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**Title 40 – Protection of Environment**  
**Chapter I – Environmental Protection Agency**  
**Subchapter R – Toxic Substances Control Act**  
**Part 721 – Significant New Uses of Chemical Substances**  
**Subpart E – Significant New Uses for Specific Chemical Substances**

**Authority:** 15 U.S.C. 2604, 2607, and 2625(c).

**Source:** 49 FR 35018, Sept. 5, 1984, unless otherwise noted.

**Editorial Note:** Nomenclature changes to part 721 appear at 87 FR 39764, July 5, 2022.

**§ 721.11715 Nonane, branched.**

(a) **Chemical substance and significant new uses subject to reporting.**

(1) The chemical substance identified as nonane, branched (PMN P–21–125; CAS No. 85408–10–2) 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) and (3) through (5), (a)(6)(v) and (vi), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50. For purposes of § 721.63(b), the concentration is set at 1.0%.

(A) As an alternative to the respirator requirements in paragraph (a)(2)(i) of this section, a manufacturer or processor may choose to follow the new chemical exposure limit (NCEL) provision listed in the TSCA Order for this substance. The NCEL is 0.72 mg/m<sup>3</sup> as an 8-hour time weighted average. Persons who wish to pursue NCELs as an alternative to § 721.63 respirator requirements may request to do so under § 721.30. Persons whose § 721.30 requests to use the NCELs approach are approved by EPA will be required to follow NCELs provisions comparable to those contained in the corresponding TSCA Order.

(B) [Reserved]

(ii) **Hazard communication.** Requirements as specified in § 721.72(a) through (f), and (g)(1), (3), and (5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: skin irritation; eye irritation; reproductive toxicity; specific target organ toxicity; aspiration hazard. For purposes of § 721.72(g)(3), this substance may be: toxic to aquatic life. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

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

(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 (b).

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

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

[88 FR 13701, Mar. 6, 2023]