP—CM
697	4C IRREG PP—TT
700	4C FLTS
701	4C FLTS CR #
702	4C FLTS MXD CR RTS
703	4C FLTS MIXED STATES
741	4C FLTS ALABAMA
742	4C FLTS ALASKA
743	4C FLTS ARIZONA
744	4C FLTS ARKANSAS
745	4C FLTS CALIFORNIA
746	4C FLTS COLORADO
747	4C FLTS CONNECTICUT
748	4C FLTS DELAWARE
749	4C FLTS DIST OF COL
750	4C FLTS FLORIDA
751	4C FLTS GEORGIA
752	4C FLTS GUAM
753	4C FLTS HAWAII
754	4C FLTS IDAHO
755	4C FLTS ILLINOIS
756	4C FLTS INDIANA
757	4C FLTS IOWA
758	4C FLTS KANSAS
759	4C FLTS KENTUCKY
760	4C FLTS LOUISIANA
761	4C FLTS MAINE
762	4C FLTS MARYLAND
763	4C FLTS MASSACHUSETTS
764	4C FLTS MICHIGAN
765	4C FLTS MINNESOTA
766	4C FLTS MISSISSIPPI
767	4C FLTS MISSOURI
768	4C FLTS MONTANA
769	4C FLTS NEBRASKA
770	4C FLTS NEVADA
771	4C FLTS NEW HAMPSHIRE
772	4C FLTS NEW JERSEY
773	4C FLTS NEW MEXICO
774	4C FLTS NEW YORK
775	4C FLTS NORTH CAROLINA
776	4C FLTS NORTH DAKOTA
777	4C FLTS OHIO
778	4C FLTS OKLAHOMA
779	4C FLTS OREGON
780	4C FLTS PENNSYLVANIA
781	4C FLTS PUERTO RICO
782	4C FLTS RHODE ISLAND
783	4C FLTS SOUTH CAROLINA
784	4C FLTS SOUTH DAKOTA
785	4C FLTS TENNESSEE
786	4C FLTS TEXAS
787	4C FLTS UTAH
788	4C FLTS VERMONT
789	4C FLTS VIRGINIA
790	4C FLTS VIRGIN ISLANDS

EXHIBIT 446.36—Continued

CI No.	mail type
791	4C FLTS WASHINGTON
792	4C FLTS WEST VIRGINIA
793	4C FLTS WISCONSIN
794	4C FLTS WYOMING
795	4C FLTS AMERICAN SAMOA
796	4C FLTS MICRONESIA
797	4C FLTS MARSHALL ISLANDS
798	4C FLTS MARIANA IS (CM)
799	4C FLTS PALAU

CHAPTER 6—THIRD-CLASS MAIL

640 Bulk Mail Presort Requirements

641 Standard Packaging and Sacking Requirements

641.1 Basic Rate Presort Requirements for Letter-Size, Flat-Size, or Irregular Parcel Mailings

641.13 Sacking Requirements

641.133 Sack Label Preparation

5. Amend 641.133 by adding at the end the following:

j. Barcodes. It is preferred that sack labels include a barcode, prepared as required in 646.

641.2 Machinable Parcel Preparation Requirements

641.22 Sacking Requirements for Basic Rate

641.224 Sack Label Preparation

6. Amend 641.224 by adding at the end the following:

j. Barcodes. It is preferred that sack labels include a barcode, prepared as required in 646.

641.3 Five-Digit Presort Level Rate Requirements for Letter-Size, Flat-Size, or Irregular Parcel Mailings

641.32 Sacking

641.323 Sack Label Preparation

7. Amend 641.323 by adding at the end the following:

j. Barcodes. It is preferred that sack labels include a barcode, prepared as required in 646.

641.4 Carrier Route Presort Level Rate Presort Requirements

641.42 Sacking

* * * *

641.423 Sack Label Preparation

* * * *

8. Amend 641.423 by adding at the end the following:

j. Barcodes. It is preferred that sack labels include a barcode, prepared as required in 646.

* * * *

644 Palletization Requirements

* * * *

644.3 Palletizing Sacks

* * * *

644.33 Sack Preparation

* * * *

9. Revise 644.332 to read as follows:

644.332 Sack Labeling. Sacks must be labeled in accordance with the requirements in 641.13, 641.22, 641.32, and 641.42, as appropriate. It is preferred that sack labels include a barcode, prepared as required in 646.

* * * *

10. Add 646 to read as follows:

646 Optional Use of Barcoded Sack Labels

646.1 General. Sack labels supplied by the Postal Service will be machine-printed and contain barcodes that enable scanning and sortation by automated equipment. Alternatively, mailers who produce their own sack labels are encouraged to prepare them with a barcoded label that meets the criteria in 646.2 and 646.3.

646.2 Sack Label Specifications

646.21 Color. Sack labels must be printed on white or manila-colored label stock.

646.22 Size. Sack labels must fall within the following tolerances:

a. Height (vertical): 0.965 of an inch
+/- 0.015 of an inch;

b. Length (horizontal): 3.312 inches
+/- 0.062 inch.

646.23 Stock. The paper stock used for sack labels must be 70 pounds or heavier.

646.24 Printed Text Lines. The preparation of the printed text lines must be in accordance with 641.133, 641.224, and 641.423. Extraneous information as described in 441.323 may be printed on the label as long as it appears to the right of the "quiet zone" (see 646.35) and does not interfere with scanning and sorting by automated equipment.

646.25 Printing Density. The human-readable content of sack labels must be machine-printed at five lines per inch. The preferred machine-printed pitch is 12 characters per inch. If the information to be contained on the label cannot be shortened using acceptable postal abbreviations, it may be printed at a pitch of up to 15 characters per inch, provided at least 22 human-readable characters fit on the label without interfering with the "quiet zone" (see 646.35). The minimum acceptable height for the destinating ZIP Code must be 0.111 of an inch (8 point). The minimum acceptable character height for all other information contained in lines 1, 2, and 3 must be 0.083 of an inch (6 point).

646.3 Barcode Specifications

646.31 Type. The barcode must be an interleaved 2-of-5 code in accordance with the Automatic Identification Manufacturers' Uniform Symbology Specification (AIM/USS-I 2/5) and the requirements of this section.

646.32 Barcode Location. The barcode must be located on the left side of the sack label. A clear space must be maintained between both the left edge of the sack label and the barcode and between the barcode and the printed text lines, in accordance with the requirements set forth in 646.35 (see Exhibit 646.32).

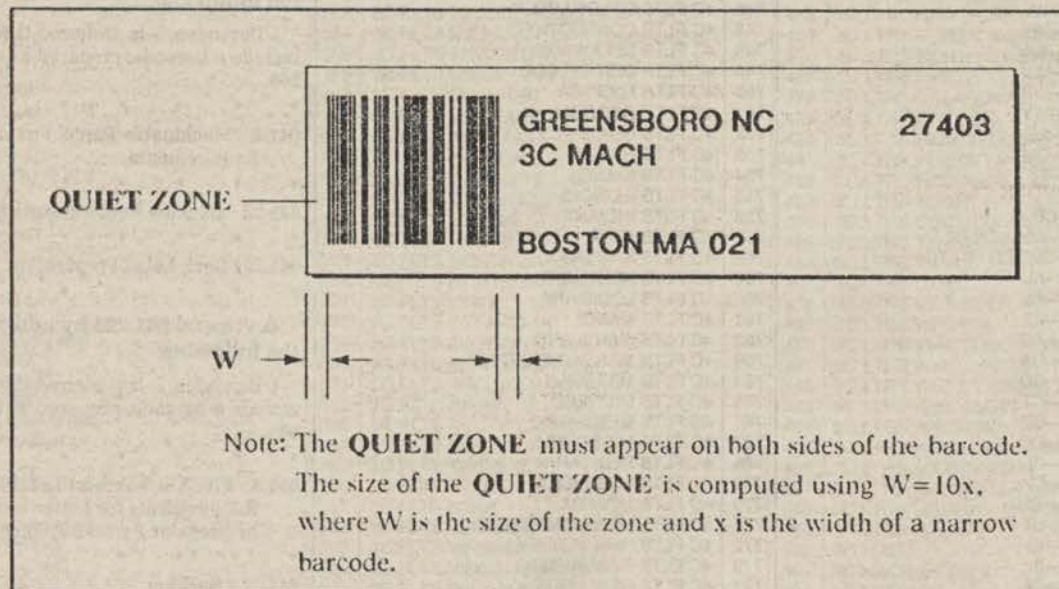


Exhibit 646.32

646.33 Dimensions. The nominal width of the bars and spaces ("X" dimension) must be between 0.010 of an inch and 0.015 of an inch. An "X" dimension of 0.010 of an inch is preferred. The tolerance of the width of all bars and spaces is ± 0.004 of an inch. The nominal wide-to-narrow ratio for barcodes with an "X" dimension less than 0.013 of an inch is 3 to 1. The nominal wide-to-narrow ratio for barcodes with an "X" dimension between 0.013 of an inch and 0.015 of an inch is 2.3 to 1. The height of the barcode must be at least 0.700 of an inch.

646.34 Reflectance. When measured at 633 nanometers, the maximum bar reflectance must be less than 30 percent, and the minimum space reflectance must be greater than 40 percent. The minimum bar-to-space reflectance difference must be greater than 40 percent.

646.35 Clear Space (Quiet Zone). There must be a clear area (or "quiet zone") at each end of the barcode that is no less than 10 times the "X" dimension width and at least as high as the height of the bars in the barcode. The reflectance of the clear area must meet the requirement for minimum space reflectance [see 646.34].

646.36 Barcode Contents. The barcode on the sack labels must consist of eight numeric characters representing the 5-digit ZIP Code of the sack's destination (see 646.24) and the applicable 3-digit sack contents identifier code in Exhibit 446.36. When only a 3-digit ZIP Code prefix is required, it must be followed by two zeros. When the contents of the sack do not correspond to an available sack contents code, three zeros must be used.

CHAPTER 7—FOURTH CLASS MAIL

760 Preparation Requirements

764 Preparation of Special Fourth-Class Mail

764.2 Sack Labeling requirements for Presort Rate Mail

764.21 General

11. Amend 764.21 by adding at the end of the following:

j. Barcodes. It is preferred that sack labels include a barcode, prepared as required in 769.

767 Preparation of Bound Printed Matter

767.2 Standard Preparation Requirements

767.23 Sack Label Preparation

12. Amend 767.23 by adding at the end of the following:

j. Barcodes. It is preferred that sack labels include a barcode, prepared as required in 769.

767.3 Machinable Parcel Preparation Requirements

767.33 Sack Preparation

13. Amend 767.33 by adding at the end of the following:

j. Barcodes. It is preferred that sack labels include a barcode, prepared as required in 769.

767.8 Preparation requirements for Carrier Route Bound Printed Matter Rate

767.82 Sacking

767.823 Sack Label Preparation

14. Amend 767.823 by adding at the end of the following:

j. Barcodes. It is preferred that sack labels include a barcode, prepared as required in 769.

15. Add 769 to read as follows:

769 Optional Use of Barcoded Sack Labels

769.1 General. Sack labels supplied by the Postal Service will be machine-printed with barcodes that enable scanning and sortation by automated equipment. Alternatively, mailers who produce their own sack labels are encouraged to

prepare them with a barcoded label that meets the criteria in 769.2 and 769.3.

769.2 Sack Label Specifications

769.21 Color. Sack labels must be printed on white or manila-colored label stock.

769.22 Size. Sack labels must fall within the following tolerances:

a. Height (vertical): 0.965 of an inch ± 0.015 of an inch;

b. Length (horizontal): 3.312 inches ± 0.062 of an inch.

769.23 Stock. The paper stock used for sack labels must be 70 pound or heavier.

769.24 Printed Text Lines. The preparation of the printed text lines must be in accordance with 764.21, 767.23, 767.33, and 767.823, as applicable. Extraneous information as described in 441.323 may be printed on the label as long as it appears to the right of the "quiet zone" (see 769.35) and does not interfere with scanning and sorting by automated equipment.

769.25 Printing Density. The human-readable content of sack labels must be machine-printed at five lines per inch. The preferred machine-printed pitch is 12 characters per inch. If the information to be contained on the label cannot be shortened using acceptable postal abbreviations, it may be printed at a pitch of up to 15 characters per inch, provided at least 22 human-readable characters fit on the label without interfering with the "quiet zone" (see 769.35). The minimum acceptable height for the destination ZIP Code must be 0.111 of an inch (8 point). The minimum acceptable character height for all other information contained in lines 1, 2, and 3 must be 0.083 of an inch (6 point).

769.3 Barcode Specifications.

769.31 Type. The barcode must be an interleaved 2-of-5 code in accordance with the Automatic Identification Manufacturers' Uniform Symbolology Specification (AIM/USS-I 2/5) and the requirements of this section.

769.32 Barcode Location. The barcode must be located on the left side of the sack label. A clear space must be maintained between both the left edge of the sack label and the barcode, and between the barcode and the printed text lines in accordance with the requirements in 769.35 (see Exhibit 769.32).

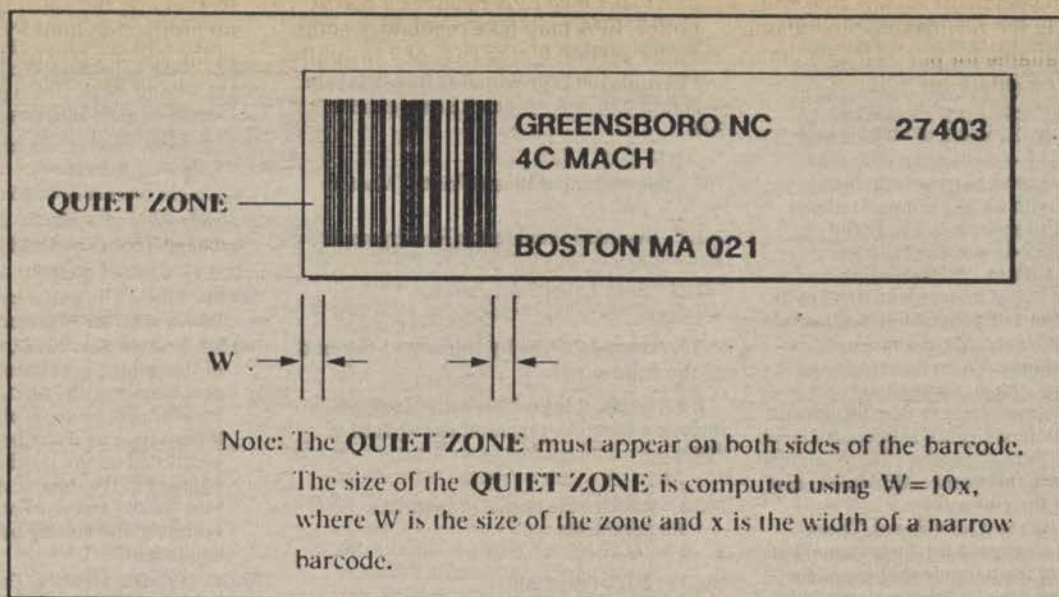


Exhibit 769.32

769.33 Dimensions. The nominal width of the bars and spaces ("X" dimension) must be between 0.010 of an inch and 0.015 of an inch. An "X" dimension of 0.010 of an inch is preferred. The tolerance of the width of all bars and spaces is ± 0.004 of an inch. The nominal wide-to-narrow ratio for barcodes with an "X" dimension less than 0.013 of an inch is 3 to 1. The nominal wide-to-narrow ratio for barcodes with an "X" dimension between 0.013 of an inch and 0.015 of an inch is 2.3 to 1. The height of the barcode must be at least 0.700 of an inch.

769.34 Reflectance. When measured at 633 nanometers, the maximum bar reflectance must be less than 30 percent, and the minimum space reflectance must be 40 percent or greater. The minimum bar-to-space reflectance difference must be greater than 40 percent.

769.35 Clear Space (Quiet Zone). There must be a clear area (or "quiet zone") at each end of the barcode that is no less than 10 times the "X" dimension width and at least as high as the height of the bars in the barcode. The reflectance of the clear area must meet the requirement for minimum space reflectance (see 769.34).

769.36 Barcode Contents. The barcode on the sack labels must consist of eight numeric characters representing the 5-digit ZIP Code of the sack's destination (see 769.24) and the applicable 3-digit sack contents identifier code in Exhibit 769.32. When only a 3-digit ZIP Code prefix is required, it must be followed by two zeros. When the contents of the sack do not correspond to an available sack contents code, three zeros must be used.

A transmittal letter making the changes in the pages of the Domestic Mail Manual will be published and transmitted to subscribers. Notice of issuance of the transmittal letter will be published in the *Federal Register* as provided by 39 CFR 111.3.

Stanley F. Mires,
Assistant General Counsel, Legislative
Division.

[FR Doc. 90-19068 Filed 8-14-90; 8:45 am]
BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION
AGENCY

40 CFR Part 721

[OPTS-50582; FRL-3741-8]

RIN 2070-Ab27

Significant New Uses of Certain
Chemical Substances

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is promulgating significant new use rules (SNURs) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for several chemical substances which were the subject of premanufacture notices (PMNs) and subject to TSCA section 5(e) consent orders issued by EPA. Today's action requires certain persons who intend to

manufacture, import, or process these substances for a significant new use to notify EPA at least 90 days before commencing the manufacturing or processing activity designated by this SNUR as a significant new use. The required notice will provide EPA with the opportunity to evaluate the intended use, and if necessary, to prohibit or limit that activity before it occurs. EPA is promulgating this SNUR using direct final procedures.

DATES: The effective date of this rule is October 15, 1990. If EPA receives notice before September 14, 1990 that someone wishes to submit adverse or critical comments on EPA's action in establishing a SNUR for one or more of the chemical substances subject to this rule, EPA will withdraw the SNUR for the chemical for which the notice of intent to comment is received and will issue a proposed SNUR providing a 30-day period for public comment.

ADDRESSES: Each comment or notice of intent to submit adverse or critical comment must bear the docket control number OPTS-50582 and the name(s) of the chemical substance(s) subject to the comment. Since some comments may contain confidential business information (CBI), all comments should be sent in triplicate to: TSCA Document Receipt Office (TS-790), Office of Toxic Substances, Environmental Protection Agency, Rm. E-105, 401 M St., SW., Washington, DC 20460. Nonconfidential

versions of comments on this rule will be placed in the rulemaking record and will be available for public inspection. The Supplementary Information section of this preamble contains additional information on submitting comments containing CBI.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-543-B, 401 M St., SW., Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551.

SUPPLEMENTARY INFORMATION: This SNUR will require persons to notify EPA at least 90 days before commencing any activity designated by this SNUR as a significant new use. The supporting rationale and background to this rule are more fully set out in the preamble to EPA's first direct final SNURs at 55 FR 17376 on April 24, 1990. Consult that preamble for further information on the objectives, rationale, and procedures for the rules and on the basis for significant new use designations including provisions for developing test data.

I. Authority

Section 5(a)(2) of TSCA (15 U.S.C. 2604(a)(2)) authorizes EPA to determine that a use of a chemical substance is a "significant new use." EPA must make this determination by rule after considering all relevant factors, including those listed in section 5(a)(2). Once EPA determines that a use of a chemical substance is a significant new use, section 5(a)(1)(B) of TSCA requires persons to submit a notice to EPA at least 90 days before they manufacture, import, or process the substance for that use. The mechanism for reporting under this requirement is established under 40 CFR 721.10.

II. Applicability of General Provisions

General provisions for SNURs appear under subpart A of 40 CFR part 721. These provisions describe persons subject to the rule, recordkeeping requirements, exemptions to reporting requirements, and applicability of the rule to uses occurring before the effective date of the final rule. Rules on user fees appear at 40 CFR part 700. Persons subject to this SNUR must comply with the same notice requirements and EPA regulatory procedures as submitters of PMNs under section 5(a)(1)(A) of TSCA. In particular, these requirements include the information submission requirements of section 5(b) and 5(d)(1), the exemptions authorized by section 5(h)(1), (2), (3), and (5), and the regulations at 40 CFR

part 720. Once EPA receives a SNUR notice, EPA may take regulatory action under section 5(e), 5(f), 6, or 7 to control the activities on which it has received the SNUR notice. If EPA does not take action, EPA is required under section 5(g) to explain in the *Federal Register* its reasons for not taking action. Persons who intend to export a substance identified in a proposed or final SNUR are subject to the export notification provisions of TSCA section 12(b). The regulations that interpret section 12(b) appear at 40 CFR part 707. Persons who intend to import a chemical substance identified in a final SNUR are subject to the TSCA section 13 import certification requirements, which are codified at 19 CFR 12.118 through 12.127 and 127.28 and must certify that they are in compliance with the SNUR requirements. The EPA policy in support of the importation certification appears at 40 CFR part 707.

III. Substances Subject to This Rule

EPA is establishing significant new use and recordkeeping requirements for the following chemical substances under 40 CFR part 721 subpart E. In this unit, EPA provides a brief description for each substance, including its PMN number, chemical name (generic name if the specific name is claimed as CBI), CAS number (if assigned), basis for the action taken by EPA in the section 5(e) consent order for the substance (including the statutory citation and specific finding), and the CFR citation assigned in the regulatory text section of this rule. The specific uses which are designated as significant new uses are cited in the regulatory text section of the rule by reference to 40 CFR part 721 subpart B where the significant new uses are described in detail. Certain new uses, including production limits and other uses designated in the rule, are also claimed as CBI. The procedure for obtaining confidential information is set out in Unit VII.

Where the underlying section 5(e) order prohibits the PMN submitter from exceeding a specified production limit without performing specific tests to determine the health or environmental effects of a substance, the tests are described in this unit. As explained further in Unit VI., the SNUR for such substances contains the same production limit, and exceeding the production limit is defined as a significant new use. Persons who intend to exceed the production limit must notify the Agency by submitting a significant new use notice at least 90 days in advance. In addition, this unit describes tests that are recommended by EPA to provide sufficient information

to evaluate the substance, but for which no production limit has been established in the section 5(e) order. Descriptions of recommended tests are provided for informational purposes.

The SNURs for the following PMN substances, P-87-794, P-88-217, P-88-1460, P-88-1540, P-88-1617, P-89-576, and P-89-577 regulate chemical substances subject to section 5(e) orders where the finding under TSCA is based solely on substantial production volume and substantial human or environmental exposure. In each of these cases there was limited or no toxicity data available for the PMN substance, a potentially substantial production volume, and a potentially substantial human or environmental exposure. In such cases EPA regulates new chemicals under section 5(e) by requiring certain toxicity tests. For instance, chemicals with potentially substantial releases to surface waters would be subject to toxicity testing of aquatic organisms and chemicals with potentially substantial human exposures would be subject to health effects testing for mutagenicity, acute effects, and subchronic effects.

Some of the earlier section 5(e) orders contain provisions that required wording changes to be converted into SNURs. In some instances, the SNUR text is merely more detailed (e.g., the provision for a written hazard communication program in § 721.72(a) is more detailed than the hazard communication provisions in some earlier orders or the provision for dermal protection in § 721.63(a)(1) and (a)(3) is worded differently from dermal protection provisions in some earlier orders). In such cases, EPA considers the SNUR and section 5(e) provisions to be generally equivalent. Moreover, the companies which entered into the more limited hazard communication provisions of the earlier section 5(e) orders, as well as those companies covered by the SNURs, are now generally subject to the requirements of OSHA's hazard communication standard at 29 CFR 1910.1200. Therefore EPA believes it equitable and minimally burdensome to include in the SNUR those requirements of the hazard communication standard that are generally considered to be acceptable in informing workers of potential chemical hazards. In some instances, a particular requirement may be so differently worded from the corresponding section 5(e) consent order provision that the basis of the SNUR provision is not evident. Where this occurs, the preamble below explains why the SNUR provision was chosen.

Some of the SNURs that contain worker protection or hazard communication provisions, the substances designated P-83-603, P-84-527, P-84-537, P-86-1263, P-86-1634, P-86-1692, P-87-90, and P-88-864, provide an exemption from such provisions if the substances are present at low levels and are not expected to reconcentrate in mixtures. The exemptions are provided in § 721.63(b) and § 721.72(e) and will make these SNURs consistent with those based on more recent section 5(e) orders. If a substance was determined to pose a cancer concern by structural activity analysis or actual data (as described in this manner in the preamble that follows), it is exempt only if the level of the substance in the mixture is 0.1 percent or less. All other substances must not exceed a 1.0 percent level in a mixture in order to qualify for the exemption. EPA's decision to allow exemptions at these levels was based on the Occupational Safety and Health Administration's Hazard Communication Standard exemption of MSDS requirements § 1910.1200(g)(2)(i)(C)(1) and (2) when substances are present at such low levels in mixtures. In addition, a number of section 5(e) orders restrict manufacturing, processing, or use based on a determination that the substance may present ecotoxicity or human health concerns if released to surface waters at concentrations above a certain concern level, and that use at alternative sites could result in releases above such level. In these cases, EPA has not included the identical restrictions in the SNUR, but instead has defined a new use for the substance to include any release to surface waters or any release to surface waters that exceeds the identified concern level, as provided in § 721.90.

PMN Number P-83-603

Chemical name: (generic) Substituted nitrile.

CAS number: Not available.

Effective date of section 5(e) consent order: September 29, 1983.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health and the environment.

Toxicity concerns: Toxicity tests of this chemical have shown it to cause neurotoxicity in laboratory animals and toxicity to aquatic organisms.

Recommended testing: None.

CFR citation: 40 CFR 721.1475.

PMN Number P-84-527

Chemical name: (generic) Unsaturated amino alkyl ester salt.

CAS number: Not available.

Effective date of section 5(e) consent order: October 30, 1984.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

Toxicity concerns: Similar chemicals have caused cancer in laboratory animals.

Recommended testing: A 2-year two-species rodent bioassay to help characterize possible cancer effects.

CFR citation: 40 CFR 721.983.

PMN Number P-84-537

Chemical name: (generic) Unsaturated amino ester salt.

CAS number: Not available.

Effective date of section 5(e) consent order: October 30, 1984.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

Toxicity concerns: Similar chemicals have caused cancer in laboratory animals.

Recommended testing: A 2-year two-species rodent bioassay to help characterize possible cancer effects.

CFR citation: 40 CFR 721.980.

PMN Number P-86-1263

Chemical name: (specific) Phosphoric acid, 1,2-ethanediyl tetrakis(2-chloro-1-methylethyl) ester.

CAS number: Not available.

Effective date of section 5(e) consent order: December 9, 1986.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i), (ii)(I), and (ii)(II) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health and is expected to be produced in substantial quantities and there may be substantial human exposures.

Toxicity concerns: Toxicity tests of this chemical have shown it to cause neurotoxicity in laboratory animals. Similar chemicals have been shown to cause cancer in test animals.

Recommended testing: A 2-year two-species rodent bioassay to help characterize possible cancer effects.

CFR citation: 40 CFR 721.1611.

PMN Number P-86-1634

Chemical name: (generic) Substituted dialkyl oxazalone.

CAS number: Not available.

Effective date of section 5(e) consent order: August 26, 1987.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

Toxicity concerns: Similar chemicals have been shown to cause cancer, heritable mutagenicity, neurotoxicity, and reproductive and developmental effects in laboratory animals.

Recommended testing: A 2-year two-species oral rodent bioassay to help characterize potential carcinogenicity, a dominant lethal assay to evaluate potential heritable mutagenicity and reproductive and developmental effects, a 90-day oral rodent bioassay with a functional observational battery and with screening neuropathology to characterize potential neurotoxicity. The PMN submitter has agreed not to exceed the production volume limit without performing the dominant lethal assay and the 90-day rodent study. Data on potential exposures or releases of the substance, testing other than that specified in the section 5(e) order for the substance, or studies on analogous substances, which may demonstrate that the significant new uses being reported do not present an unreasonable risk, may be included with significant new use notification.

CFR citation: 40 CFR 721.1491.

PMN Number P-86-1692

Chemical name: (generic) Benzene, substituted, alkyl acrylate derivative.

CAS number: Not available.

Effective date of section 5(e) consent order: April 15, 1987.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

Toxicity concerns: Similar chemicals have been shown to cause cancer and neurotoxicity in test animals.

Recommended testing: A 2-year two-species rodent bioassay to help characterize possible cancer effects of the substance and a 90-day dermal rodent assay to characterize neurotoxicity effects.

CFR citation: 40 CFR 721.467.

PMN Number P-87-90

Chemical name: (generic) Methylenebis(trisubstituted aniline).

CAS number: Not available.

Effective date of section 5(e) consent order: April 25, 1988.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

Toxicity concerns: Similar chemicals have been shown to cause cancer, reproductive toxicity, liver toxicity, and retinopathy in test animals.

Recommended testing: A 2-year two-species rodent bioassay to help characterize possible cancer effects, a 90-day oral subchronic study in rats including histopathological examination of the male and female reproductive organs and the eyes, to help characterize liver effects, reproductive effects, and retinotoxicity and a retinopathy study in cats to help characterize retinotoxicity. The PMN submitter has agreed not to exceed the production volume limit without performing the 90-day subchronic and retinopathy tests. Data on potential exposures or releases of the substance, testing other than that specified in the section 5(e) order for the substance, or studies on analogous substances, which may demonstrate that the significant new uses being reported do not present an unreasonable risk, may be included with significant new use notification. CFR citation: 40 CFR 721.1395.

PMN Number P-87-794

Chemical name: (generic) Acrylamide, polymer with substituted alkylacrylamide salt.

CAS number: Not available.

Effective date of section 5(e) consent order: November 30, 1989.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(II) of TSCA based on a finding that this substance is expected to be produced in substantial quantities and there may be substantial environmental exposures.

Toxicity concerns: Toxicity tests of this chemical have shown it to cause toxicity in aquatic organisms.

Recommended testing: EPA has determined that a 30-day static study in tadpoles with the PMN substance added to the sediment will characterize the potential toxicity of the substance. CFR citation: 40 CFR 721.266.

PMN Number P-87-1337

Chemical name: (generic) Disulfonic acid rosin amine salt of amine salt of a benzidine derivative.

CAS number: Not available.

Effective date of section 5(e) consent order: October 25, 1989.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

Toxicity concerns: Similar chemicals have been shown to cause cancer in test animals.

Recommended testing: A 2-year rodent bioassay to help characterize possible carcinogenicity of the substance.

CFR citation: 40 CFR 721.567.

PMN Number P-87-1760

Chemical name: (specific) Phenol, 4,4'-[methylenebis(oxy-2,1-ethanedithio)]bis-

CAS number: 93589-69-6.

Effective date of section 5(e) consent order: July 14, 1988.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to the environment.

Toxicity concerns: Similar chemicals have been shown to cause toxicity in aquatic organisms.

Recommended testing: Chronic fish (early life stage) and daphnid (21-day) toxicity tests as given by 40 CFR 797.1600 and 797.1330.

CFR citation: 40 CFR 721.1540.

PMN Number P-88-217

Chemical name: (specific) Epoxidized polybutene.

CAS number: Not available.

Effective date of section 5(e) consent order: May 31, 1988.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(II) of TSCA based on a finding that this substance is expected to be produced in substantial quantities and there may be substantial human exposures.

Recommended testing: EPA has determined that the results of an acute oral toxicity test (40 CFR 798.1175), an Ames assay (40 CFR 798.5265), a mouse micronucleus assay by the intraperitoneal route (40 CFR 798.5395), and a 28-day repeated dose oral study in rats (OECD Guideline No. 407) would help characterize possible effects of the substance. The PMN submitter has agreed not to exceed the production volume limit without performing these tests.

CFR citation: 40 CFR 721.1621.

PMN Number P-88-864

Chemical name: (specific) Phenol, 4,4'-methylenebis(2,6-dimethyl-

CAS number: 5384-21-4.

Effective date of section 5(e) consent order: March 21, 1990.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health and the environment.

Toxicity concerns: Similar chemicals have been shown to cause toxicity to aquatic organisms, and liver, kidney, and lung toxicity in test animals.

Recommended testing: EPA has determined that a 90-day oral subchronic study (40 CFR 798.2650) will characterize internal organ effects. The PMN submitter has agreed not to exceed the production volume limit without performing the 90-day study. EPA has determined that the results of a chronic fish (early life stage) (40 CFR 797.1600) and a daphnid (21-day) toxicity test (40 CFR 797.1330) would help characterize possible environmental effects of the substance. Data on potential exposures or releases of the substance, testing other than that specified in the section 5(e) order for the substance, or studies on analogous substances, which may demonstrate that the significant new uses being reported do not present an unreasonable risk, may be included with significant new use notification. CFR citation: 40 CFR 721.1537.

PMN Number P-88-972

Chemical name: (specific) 3,3',5,5'-Tetramethylbiphenyl-4,4'-diol.

CAS number: Not available.

Effective date of section 5(e) consent order: December 26, 1989.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health and the environment.

Toxicity concerns: Similar chemicals have been shown to cause toxicity to aquatic organisms, and developmental toxicity, liver and kidney toxicity, and retinopathy in test animals. Toxicity tests of this chemical have shown it to cause mutagenicity in laboratory animals.

Recommended testing: EPA has determined that an *in vivo* chromosome aberration study (40 CFR 798.5385), an *in vivo* chromosome analysis in germ cells (mice or rats), a heritable mutation assay, a 90-day oral subchronic study (gavage, rats) (40 CFR 798.2450), and a developmental toxicity study (rats and mice). The PMN submitter has agreed not to exceed the production volume limit without performing these tests. EPA has determined that the results of an acute algal study (40 CFR 797.1050),

acute daphnid study (40 CFR 797.1300), and acute fish study (40 CFR 797.1400) would help characterize possible environmental effects of the substance. Data on potential exposures or releases of the substance, testing other than that specified in the section 5(e) order for the substance, or studies on analogous substances, which may demonstrate that the significant new uses being reported do not present an unreasonable risk, may be included with significant new use notification.
CFR citation: 40 CFR 721.2155.

PMN Number P-88-1460

Chemical name: (generic) 2,5-Dimercapto-1,3,4-thiadiazole, alkyl polycarboxylate.
CAS number: Not available.
Effective date of section 5(e) consent order: February 2, 1988.
Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(II) of TSCA based on a finding that this substance is expected to be produced in substantial quantities and there may be substantial human exposures.
Recommended testing: EPA has determined that the results of an acute oral toxicity test (40 CFR 798.1175), an Ames assay (40 CFR 798.5265), a mouse micronucleus assay by the intraperitoneal route (40 CFR 798.5395), and a 28-day repeated dose oral study in rats (OECD Guideline No. 407) would help characterize possible effects of the substance. The PMN submitter has agreed not to exceed the production volume limit without performing these tests.
CFR citation: 40 CFR 721.821.

PMN Number P-88-1540

Chemical name: (generic) Polymer of maleic anhydride, benzenedicarboxylic acid and disubstituted alkylamine.
CAS number: Not available.
Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(II) of TSCA based on a finding that this substance is expected to be produced in substantial quantities and there may be substantial human exposures.
Recommended testing: EPA has determined that the results of an Ames assay (40 CFR 798.5265), a mouse micronucleus assay by the intraperitoneal route (40 CFR 798.5395), and a 28-day repeated dose oral study in rats (OECD Guideline No. 407) would help characterize possible effects of the substance. The PMN submitter has agreed not to exceed the production volume limit without performing these tests.
CFR citation: 40 CFR 721.1645.

PMN Number P-88-1616

Chemical name: (generic) Polymer of substituted alkylphenol formaldehyde and phthalic anhydride, acrylate.
CAS number: Not available.
Effective date of section 5(e) consent order: January 5, 1989.
Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.
Toxicity concerns: Similar chemicals have been shown to cause cancer and neurotoxicity in test animals.
Recommended testing: A 2-year, two-species oral rodent bioassay (40 CFR 798.3300) to assess potential carcinogenicity. A 90-day oral subchronic study in rats (40 CFR 798.2650) with functional observational battery and neuropathy to help characterize potential neurotoxicity of the substance.
CFR citation: 40 CFR 721.1638.

PMN Number P-88-1617

Chemical name: (generic) Terpenes and terpenoids, limonene fraction, polymer with substituted carbopolycycles.
CAS number: Not available.
Effective date of section 5(e) consent order: February 6, 1989.
Basis for section 5(e) order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(II) of TSCA based on a finding that this substance is expected to be produced in substantial quantities and there may be significant and substantial human exposure.
Recommended testing: EPA has determined that the results of a 28-day oral study (OECD Guideline No. 407) would help characterize possible effects of the substance. The PMN submitter has agreed not to exceed the production volume limit without performing this test.
CFR citation: 40 CFR 721.2075.

PMN Number P-88-1753

Chemical name: (generic) Bis(substituted)carbomonocyclic azocarbomonocyclic.
CAS number: Not available.
Effective date of section 5(e) consent order: December 27, 1989.
Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to the environment.
Recommended testing: EPA has determined that the results of an acute algal study (40 CFR 797.1050), acute daphnid study (40 CFR 797.1300), acute

fish study (40 CFR 797.1400), early life stage toxicity test in fish (40 CFR 797.1600), and chronic daphnid study (40 CFR 797.1350) would help characterize possible effects of the substance. The PMN submitter has agreed not to exceed the production volume limit without performing these tests.
CFR citation: 40 CFR 721.766.

PMN Number P-88-1889

Chemical name: (generic) Fatty acid, amine salt.
CAS number: Not available.
Effective date of section 5(e) consent order: September 12, 1989.
Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to the environment. The 5(e) order prohibited distribution of formulations containing more than 4 percent of the PMN substance; this provision is not contained in the SNUR. Instead, the designation of 40 CFR 721.80 (k) and (q) as significant new uses will adequately protect the environment.
Recommended testing: EPA has determined that the results of an acute algal study (40 CFR 797.1050), acute daphnid study (40 CFR 797.1300), and acute fish study (40 CFR 797.1400) would help characterize possible effects of the substance. The PMN submitter has agreed not to exceed the production volume limit without performing these tests.
CFR citation: 40 CFR 721.1040.

PMN Number P-88-2582

Chemical name: (specific) 2-Oxepanone, polymer with 4,4'-(1-methylethylidene)bisphenol and 2,2-[[1-methylethylidene]bis(4,1-phenyleneoxymethylene)]bisoxirane, graft.
CAS number: Not available.
Effective date of section 5(e) consent order: December 27, 1989.
Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) and (II) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health and is expected to be produced in substantial quantities and there may be substantial environmental and human exposures.
Recommended testing: EPA has determined that the results of an Ames assay (40 CFR 798.5265), a mouse micronucleus assay by the intraperitoneal route (40 CFR 798.5395), a 28-day repeated dose oral study in rats (OECD Guideline No. 407), with the following modifications: (a) for all test

doses, a neurotoxicity functional observational battery (40 CFR 798.6050), and (b) for the highest test dose group only, histopathologic examination extended to include the testes/ovaries and lungs, plus neuropathology (40 CFR 798.6400), a 90-day subchronic oral study in rats (40 CFR 798.2650), a 2-year two-species rodent bioassay (40 CFR 798.3300) would help characterize possible effects of the substance. The consent order contains two production volume limits. The PMN submitter has agreed not to exceed the first production limit without performing the Ames assay, the micronucleus assay, and the 28-day repeated dose oral study. The PMN submitter has also agreed not to exceed the second higher production volume limit without performing the 90-day study and the 2-year bioassay.

CFR citation: 40 CFR 721.1495.

PMN Number P-89-483

Chemical name: (generic) Polyalkylenepolyol alkylamine.

CAS number: Not available.

Effective date of section 5(e) consent order: December 20, 1989.

Basis for section 5(e) order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to human health.

Toxicity concerns: Similar chemicals have been shown to cause blood effects, neurotoxicity, reproductive effects, developmental effects, and developmental neurotoxicity.

Recommended testing: EPA has determined that a 90-day oral rat subchronic study (40 CFR 798.2650), an oral developmental toxicity study in rats and rabbits, and a two-generation reproductive study in rats would help characterize possible blood effects, reproductive effects, and reproductive effects. The PMN submitter has agreed not to exceed the production volume limit without performing these tests. EPA has determined that the results of a developmental neurotoxicity study (53 FR 5932) would help characterize possible adult and developmental neurotoxicity effects of the substance. Data on potential exposures or releases of the substance, testing other than that specified in the section 5(e) order for the substance, or studies on analogous substances, which may demonstrate that the significant new uses being reported do not present an unreasonable risk, may be included with significant new use notification.

CFR citation: 40 CFR 721.1010.

PMN Number P-89-576 and P-89-577

Chemical name: (generic) Metal salt of a complex inorganic oxyacid.

CAS number: Not available.

Effective date of section 5(e) consent order: January 8, 1990.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance is expected to be produced in substantial quantities and there may be substantial environmental exposure and significant or substantial human exposure.

Recommended testing: A 28-day oral rat toxicity study (OECD Guideline No. 407), with the following modifications:

(a) For all test doses, a neurotoxicity functional observational battery (40 CFR 798.6050), and (b) for the highest test dose group only, histopathologic examination extended to include the testes/ovaries and lungs, plus neuropathology (40 CFR 798.6400) on either the substance described in P-89-576 or in P-89-577 would help characterize possible effects of the substances. The PMN submitter has agreed not to exceed the production volume limit without performing this test.

CFR citation: 40 CFR 721.1265.

PMN Number P-89-632

Chemical name: (specific) 1,3-Propanediamine, *N,N'*-1,2-ethanediylbis-, polymer with 2,4,6-trichloro-1,3,5-triazine, reaction products with *N*-butyl-2,2,6,6-tetramethyl-4-piperidinamine.

CAS number: Not available.

Effective date of section 5(e) consent order: December 29, 1989.

Basis for section 5(e) consent order: The Order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.

Toxicity concerns: This chemical has been shown to cause severe eye irritation and similar chemicals have been shown to cause immunotoxicity, reproductive system toxicity and adverse effects to the blood, liver, and gastrointestinal tract in test animals. Chemicals similar to the PMN chemical have also been shown to cause toxicity to aquatic organisms.

Recommended testing: The Agency believes that the results of a 90-day oral toxicity study would help characterize possible health effects of the substance (40 CFR 798.2650). Furthermore, if a SNUR notice submitter intends to release the substance to water, the Agency believes that the results of an algal acute toxicity test (40 CFR 797.1050), a daphnid chronic toxicity test

(40 CFR 797.1330) and a fish early life stage toxicity test (40 CFR 797.1600), performed prior to any release of the substance, would help characterize possible environmental effects of the substance. The PMN submitter has agreed not to exceed the production volume limit without performing the 90-day study. Data on potential exposures or releases of the substance, testing other than that specified in the section 5(e) order for the substance, or studies on analogous substances, which may demonstrate that the significant new uses being reported do not present an unreasonable risk, may be included with significant new use notification.

CFR citation: 40 CFR 721.1795.

IV. Objectives and Rationale of the Rule

During review of the PMNs submitted for the chemical substances that are subject to this SNUR, EPA concluded that for all of the substances, regulation was warranted under section 5(e) of TSCA pending the development of information sufficient to make reasoned evaluations of the health or environmental effects of the substances. The basis for such findings is outlined in Unit III. of this preamble. Based on these findings, section 5(e) consent orders requiring the use of appropriate controls were negotiated with the PMN submitters; the SNUR provisions for these substances designated herein are consistent with the provisions of the section 5(e) orders.

EPA is issuing this SNUR for specific chemical substances which have undergone premanufacture review to ensure the following objectives: That EPA will receive notice of any company's intent to manufacture, import, or process a listed chemical substance for a significant new use before that activity begins; that EPA will have an opportunity to review and evaluate data submitted in a SNUR notice before the notice submitter begins manufacturing, importing, or processing a listed chemical substance for a significant new use; that, when necessary to prevent unreasonable risks, EPA will be able to regulate prospective manufacturers, importers, or processors of a listed chemical substance before a significant new use of that substance occurs; and that all manufacturers, importers, and processors of the same chemical substance which is subject to a section 5(e) order are subject to similar requirements.

V. Direct Final Procedure

EPA is issuing these SNURs as direct final rules, as described in 40 CFR

721.160(c)(3) and 721.170(d)(4). In accordance with 40 CFR 721.160(c)(3)(ii), this rule will be effective October 15, 1990, unless EPA receives a written notice by September 14, 1990 that someone wishes to make adverse or critical comments on EPA's action. If EPA receives such notice, EPA will publish a notice to withdraw the direct final SNUR(s) for the specific substance(s) to which the adverse or critical comments apply. EPA will then propose a SNUR for the specific substance(s) providing a 30-day comment period. This action establishes SNURs for several chemical substances. Any person who submits a notice of intent to submit adverse or critical comments must identify the substance and the new use to which it applies. EPA will not withdraw a SNUR for a substance not identified in a notice.

VI. Test Data and Other Information

EPA recognizes that section 5 of TSCA does not require developing any particular test data before submission of a SNUR notice. Persons are required only to submit test data in their possession or control and to describe any other data known to or reasonably ascertainable by them. In cases where a section 5(e) order requires or recommends certain testing, Unit III. of this preamble lists those recommended tests. The recommended studies may not be the only means of addressing the potential risks of the substance. However, SNUR notices submitted for significant new uses without any test data may increase the likelihood that EPA will take action under section 5(e), particularly if satisfactory test results have not been obtained from a prior submitter. EPA recommends that potential SNUR notice submitters contact EPA early enough so that they will be able to conduct the appropriate tests. SNUR notice submitters should be aware that EPA will be better able to evaluate SNUR notices which provide detailed information on: (1) Human exposure and environmental release that may result from the significant new use of the chemical substances; (2) potential benefits of the substances; and (3) information on risks posed by the substances compared to risks posed by potential substitutes.

VII. Procedural Determinations

EPA is establishing through this rule some significant new uses which have been claimed as CBI. EPA has decided it is appropriate to keep this information confidential to protect the interest of the original PMN submitter. EPA promulgated a procedure to deal with the situation where a specific significant

new use is CBI. This procedure appears in 40 CFR 721.575(b)(1) and is similar to that in § 721.11 for situations where the chemical identity of the substance subject to a SNUR is CBI. This procedure is cross-referenced in each of these SNURs.

A manufacturer or importer may request EPA to determine whether a proposed use would be a significant new use under this rule. Under the procedure incorporated from § 721.575(b)(1), a manufacturer or importer must show that it has a *bona fide* intent to manufacture or import the substance and must identify the specific use for which it intends to manufacture or import the substance. If EPA concludes that the person has shown a *bona fide* intent to manufacture or import the substance, EPA will tell the person whether the use identified in the *bona fide* submission would be a significant new use under the rule. Since most of the chemical identities of the substances subject to these SNURs are also CBI, manufacturers and processors can combine the *bona fide* submission under the procedure in § 721.575(b)(1) with that under § 721.11 into a single step.

If a manufacturer or importer is told that the production volume identified in the *bona fide* submission would not be a significant new use, i.e. it is below the level that would be a significant new use, that person can manufacture or import the substance as long as the aggregate amount does not exceed that identified in the *bona fide* submission to EPA. If the person later intends to exceed that volume, a new *bona fide* submission would be necessary to determine whether that higher volume would be a significant new use. EPA is considering whether to adopt a special procedure for use when CBI production volumes are designated as significant new uses. Under that procedure, if a person showed a *bona fide* intent to manufacture or import the substance, under the procedure described in § 721.11, the person would automatically be told any production volume that would be a significant new use. Thus the person would not have to make multiple *bona fide* submissions to EPA for the same substance to remain in compliance with the SNUR, as could be the case under the procedures in § 721.575(b)(1).

VIII. Applicability of Rule to Uses Occurring Before Effective Date of the Final Rule

To establish a significant "new" use, EPA must determine that the use is not ongoing. The chemical substances subject to this rule have recently undergone premanufacture review. Section 5(e) orders have been issued in

all cases and notice submitters are prohibited by the section 5(e) orders from undertaking activities which EPA is designating as significant new uses. In cases where EPA has not received a Notice of Commencement (NOC) and the substance has not been added to the Inventory, no other person may commence such activities without first submitting a PMN. For substances for which an NOC has not been submitted, at this time, EPA has concluded that the uses are not ongoing. However, EPA recognizes in cases when chemical substances identified in this SNUR are added to the Inventory prior to the effective date of the rule, the substances may be manufactured, imported, or processed by other persons for a significant new use as defined in this rule before the effective date of the rule. However, 17 out of the 23 substances contained in this rule have CBI chemical identities, and since EPA has received no corresponding post-PMN *bona fide* submissions, the Agency believes that it is highly unlikely that many, if any, of the significant new uses described in the following regulatory text are ongoing. EPA has decided that the intent of section 5(a)(1)(B) is best served by designating a use as a significant new use as of this date of publication rather than as of the effective date of the rule. Thus, persons who begin commercial manufacture, import, or processing of the substances regulated through this SNUR will have to cease any such activity before the effective date of this rule. To resume their activities, these persons would have to comply with all applicable SNUR notice requirements and wait until the notice review period, including all extensions, expires.

EPA has promulgated provisions to allow persons to comply with this SNUR before the effective date. If a person were to meet the conditions of advance compliance in § 721.45(h) (53 FR 28354, July 17, 1988), the person will be considered to have met the requirements of the final SNUR for those activities. If persons who begin commercial manufacture, import, or processing of the substance between publication and the effective date of the SNUR do not meet the conditions of advance compliance, they must cease that activity before the effective date of the rule. To resume their activities, these persons would have to comply with all applicable SNUR notice requirements and wait until the notice review period, including all extensions, expires.

IX. Economic Analysis

EPA has evaluated the potential costs of establishing significant new use

notice requirements for potential manufacturers, importers, and processors of the chemical substance subject to this rule. EPA's complete economic analysis is available in the public record for this rule (OPTS-50582).

X. Rulemaking Record

EPA has established a record for this rulemaking (docket control number OPTS-50582). The record includes information considered by EPA in developing this rule. A public version of this record containing nonconfidential materials is available for reviewing and copying from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays, in the TSCA Public Docket Office, located at Rm. NE-G004, 401 M St., SW., Washington, DC.

XI. Regulatory Assessment Requirements

A. Executive Order 12291

Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore requires a Regulatory Impact Analysis. EPA has determined that this rule will not be a "major" rule because it will not have an effect on the economy of \$100 million or more, and it will not have a significant effect on competition, costs, or prices. While there is no precise way to calculate the total annual cost of compliance with this rule, EPA estimates that the cost for submitting a significant new use notice would be approximately \$4,500 to \$11,000, including a \$2,500 user fee payable to EPA to offset EPA costs in processing the notice. EPA believes that, because of the nature of the rule and the substances involved, there will be few SNUR notices submitted. Furthermore, while the expense of a notice and the uncertainty of possible EPA regulation may discourage certain innovation, that impact will be limited because such factors are unlikely to discourage an innovation that has high potential value.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (5 U.S.C. 605(b)), EPA has determined that this rule would not have a significant impact on a substantial number of small businesses. EPA has not determined whether parties affected by this rule would likely be small businesses. However, EPA expects to receive few SNUR notices for the substances. Therefore, EPA believes that the number of small businesses affected by this rule will not be

substantial, even if all of the SNUR notice submitters were small firms.

C. Paperwork Reduction Act

The information collection requirements contained in this rule have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), and have been assigned OMB control number 2070-0012.

Public reporting burden for this collection of information is estimated to vary from 30 to 170 hours per response, with an average of 100 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; and to Office of Management and Budget, Paperwork Reduction Project (2070-0012), Washington, DC 20503.

List of Subjects in 40 CFR Part 721

Chemicals, Environmental protection, Hazardous materials, Reporting and recordkeeping requirements, Significant new uses.

Dated: August 6, 1990.

Victor J. Kimm,

Acting Assistant Administrator for Pesticides and Toxic Substances.

Therefore, 40 CFR part 721 is amended as follows:

PART 721—[AMENDED]

1. The authority citation for part 721 continues to read as follows:

Authority: 15 U.S.C. 2604 and 2607.

2. By adding new § 721.266 to subpart E to read as follows:

§ 721.266 Acrylamide, polymer with substituted alkylacrylamide salt (generic name).

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance identified generically as acrylamide, polymer with substituted alkylacrylamide salt (PMN P-87-794) 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) *Industrial, commercial, and consumer activities.* Requirements as

specified in § 721.80(p) (limit set at 216,700 kg).

(ii) [Reserved]

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance: Recordkeeping requirements specified in § 721.125(a), (b), (c), and (i).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

3. By adding new § 721.467 to subpart E to read as follows:

§ 721.467 Benzene, substituted, alkyl acrylate derivative (generic name).

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance identified generically as a benzene, substituted, alkyl acrylate derivative (PMN P-86-1692) 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) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(3), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (d), (e) (concentration set at 0.1 percent), (f), (g)(1)(iii), (g)(1)(vii), (g)(2)(i), (g)(2)(v), and (g)(5). The provision of § 721.72(d) requiring that employees be provided with information on the location and availability of MSDSs does not apply when an MSDS was not required under § 721.72(c). The provision of § 721.72(g) requiring placement of specific information on an MSDS does not apply when an MSDS is not required under § 721.72(c).

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

(iv) *Disposal.* § 721.85 (a)(1), (a)(2), (b)(1), (b)(2), (c)(1), and (c)(2).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (g), (i), and (j).

(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 § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

4. By adding new § 721.567 to subpart E to read as follows:

§ 721.567 Disulfonic acid rosin amine salt of a benzidine derivative (generic name).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as disulfonic acid rosin amine salt of a benzidine derivative (PMN P-87-1337) 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) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f), (v)(1), (w)(1), and (x)(1).

(ii) [Reserved]

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a), (b), (c), and (i).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this significant new use rule.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

5. By adding new § 721.766 to subpart E to read as follows:

§ 721.766 Bis(substituted)carbomonocyclic azocarbomonocyclic (generic name).

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance identified generically as bis(substituted)carbomonocyclic azocarbomonocyclic (PMN P-89-1753) 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.* Requirements as specified in § 721.72(a), (b), (c), (d), (f), (g)(3)(i), (g)(3)(ii), and (g)(4)(i).

(ii) *Industrial, commercial, and consumer activities.* Requirements as

specified in § 721.80(p) (limits set at 113,000 kg and 226,000 kg).

(iii) *Disposal.* Requirements as specified in § 721.85(a)(1), (a)(2), (b)(1), (b)(2), (c)(1), and (c)(2).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a), (b), (c), (f) through (j).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

6. By adding new § 721.821 to subpart E to read as follows:

§ 721.821 2,5-Dimercapto-1,3,4-thiadiazole, alkyl polycarboxylate (generic name).

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance identified generically as 2,5-dimercapto-1,3,4-thiadiazole, alkyl polycarboxylate (PMN P-88-1460) 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) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(g).

(ii) [Reserved]

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a), (b), (c), and (i).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this significant new use rule.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

7. By adding new § 721.960 to subpart E to read as follows:

§ 721.960 Unsaturated amino ester salt (generic name).

(a) *Chemical substances and significant new uses subject to*

reporting. (1) The chemical substance identified generically as an unsaturated amino ester salt (PMN P-84-537) 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) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(3), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b)(2), (d), (e), (f) (concentration set at 0.1 percent), (g)(1)(vii), (g)(2)(i), (g)(2)(v), and (g)(5). The provision of § 721.72(d) requiring that employees be provided with information on the location and availability of MSDSs does not apply when an MSDS was not required under § 721.72(c). The provision of § 721.72(g) requiring placement of specific information on an MSDS does not apply when an MSDS is not required under § 721.72(c).

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

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (g) and (i).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

8. By adding new § 721.983 to subpart E to read as follows:

§ 721.983 Unsaturated amino alkyl ester salt (generic name).

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance identified generically as an unsaturated amino alkyl ester salt (PMN P-84-527) 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) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(3), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b)(2), (d), (e), (f) (concentration set at 0.1 percent), (g)(1)(vii), (g)(2)(i), (g)(2)(v), and (g)(5). The provision of § 721.72(d)

requiring that employees be provided with information on the location and availability of MSDSs does not apply when an MSDS was not required under § 721.72(c). The provision of § 721.72(g) requiring placement of specific information on an MSDS does not apply when an MSDS is not required under § 721.72(c).

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

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (g) and (i).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

9. By adding new § 721.1040 to subpart E to read as follows:

§ 721.1040 Fatty acid amine salt (generic name).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as fatty acid amine salt (PMN P-88-1889) 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.* Requirements as specified in § 721.72(b)(2), (c), (f), and (g)(3)(ii). The provisions of § 721.72(g) would require the following warning language on the label: Minimize releases to the environment.

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

(iii) *Release to water.* Requirements as specified in § 721.90(a)(1).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a), (b), (c), (f), (g), (h), (i), and (k).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this significant new use rule.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

10. By adding new § 721.1265 to subpart E to read as follows:

§ 721.1265 Metal salts of complex inorganic oxyacids (generic name).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substances identified generically as metal salts of complex inorganic oxyacids (PMNs P-89-576 and P-89-577) are 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) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(ii) [Reserved]

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a), (b), (c), and (i).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this significant new use rule.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

11. By adding new § 721.1395 to subpart E to read as follows:

§ 721.1395 Methylenebistrisubstituted aniline (generic name).

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substances identified generically as methylenebistrisubstituted aniline (PMN P-87-90) are 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) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(3), (a)(4), (a)(5)(iv), (a)(5)(v), (a)(5)(vi), (a)(6)(i), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b)(2), (c), (d), (e) (concentration set at 0.1 percent), (f), (g)(1)(iv), (g)(1)(vi), (g)(1)(vii), (g)(2)(i), (g)(2)(ii), (g)(2)(iv), and (g)(2)(v).

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

(iv) *Disposal.* Section 721.85 (a)(1), (a)(2), (b)(1), (b)(2), (c)(1), and (c)(2).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (i).

(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 § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

12. By adding new § 721.1475 to subpart E to read as follows:

§ 721.1475 Substituted nitrile (generic name).

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance identified generically as a substituted nitrile (PMN P-83-603) 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) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(3), (a)(4), (a)(5)(i), (a)(5)(ii), (a)(5)(iii), (a)(6)(v), (b) (concentration set at 1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b)(1), (d), (e) (concentration set at 1 percent), (f), (g)(1)(iii), (g)(1)(vii), (g)(2)(i), (g)(2)(ii), (g)(2)(iii), (g)(2)(iv), (g)(2)(v), (g)(3)(ii), and (g)(4)(1). The provision of § 721.72(d) requiring that employees be provided with information on the location and availability of MSDSs does not apply when an MSDS was not required under § 721.72(c). The provision of § 721.72(g) requiring placement of specific information on an MSDS does not apply when an MSDS is not required under § 721.72(c).

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

(iv) *Release to water.* Requirements as specified in § 721.90 (a)(4), (b)(4), and (c)(4) (level set at 1 ppb).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (g), (i), and (k).

(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 § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

13. By adding new § 721.1491 to subpart E to read as follows:

§ 721.1491 Substituted dialkyl oxazolone (generic name).

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance identified generically as substituted dialkyl oxazolone (PMN P-86-1634) 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) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(v), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b)(2), (c), (d), (e) (concentration set at 0.1 percent), (f), (g)(1)(iii), (g)(1)(vi), (g)(1)(vii), (g)(1)(ix), (g)(2)(i), (g)(2)(ii), (g)(2)(iv), and (g)(2)(v).

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

(iv) *Disposal.* Requirements as specified in § 721.85(a)(1), (a)(2), (b)(1), (b)(2), (c)(1), and (c)(2).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (j).

(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 § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

14. By adding new § 721.1495 to subpart E to read as follows:

§ 721.1495 2-Oxepanone, polymer with 4,4'-(1-methylethylidene)bisphenol and 2,2-[(1-methylethylidene)bis(4,1-phenyleneoxymethylene)]bisoxirane, graft.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance 2-oxepanone, polymer with 4,4'-(1-methylethylidene)bisphenol and 2,2-[(1-methylethylidene)bis(4,1-phenyleneoxymethylene)]bisoxirane, graft (PMN P-88-2582) 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) *Protection in the workplace.* Requirements as specified in § 721.63 (a)(1), (a)(3), (a)(4), (a)(5)(i), (a)(5)(ii), (a)(5)(iii), (a)(5)(viii), (a)(5)(ix), (a)(5)(x), (a)(5)(xi), (a)(6)(ii), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (g)(1)(iv), (g)(1)(vi), (g)(1)(vii), (g)(2)(i), (g)(2)(ii), (g)(2)(iii), (g)(2)(iv), (g)(2)(v), and (g)(5).

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

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (i).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this significant new use rule.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

15. By adding new § 721.1537 to subpart E to read as follows:

§ 721.1537 Phenol, 4,4'-methylenebis(2,6-dimethyl-

(a) *Chemical substances and significant new uses subject to*

reporting. (1) The chemical substance phenol, 4,4'-methylenebis(2,6-dimethyl-, (PMN P-88-864) 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) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(iii), (a)(5)(iv), (a)(5)(v), (a)(6)(i), (b) (concentration set at 1 percent), (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b)(1), (d), (e) (concentration set at 1 percent), (f), (g)(1)(iv), (g)(2)(i), (g)(2)(ii), (g)(2)(iv), (g)(2)(v), and (g)(4)(iii). The provision of § 721.72(d) requiring that employees be provided with information on the location and availability of MSDSs does not apply when an MSDS was not required under § 721.72(c). The provision of § 721.72(g) requiring placement of specific information on an MSDS does not apply when an MSDS is not required under § 721.72(c).

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

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (g), (i), (k).

(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 § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

16. By adding new § 721.1540 to subpart E to read as follows:

§ 721.1540 Phenol, 4,4'-[methylenebis(oxy-2,1-ethanediylthio)]bis-

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance phenol, 4,4'-[methylenebis(oxy 2,1-ethanediylthio)]bis- (PMN P-87-1760) 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.* Requirements as specified in § 721.72(b)(2), (f), (g)(3)(ii), and (g)(4)(iii). The provision of § 721.72(g) requiring placement of specific information on an MSDS does not apply when an MSDS is not required under § 721.72(c).

(ii) *Release to water.* Requirements as specified in § 721.90(a)(1).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance: Recordkeeping requirements specified in § 721.125(a), (b), (c), (f), (g), and (j).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

17. By adding new § 721.1611 to subpart E to read as follows:

§ 721.1611 Phosphoric acid, 1,2-ethanedithyl tetrakis(2-chloro-1-methylethyl) ester.

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance identified as phosphoric acid, 1,2-ethanedithyl tetrakis(2-chloro-1-methylethyl) ester (PMN P-861263) 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) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(3), (a)(4), (a)(5)(iii), (a)(6)(v), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b)(2), (c), (d), (e) (concentration set at 0.1 percent), (f), (g)(1)(iii), (g)(1)(vii), (g)(2)(i), (g)(2)(ii), (g)(2)(iv), and (g)(2)(v).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(k) (use other than as a flame retardant for polyurethane foams).

(iv) *Disposal.* Requirements as specified in § 721.85 (a)(1), (b)(1), and (c)(1).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (j).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

18. By adding new § 721.1616 to subpart E to read as follows:

§ 721.1616 Polyalkylenepolyol alkylamine. (generic name).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as polyalkylenepolyol alkylamine (PMN P-89-483) 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) *Protection in the workplace.* Requirements as specified in § 721.63 (a)(1), (a)(3), (b) (concentration set at 1.0 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 1.0 percent), (f), (g)(1)(iii), (g)(1)(iv), (g)(1)(vi), (g)(1)(ix), (g)(2)(i), (g)(2)(iii), (g)(2)(v), and (g)(5).

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

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (i).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this significant new use rule.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

19. By adding new § 721.1621 to subpart E to read as follows:

§ 721.1621 Epoxidized polybutene.

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance identified as epoxidized polybutene (PMN P-88-217) 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) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(ii) [Reserved]

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a), (b), (c), and (i).

(2) *Determining whether a specific use is subject to this section.* The provisions of § 721.575(b)(1) apply to this section.

(3) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this significant new use rule.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

20. By adding new § 721.1638 to subpart E to read as follows:

§ 721.1638 Polymer of substituted alkylphenol formaldehyde and phthalic anhydride, acrylate (generic name).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as polymer of substituted alkylphenol formaldehyde and phthalic anhydride, acrylate, (PMN P-88-1616) 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) *Protection in the workplace.* Requirements as specified in § 721.63 (a)(1), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(ii), (b) (concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (g)(1)(iii), (g)(1)(vii), (g)(2)(i), (g)(2)(ii), (g)(2)(iv), (g)(2)(v), and (g)(5).

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

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (i).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this significant new use rule.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

21. By adding new § 721.1645 to subpart E to read as follows:

§ 721.1645 Polymer of maleic anhydride, benzenedicarboxylic acid and disubstituted alkylamine (generic name).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as a polymer of maleic anhydride, benzenedicarboxylic acid and disubstituted alkylamine (P-88-1540) 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) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(ii) [Reserved]

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a), (b), (c), and (i).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this significant new use rule.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

22. By adding new § 721.1795 to subpart E to read as follows:

§ 721.1795 1,3-Propanediamine, N,N'-1,2-ethanediylbis-, polymer with 2,4,6-trichloro-1,3,5-triazine, reaction products with N-butyl-2,2,6,6-tetramethyl-4-piperidinamine.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as 1,3-propanediamine, N,N'-1,2-ethanediylbis-, polymer with 2,4,6-trichloro-1,3,5-triazine, reaction products with N-butyl-2,2,6,6-tetramethyl-4-piperidinamine, (PMN P-89-632) 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) *Protection in the workplace.* Requirements as specified in § 721.63 (a)(1), (a)(2)(iii), (a)(3), (a)(4), (a)(5)(i), (a)(5)(ii), (a)(6)(i), (a)(6)(ii), (b)

(concentration set at 1.0 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e), (f), (g)(1)(iv), (g)(1)(v), (g)(1)(viii), (g)(2)(i), (g)(2)(ii), (g)(2)(iii), (g)(2)(iv), (g)(2)(v), (g)(3)(ii), (g)(4)(iii), and (g)(5).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 720.80(q).

(iv) *Release to water.* Requirements as specified in § 721.90 (a)(1), (b)(1), and (c)(1).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (i) and (k).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this significant new use rule.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.575(b)(1) apply to this section.

(Approved by the Office of Management and Budget under OMB control number 2070-0012)

23. By adding new § 721.2075 to subpart E to read as follows:

§ 721.2075 Terpenes and terpenoids, limonene fraction, polymer with substituted carbopolycycles (generic name).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as terpenes and terpenoids, limonene fraction, polymer with substituted carbopolycycles (PMN P-89-1617) 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) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(ii) [Reserved]

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a), (b), (c), and (i).

(2) *Limitations or revocation of certain notification requirements.* The

provisions of § 721.185 apply to this significant new use rule.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.575(b)(1) apply to this section.

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24. By adding new § 721.2155 to subpart E to read as follows:

§ 721.2155 3,3',5,5'-Tetramethylbiphenyl-4,4'-diol.

(a) *Chemical substances and significant new uses subject to reporting.* (1) The chemical substance identified as 3,3',5,5'-tetramethylbiphenyl-4,4'-diol (PMN P-88-972) 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) *Protection in the workplace.* Requirements as specified in § 721.63(a)(4), (a)(5)(vii), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (b) (concentration set at 1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 1 percent), (f), (g)(1)(iv), (g)(1)(ix), (g)(2)(ii), (g)(2)(iv), and (g)(5).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(k) (monomer for epoxy resins and engineering plastics or an antioxidantizing agent for lubricating oils) and (p) (level set at 42,000 kg and 366,000 kg).

(iv) *Disposal.* Requirements as specified in § 721.85 (a)(1), (a)(2), (b)(1), (b)(2), (c)(1), and (c)(2).

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

(1) *Recordkeeping.* The following recordkeeping requirements are applicable to manufacturers, importers, and processors of this substance, as specified in § 721.125(a) through (j).

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

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