

§ 704.45 Chlorinated terphenyl.

(a) Definitions.

- (1) Chlorinated terphenyl means a chemical substance, CAS No. 61788-33-6, comprised of chlorinated ortho-, meta-, and paraterphenyl.
- (2) Extent of chlorination means the percent by weight of chlorine for each isomer (ortho, meta, and para).
- (3) Isomeric ratio means the ratios of ortho-, meta-, and parachlorinated terphenyls.
- (4) Polychlorinated biphenyl means any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees.
- (5) Small manufacturer means a manufacturer (importers are defined as manufacturers under TSCA) who meets either of the following standards under this rule:

- (i) First standard. A manufacturer of an existing chemical substance is small if its total annual sales, when combined with those of its parent company (if any), are less than \$40 million. However, if the annual production volume of a particular chemical substance at any individual site owned or controlled by the manufacturer is greater than 45,400 kilograms (100,000 pounds), the manufacturer shall not qualify as small for purposes of reporting on the production of that chemical substance at the site, unless the manufacturer qualified as small under paragraph (a)(5)(ii) of this section.

- (ii) Second standard. A manufacturer of an existing chemical substance is small if its total annual sales, when combined with those of its parent company (if any), are less than \$4 million, regardless of the quantity of chemicals produced by that manufacturer. (b) Persons who must report. Except for small manufacturers and as provided in § 704.5, the following persons are subject to the rule:

- (1) Persons who manufacture or propose to manufacture chlorinated terphenyl.
- (2) Persons who import (importers) or propose to import chlorinated terphenyl as a chemical substance in bulk or as part of a mixture. (c) What information to report. Persons subject to this rule as described in paragraph (b) of this section must notify EPA of current or proposed manufacture or import of chlorinated terphenyl. The notice must include, to the extent that it is known to the person making the report or is reasonably ascertainable, the following information:

- (1) Company name and address.
- (2) Name, address, and telephone number of principal technical contact.
- (3) A description of the use(s) or intended use(s) for chlorinated terphenyl.
- (4) A description of the isomeric ratio and extent of chlorination of the chlorinated terphenyl and the impurity level of polychlorinated biphenyls.
- (5) The quantity (by weight) manufactured or imported within 12 months prior to the effective date of the rule, if any, and the estimated quantity (by weight) to be manufactured or imported for the first three years following the date of the report or the date of the intended start of production, whichever occurs later.

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(6) The proposed date for the initiation of manufacturing or importation of chlorinated terphenyl, if appropriate. (d) When to report. Persons who are manufacturing or importing chlorinated terphenyl on the effective date of the rule must notify EPA within 30 days of the effective date of the rule.

Persons who propose to manufacture or import chlorinated terphenyl must notify EPA within 15 days after mak-

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Hyperlinks to Regulations and Other Documents are in Blue Final Regulation ing the management decision described in

§ 704.3 “Proposed to manufacture or import”. [49 FR 11184, Mar. 26, 1984, as amended at 49 FR 32068, Aug. 10, 1984; 50 FR 2048, Jan. 15, 1985; 52 FR 20083, May 29, 1987. Redesignated at 53 FR 51717, Dec. 22, 1988; 58 FR 34204, June 23, 1993]