

§721.10068 Elemental mercury.

(a) Barometer means an instrument used in various applications to measure atmospheric pressure.

Definitions. The definitions in §721.3 apply to this section. In addition, the following definitions apply:

Flow meter means an instrument used in various applications to measure the flow rate of liquids or gases.

Hygrometer means an instrument used in various applications to measure humidity of gases.

Manometer means an instrument used in various applications to measure pressure of gases or liquids.

Motor vehicle has the meaning found at 40 CFR 85.1703.

Natural gas manometer means an instrument used in the natural gas industry to measure gas pressure.

Psychrometer means an instrument used in various applications to measure humidity of gases.

Pyrometer means an instrument used in various applications to measure extremely high temperatures.

(b) Chemical substances and significant new uses subject to reporting. (1) The chemical substance elemental mercury (CAS. No. 7439-97-6) is subject to reporting under this section for the significant new uses described in paragraph (b)(2) of this section.

(2) The significant new uses are:

(i) Manufacture or processing of elemental mercury for use in convenience light switches in new motor vehicles.

(ii) Manufacture or processing of elemental mercury for use in convenience light switches as new aftermarket replacement parts for motor vehicles.

(iii) Manufacture or processing of elemental mercury for use in switches in anti-lock brake systems (ABS) in new motor vehicles.

(iv) Manufacture or processing of elemental mercury for use in switches in ABS as new aftermarket replacement parts for motor vehicles that were manufactured after January 1, 2003.

(v) Manufacture or processing of elemental mercury for use in switches in active ride control systems in new motor vehicles.

(vi) Manufacture or processing of elemental mercury for use in switches in active ride control systems as new aftermarket replacement parts for motor vehicles that were manufactured after January 1, 2003.

(vii) Manufacturing or processing of elemental mercury for use in flow meters, natural gas manometers, and pyrometers except for use in these articles when they are in service as of September 11, 2009.

(viii) Manufacturing or processing of elemental mercury for use in barometers, manometers, hygrometers, and psychrometers except for: Natural gas manometers covered by paragraph (b)(2)(vii) of this section; barometers, manometers, hygrometers, and psychrometers that were in service prior to May 6, 2011; and portable battery

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powered and motor-aspirated psychrometers that contain fewer than seven grams of elemental mercury.

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

(1) Suspension or revocation of certain notification exemptions. The provisions of §721.45(f) do not apply to this section. A person who imports or processes elemental mercury as part of an article is not exempt from submitting a significant new use notice.

(2) [Reserved]

[72 FR 56911, Oct. 5, 2007, as amended at 75 FR 42336, July 21, 2010; 77 FR 31734, May 30, 2012]